

**Unveiling the Dutch ‘burqa ban’: The influences
that explain the decision-making process and the
adoption of the partial burqa ban**

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Summary

By means of causal process tracing, this study investigates how the adoption of the partial burqa ban by the Dutch House of Representatives can be explained from a rational, institutional, political and cultural perspective. This is relevant because previous studies so far, have analysed each of these perspectives in isolation, thereby leaving the interplay between the perspectives, as well as the contextual factors that may have influenced the decision-making process, unexplored. Moreover, the data in these studies dates back to about 2008, therefore leaving a gap in terms of explaining the process from 2008 onwards. With great societal disagreement about the desirability of a burqa ban, it is therefore interesting to see what theories best explain the decision-making process as well as the adoption of the Dutch partial burqa ban in 2016, as this provides people with a better understanding of the grounds on which the partial ban was adopted. Which might help them in forming their own opinion about the adoption of the burqa ban.

By analysing policy documents of the House of Representatives on the matter from 2005, in which the first proposal to establish a ban was made, until the adoption of the ban in 2016, evidence for and against the theories was collected. This evidence was subsequently weighed in order to evaluate to which extent the theoretical perspectives can explain the developments in the process. On this basis, it was overall found that the political and cultural perspectives were most often able to, or needed to, explain the developments in the process. While, institutionalism explained the context in which the discussion took place. And although rationalism was needed to explain why in 2006 a ban prohibiting all types of face covering clothes became pursued instead of a ban on burqas and niqabs only, the approach was rejected from explaining later developments, including the adoption of the partial ban.

Overall, the study showed that multiple theories, as well as contextual factors, were at times needed to explain the developments in the Dutch decision-making process. Which indicates that by means of causal process tracing, a full picture can be established of the several influences that explain a certain outcome.

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Introduction

Since its implementation on the first of August, 2019, the law ‘Gedeeltelijk verbod gezichtsbedekkende kleding’ (Partial ban on face-covering clothing) prohibits people in Dutch public institutions, such as government buildings, hospitals, public transport and schools, from wearing clothes that fully cover the face or that only show the wearer’s eyes (Rijksoverheid, n.d.). Staff members in these buildings and in public transport can ask those who do not comply with the law to remove their face covering clothes or to leave the location. If people refuse to do so, these civil servants can call the police who can fine those breaking the law with a minimum of 150 euros and a maximum of 415 euros (Rijksoverheid, n.d.).

Prior to the law being adopted by the Dutch House of Representatives (hereinafter: the House) in 2016, and the Dutch Senate in 2018, the possibility of a burqa ban was extensively debated in the Netherlands from the moment a motion to ban burqas from all public spaces was brought to the House by Geert Wilders.¹ Arguments in favour this ban were initially mostly concerned with the burqa symbolizing Muslim women’s oppression and it being contradictory to Western democratic values (Lettinga & Saharso, 2012). While opponents criticised the ban for violating the right to freedom of religion (Fournier, 2013) and indirectly discriminating Muslim women, as these would be disproportionately affected by the ban due to their religious conviction (Moors, 2009).

Furthermore, opponents were concerned that the law might lead to social alienation. As explained by Scholten (2018, p.11), this occurs when diversity governance alienates “specific social groups, for instance by social exclusion or discrimination ...”. In case of the burqa ban, opponents of the law worried that face veiling women would have to choose between their religious conviction and the enactment of their civic rights as a consequence of the ban, which would cause them to withdraw from public life (Fournier, 2013; Hass, 2020).

On the basis that a burqa ban would violate freedom of religion, the House rejected the proposal to implement a burqa ban for all public spaces in 2008 (de Volkskrant, 2008). However, as mentioned, a burqa ban was adopted by the House in 2016, although this law does not concern all public spaces and prohibits face covering clothes only in specific public institutions.

¹ At times, the partial ban on face-covering clothes will be referred to as the ‘burqa ban’ in this thesis, as this is what the ban is colloquially known for, also by the Dutch government (Rijksoverheid, n.d.).

The government's stated reason for the necessity of the burqa ban in these public spaces is that: "In certain situations, people should be able to look at one another and recognize one another" (Rijksoverheid, n.d.). Critics and some scholars have contested this legitimization of the law by arguing that the ban constitutes a case of symbolic politics. With only a few women wearing face covering veils in the Netherlands, these scholars find that the ban is not so much a means for achieving a specific objective, but rather a tool for political actors and governments to raise fundamental questions about what it means to hold a certain nationality. And, what this national identity entails (Pei, 2012).

This is in line with the position that culturalization of citizenship has become increasingly important in discussions about integration (Tonkens et al., 2008). Culturalization of citizenship entails "a process in which more meaning is attached to cultural participation (in terms of norms, values, practices, and traditions), either as an alternative or in addition to citizenship as rights and socioeconomic participation" (Tonkens et al., 2008, p.7). In other words, increasingly more emphasis has been placed on cultural norms and values rather than on who legally holds a nationality. Consequently, immigrants are expected to adhere to the cultural norms and values of a country in order to be considered a national, and it is on this basis that they are more often excluded from the imagined national community than included (Tonkens et al., 2008; Moors, 2009).

The aim of this thesis is to answer the question: *How can the decision-making process of the Dutch House of Representatives and the decision to adopt the burqa ban in 2016 be explained from the rational, institutional, political and cultural perspectives?* This is done by analysing the decision-making process by means of causal process tracing (hereinafter: CPT). Academically, this would shed light on which of the perspectives for analysing public policy of Bekkers et al. (2017), which will be discussed in the following theoretical section, has most power in explaining the main developments in the process and the adoption of the partial burqa ban. Furthermore, unlike in previous studies in which the ban was analysed from one or two specific perspectives, this thesis also uncovers what the interplay between the separate perspectives is. And, whether any contextual factors influenced the decision-making process.

Societally, moreover, it is relevant to determine which perspectives best explain the decision-making process in order to determine whether the ban indeed represents a case of culturalization of citizenship or not. If the burqa ban has been adopted without there having been substantial reasons for its necessity and which may not have weighed up to the possible negative consequences of social alienation, discrimination, and the violation of freedom of

religion, this namely might mean that there is a turn towards majoritarianism. This entails that the views of the majority gain primacy over those of minorities, which might result in a violation of the human rights of minorities (Henrard & Vermeersch, 2019).

Furthermore, by evaluating multiple theories' ability to explain the adoption of the partial ban simultaneously, this thesis hopes to provide readers with a complete picture of the influences in the process. And, of the grounds on which the partial ban is based, as this might help people to evaluate the necessity of the ban themselves.

Theoretical framework

The four perspectives that Bekkers et al. (2017), discuss for analysing public policy are the rational, cultural, institutional, and political perspectives. Although policy problems are often multi-faceted and the perspectives explaining a public policy process often intermingled, the authors argue that we can “adequately describe, analyse and explain the complexity of policy processes” by differentiating the four approaches (Bekkers et al., 2017, p.39).

In institutionalism, emphasis is placed on the social context in which a policy process takes place. According to this approach, policy processes are shaped by institutions which are systems consisting of norms, roles, positions and values which have evolved over time and have become quite stable. Thereby shaping a shared worldview. Within the policy process, the procedures, routines, and conventions that constitute institutions, are therefore considered to provide some stability and predictability in the behaviour of political actors and the policy options available to them. As it is expected that the set of values and norms, which are seen as important in a society, guides political actors' behaviour, states or regions become path-dependent. This entails that once a country or a region has started to embark on a specific path, the costs to reverse this path are high, which is why most countries will follow the institutions' established norms and procedures (Bekkers et al., 2017).

With regards to the burqa ban, previous studies therefore looked into the role that national integration models have in explaining the emergence of burqa ban debates in several countries. The Netherlands was namely not the first country to adopt a ban which prohibits the wearing of face covering veils in certain places; France adopted a burqa ban for all public spaces in 2011, after which Belgium shortly followed that same year. Moreover, debates about burqa ban adoptions also arose in other countries, such as Spain, Denmark, and Austria (Silvestri, 2012).

On the basis of its institutionalist path regarding integration, it was assumed that the Netherlands was initially more opposed to the idea of a burqa ban than was France because of the former country having, at the time that the issue arose, an integration system of multiculturalism which was based on the acknowledgement of group differences. France, contrarily, had a notion of unitary citizenship that did not recognize group differences. Thereby, recognition of group differences did not form part of the shared view of French society and did not constitute an important societal value in the country, whereas this was understood to be the case in the Netherlands. The countries' different paths regarding integration were therefore expected to explain why the political debates regarding the possibility of a burqa ban substantively differed between the countries (Lettinga & Saharso, 2012; Lettinga & Saharso, 2014). Several studies, however, have contested the idea that integration models may explain this difference. Especially since they found that integration policies seem to have converged across countries over time, which is shown by convergence in civic integration demands (Sauer, 2009; Lettinga & Saharso, 2012; Lettinga & Saharso, 2014).

Countries' national self-understandings, however, do seem to play a role in the evolution of the discussions. As the concept of gender equality was a prominent part of the French national self-understanding at an earlier point in time than it was in the Netherlands, the French discussion about the burqa ban was earlier on characterized by the argument that burqas undermine gender equality than it was in the Dutch debate, for example (Lettinga & Saharso, 2012). Moreover, Lettinga & Saharso (2012; 2014) point to the role that populist parties together with feminist coalitions have in explaining how the discussions on burqa bans arose, and that these political actors framed burqas in a way that challenged a countries' national self-understanding. Therefore, in line with institutionalism, the burqa ban discussions were shaped by the national contexts in which they took place.

By mentioning the role of populist parties together with feminist coalitions in the burqa ban debates, Lettinga & Saharso (2012; 2014) touched upon one of the other perspectives mentioned by Bekkers et al., (2017), namely the political approach. This approach is concerned with the role that power and interests play in the policy process and how there is a constant struggle between different actors with different interests. Through communication and interaction with others, political actors try to protect their interests and achieve their own goals. However, they are limited in their capacity to do so by the power they have. This leads them to engage in strategic processes of interaction, such as persuasion, exchange, negotiation, and coalition behaviour which consequently influence the policy process. Because there a multiple

actors in the policy process who each have their own interests and goals, it is assumed that political decision-making is not a process in which there are unitary ideas about problems and solutions. But rather, that perceptions of problems and solutions float around freely in sort of a 'garbage can' (Bekkers et al., 2017).

Lettinga & Saharso (2012; 2014), furthermore, state that populist parties, together with feminist coalitions, have framed the burqa in such a way that it is seen to oppose countries' national self-understandings. This finding reflects the underlying notion of the cultural perspective, and more specifically framing theory. The cultural approach posits that worldviews are social constructs. According to this perspective, it is through language, symbols and interactions that people come to understand the world they live in, and through communication they try to share this view with others in order to come to a shared-understanding (Bekkers et al., 2017).

In the political realm, political actors are similarly understood as trying to arrive at a shared-understanding of a policy problem and policy solutions. Through communication and framing, these actors can portray their perception of reality and convince others to share this understanding (Bekkers et al., 2017). Frames are said to be interpretative packages in discourse that make certain aspects of a complex issue salient to an audience in order to make the issue interpretable and understandable (Entman, 1993; Gamson & Modigliani, 1989). Discourse coalitions can develop when different actors similarly frame reality and these coalitions therefore consist of the set of frames used and the actors that evoke these frames. By looking at the interaction between different discourse coalitions, we can understand how policy problems and solutions are differently framed and by whom, and which discourse coalitions had the most power in shaping the policy process (Bekkers et al., 2017).

With regards to framing, Lettinga & Saharso (2012) found that the arguments given for the necessity of a burqa ban have converged across countries over time. Content analyses show actors in favour of a burqa ban often frame Muslim women as being oppressed and in need of liberalization. Other prominent frames are that the burqa threatens social order and security, and that it inhibits communication (Moors, 2009; Sauer, 2009; Lettinga & Saharso, 2012; Silvestri, 2012; Fournier, 2013; Lettinga & Saharso, 2014). In the case of the Netherlands, it was found that it were initially integration and security frames that were mostly evoked. While the gender equality frame emerged in later years (Lettinga & Saharso, 2014).

The last perspective that is discussed by Bekkers et al. (2017), is the rational approach. Rationalism assumes that political actors, who are considered to be rational beings, will tackle societal problems by setting out specific goals. To realize these goals, political actors are expected to weigh up different available alternatives on the basis of costs and benefits, and to choose the alternative with the highest pay-off. In this process, political actors are, however, bound by time, information, and their capacity to process information, which constrains them from weighing up all available alternatives. Therefore, these actors set out a set of minimum requirements that a policy solution has to meet. If the threshold is met, the alternative is chosen. In this perspective, much emphasis is placed on the role of (scientific) information and knowledge, on which political actors are assumed to base their assessment of the causal mechanisms underlying societal problems, as well as the impact that different policy solutions will have (Bekkers et al., 2017).

Regarding rationalism, some scholars have argued that the discussion around the burqa ban has moved away from rational argumentation and justification, and is mostly concerned with issues of freedom and diversity in relation to Islam (Moors, 2009; Silvestri, 2012). More specifically, the social identity of women who are both Dutch and Muslim is understood as challenging Dutch norms about sociality and gender (Moors, 2009). Furthermore, the burqa debate was found to influence the social identity of Dutch Muslim women who wear face covering veils, as interviews indicated that the veil is increasingly seen as a symbol of choice, protest, and a form of power with which these women confront the stereotypical idea of what it means to be a Dutch woman (Moors, 2009; Fournier, 2013; Hass, 2020). Regarding rationalism, however, no studies on the burqa ban have discussed so far whether scientific information and knowledge played a role in the discussions about the ban.

From this overall literature, it is clear that policy processes can be analysed from four distinct perspectives. With regards to the burqa ban, most literature has looked at the issue from an institutionalist, political, and cultural perspective, while rationalism has received little attention. Furthermore, it is observed that the discussions surrounding the adoption of a burqa ban are dependent upon what is seen as constituting a nation's self-understanding, the political actors active in the debate, and the frames used to problematize the burqa.

However, due to the previous studies having employed a method whereby one or two specific perspectives in relation to the burqa ban debate were studied, the interplay between the perspectives remains unexplored. Thereby, leaving unanswered the question which perspective has most power in explaining the developments in the decision-making process of the burqa

ban. Furthermore, most literature on the topic involves data from up to 2008, thereby leaving a gap with regards to the analysis of the decision-making process in the eight years leading up to the adoption. By employing a method of CPT, this study aims to fill these gaps, in which it will also take into account the influence that any contextual factors may have had.

Research design

Research question & sub-questions

The overall research question that my thesis aims to answer is: *How can the decision-making process of the Dutch House of Representatives and the adoption of the burqa ban in 2016 be explained from the rational, institutional, political and cultural perspectives?* In order to answer this question, sub-questions are addressed in order to establish the explanatory power of the distinct perspectives. For rationalism, it is analysed how research reports, expert opinions and other scientific information influenced the decision-making process. For that end, the following questions are addressed: *Does evidence indicate that research reports, expert opinions and/or other (scientific) information influenced the decision-making process? If so, when and how did these influence the process?*

For the political perspective, it is established which political coalitions evolved during the decision-making process and how and to what extent these coalitions influenced the process. Therefore, the following questions are asked: *Is there evidence that indicates that the process was influenced by interaction between political parties? If so, at what time and how did this interaction impact the process?*

With regards to the cultural perspective, and most specifically framing theory, the following sub-questions are addressed: *Is there evidence that indicates that the framing of the burqa influenced the decision-making process? If so, at what time and how did these frames influence the process?*

And lastly, with regards to the explanatory power of the institutional perspective, the following sub-questions are addressed: *Is there evidence that indicates that institutions have influenced the decision-making process? If so, at what time and how have these institutions impacted the decision-making process?*

Moreover, as CPT assumes that causal mechanisms alone cannot account for an outcome (Kay & Baker, 2015; Trampusch & Palier, 2016), the following question is asked:

What national and global events took place that have influenced the Dutch burqa ban decision-making process?

Operationalizations

How the decision to adopt the burqa ban came about is explained by analysing influences on the decision-making process. An influence is operationalized as a capacity to have an effect on something. In this study; a development in the decision-making process. These developments can entail, for example, the rejection of a bill proposal, or the change from a general to an institution-specific ban.

Rationalism is operationalized as the process in which political actors weigh up different available alternatives on the basis of (scientific) information and knowledge. This concept, therefore, is characterized by references to research reports and expert opinions. Institutionalism, on the other hand, is operationalized as the set of values and norms that has evolved over time and is considered of societal importance. References to societal values and norms, and specifically integration and the Dutch national identity, therefore mark this perspective.

Furthermore, within the cultural perspective, and more specifically framing theory, frames are operationalized as interpretative packages in a discourse that make certain aspects of a complex issue salient in order to make the issue interpretable and understandable. Frames, therefore, are the constructions that are used to describe the burqa as a problem. These pertain to for example gender equality, communication, integration, and public safety and order.

Lastly, the political perspective is operationalized as the process in which political actors try to protect their interests and advance their own goals through communication and interaction. This perspective is therefore characterized by indications of persuasion, exchange, negotiation, and coalition behaviour between political actors and parties. This includes statements that indicate that interaction has taken place. But also the taking office of a new cabinet, as this is always preceded by a period of negotiations between parties. This is due to the Netherlands having a multiparty system in which the ruling coalition is always comprised of multiple parties (Andeweg, 2000).

Data sample & collection

In order to answer the research question, the method of CPT is employed, because this method is useful for revealing “the sequential and situational interplay between causal conditions and mechanisms in order to show in detail how these causal factors generated the

outcome of interest.” (Blatter & Haverland, 2014, p.59). In other words, instead of looking at the decision-making process of the burqa ban from one or two specific theories, this method allows a researcher to analyse the explanatory power of multiple perspectives simultaneously. Thereby, it makes researchers not only search for evidence supporting a theory in explaining an outcome, but it also makes them question and evaluate the extent of the perspective’ ability to explain the outcome. Or as Kay & Baker put it: “From a CPT perspective, the objective should be to not only identify whether a hypothesized variable is present or absent but to specify from among a set of potential variables those that best explain causality at each link in a causal sequence” (2015, p.4).

Moreover, this method is especially well suited for this study because it is particularly tailored to help answer ‘why’ and ‘how’ questions by means of a within-case analysis in which qualitative data is used (Collier, 2011; Blatter & Haverland, 2014). Another advantage of this method is that a full picture can be constructed of what causes led to a specific outcome, as the method allows contextual factors to be taken into consideration when explaining an outcome. Although, a downside of this is that findings can therefore not be generalized to other, similar cases (Blatter & Haverland, 2014; Beach & Pedersen, 2019).

Official policy documents regarding the burqa ban of the Dutch House were collected in order to conduct CPT. These documents consisted of written questions asked in parliament, motions, and written reports of the parliamentary debates held on the issue. These documents were used because they are primary sources and include both the views, opinions, and arguments of those in favour of the burqa ban as well as of those who opposed it. The documents therefore did not present a biased view of the decision-making process and could be given quite some weight (Kay & Baker, 2015).

These policy documents were collected by searching the database of the Tweede Kamer der Staten-Generaal (i.e. the House) on the website zoek.officielebekendmakingen.nl. Documents concerned with the burqa ban were collected by means of the search terms ‘boerkaverbod’ (burqa ban) and ‘verbod gezichtsbedekkende kleding’ (ban on face-covering clothing). Documents from 2005 up until the adoption of the ban in 2016 were collected. 2005 was chosen as a starting point because this was the first moment at which a motion to ban burqas was made in the House. As the House adopted the law on the 29th of November, 2016, all documents up until this date were analysed. This resulted in a total of 169 documents.

Data analysis

On the basis of the four perspectives outlined by Bekkers et al. (2017), evidence for the perspectives was collected and weighed. By means of policy analysis, the documents were searched for causal process observations (CPOs). Such an observation is “an insight or piece of data that provides information about context, process, or mechanism, and that contributes distinctive leverage to causal inference” (Kay & Baker, 2015, p.12). With every CPO encountered, the explanatory power of a distinct theoretical perspective is strengthened or weakened (Ricks & Liu, 2018). Therefore, by chronologically and sequentially collecting and weighing the CPOs related to the distinct perspectives, the explanatory power of each perspective over the course of the decision-making process can be established.

Based on the operationalizations of the approaches, CPOs related to rationalism were found by searching for instances in which expert opinions or research reports were addressed in relation to the ban. CPOs related to institutionalism were searched by marking the references made to Dutch societal norms, values, and ways of managing diversity when the ban was discussed. Furthermore, on the basis of the findings of prior studies (Moors, 2009; Sauer, 2009; Lettinga & Saharso, 2012; Silvestri, 2012; Fournier, 2013; Lettinga & Saharso, 2014), the policy documents were deductively analysed in order to find CPOs related to the cultural perspective, and to see whether shifts in frames were observed. Lastly, CPOs related to the political perspective were found by searching for indications of interaction and communication between political actors on the burqa ban issue. An overview of the heuristics and key words used to search for the CPOs related to the theoretical approaches is presented in table 1.

Table 1

The heuristics and key words used to search for CPOs related to the theories

Rationalism	Institutionalism	Cultural	Political
experts' opinion(s) experts' advice experts' knowledge research reports	Dutch norms Dutch values characteristics of the Dutch national identity the country's approach to managing diversity	gender equality communication public order public safety (a) shift(s) in frames observed	indications of (an) agreement(s) made changes in the cabinet's composition

Subsequently, the evidence found was weighed. An initial way in which this can be done is by looking at the frequency of corroborating instances of a CPO. However, merely counting the pieces of evidence that support the distinct perspectives is not sufficient, as some pieces of

evidence have greater weight than others (Kay & Baker, 2015). Therefore, in order to establish what the weighing of the corroborating CPOs was, it had to be determined whether the corroborating CPOs constituted necessary or sufficient causes of the developments in the process (Beach & Pedersen, 2019).

A sufficient cause is one that does not need to be present for an outcome to come about, but when present, is assumed to have influenced an outcome. A necessary cause, on the other hand, is a cause that is required for an outcome to come about, although it does not generate it in isolation (Kay & Baker, 2015). With regards to this latter cause, one has to ask the question whether an outcome would have arisen in the absence of the cause. This type of inquiry is called counterfactual reasoning, which is considered a thought experiment which requires a “solid and comprehensive knowledge” of the process under study (Blatter & Haverland, 2014, p. 69).

When assigning weight to CPOs, least weight is given to CPOs supporting a specific theory when these prove to be neither sufficient in, nor necessary for, explaining a development in the process. Contrarily, most weight is given to CPOs when these prove to be both sufficient in, and necessary for explaining an outcome (Kay & Baker, 2015; Beach & Pedersen, 2019). In order to evaluate the necessity and sufficiency of CPOs, the following tests were used: the straw in the wind test, the smoking gun test, the hoop test and the doubly decisive test.

The straw in the wind test is the weakest of these tests and has the least implications when passed. A straw in the wind test is passed when CPOs are found that support a theoretical perspective (Kay & Baker, 2015; Beach & Pedersen, 2019). For example, if a reference to the Netherlands’ history of managing diversity is found in the policy documents, this finding affirms the relevance of taking into consideration the theory that assumes that institutions shaped the decision-making process. However, it does not confirm that institutions actually impacted the process, nor does it say anything about the extent of this impact. Passing this test therefore says little about a theory’s necessity for, and sufficiency in explaining an outcome (Kay & Baker, 2015; Beach & Pedersen, 2019).

A stronger test is the smoking gun test. Similar to the straw in the wind test, passing this test does not imply that CPOs constitute a necessary cause, but it does indicate that they constitute a sufficient cause. This is because passing this test strongly indicates that a theoretical expectation holds. And, that it can fully explain an outcome. However, failing to pass the test does not mean that the theoretical perspective holds no explanatory power (Kay & Baker, 2015; Beach & Pedersen, 2019). An example of a smoking gun test would be to ask the question: Can

the use of frames problematizing the burqa sufficiently explain why a partial burqa ban was proposed? If the answer is yes, it is assumed that the cultural approach, by itself, can fully explain why the decision to propose a partial ban was made. If the answer is no, framing could still have had an impact on the decision, although this theoretical assumption has become somewhat less likely.

Contrary to the smoking gun test, the hoop test is mostly about excluding theories because this test is concerned with confirming corroborating CPOs' necessity for explaining an outcome. Although, it does not provide support for the notion that those CPOs, when present, generated the outcome in isolation. Passing this test therefore says little about a theoretical perspective's explanatory power. Failure to pass a hoop test, however, means that a theoretical perspective should be eliminated from being considered as providing explanatory power (Kay & Baker, 2015; Beach & Pedersen, 2019). In this way, theories are seen as having to jump through hoops in order not to be eliminated as a potential explanatory power. Furthermore, by making the hoops through which the theories have to jump increasingly smaller, we can upgrade our confidence in the distinct perspectives' explanatory power (Beach & Pedersen, 2019).

An example to test the explanatory power of the political perspective would be to ask: Were political parties able to advance their interests regarding the burqa ban through interaction in the decision-making process? If the answer to this question is no, then the political perspective should be eliminated as a potential explanatory power. However, if the answer is yes, a tighter hoop can then be used in order to determine, for example, at what stages in the decision-making process interaction was needed for an outcome to have come about. Questions could then entail: Was communication between political parties necessary for the burqa ban to become pursued/for a partial ban to be proposed/for a majority of the House to vote in favour of the partial burqa ban? If the answer to this first question is yes, but no in the latter cases, this indicates that political parties, through interaction, were only influential in the agenda-setting stage, but no longer later on in the process. However, if the answers are reversed, it means that the political perspective only holds explanatory power for the final decision-making stage, and not for the earlier stages. In order to determine whether a hoop test is passed, counterfactual reasoning can be applied.

Lastly, the strongest, and therefore most ideal test, is the doubly decisive test. Because passing this test indicates that corroborating CPOs provide enough leverage to a distinct theory so that it can be stated that the influences falling within this perspective, when present, can sufficiently explain an outcome. And, that an outcome would not have come about in the

absence of these influences. Furthermore, passing this test entails that other perspectives should be eliminated from explaining an outcome (Kay & Baker, 2015; Beach & Pedersen, 2019). In this study, the evidence that would come closest to passing a doubly decisive test would be (a) statement(s) in which a political actor confirms that a decision was made on the basis of, for example, scientific information.

Overall, it was on the basis of these tests that the explanatory powers of the rational, political, cultural and institutional perspectives in the Dutch decision-making process of the burqa ban were established. See table 2 for an overview of what it entails when a theoretical assumption passes the tests in terms of the theories' ability to explain a development.

Table 2
Overview of the implications of the passing of the tests by theoretical assumptions in terms of theories' ability to explain a development

		Sufficient	
		No	Yes
Necessary	No	Straw in the wind (weakest) Passing: affirms relevance of hypothesis but does not confirm it Failing: hypothesis is not eliminated but is slightly weakened	Smoking gun (stronger) Passing: confirms hypothesis Failing: hypothesis is not eliminated but is slightly weakened
	Yes	Hoop (stronger) Passing: affirms relevance of hypothesis but does not confirm it Failing: eliminates hypothesis	Doubly decisive (strongest) Passing: confirms hypothesis and eliminates others Failing: eliminates hypothesis

Derived from Kay & Baker (2015) p.15

Theoretical assumptions

In order to unveil what causes influenced the decision-making process and ultimately the adoption of the partial burqa ban, the following theoretical assumptions were put to the test:

For rationalism: *that scientific information and knowledge influenced the process and the adoption of the partial ban.*

For the political perspective: *that developments in the process, as well as the adoption of the partial ban in 2016, were the result of interaction between political parties.*

For the cultural perspective: *that it were the frames that described the burqa as a problem that determined the process and final decision to adopt the ban.*

And lastly, for the institutional perspective: *that the process and final outcome were influenced by the shared worldview that the political actors and parties had about the important values and norms in Dutch society and the country's integration approach.*

Each of the theoretical assumptions was given equal weighting in the evidence collection and weighing of the CPOs, as this is necessary in order to adequately conduct a method of CPT (Kay & Baker, 2015). However, on the basis of previous studies, I personally assumed that, while all theories would have had some influence on the process, the political and cultural perspectives would hold most power in explaining the developments in the decision-making process. This assumption was made because previous studies showed that it were political actors that pursued the realization of a burqa ban by evoking frames pertaining to gender equality, security, and communication (Lettinga & Saharso, 2012; Lettinga & Saharso, 2014). Moreover, as general bans were adopted in both France and Belgium, I assumed that institutionalism, although having had some influence, would have less explanatory power than the political and cultural perspectives. I reasoned this because these countries also adopted burqa bans, despite having national self-understandings that are different from that of the Netherlands.

Considerations

While I tried to be as objective as I could during the analysis, I acknowledge that my prior knowledge on the matter may have steered the evaluation of the evidence. Furthermore, I am aware of the fact that how I am as a person, that is a Western, non-religious, young woman, and how I am as a researcher, that is someone who is interested in issues of diversity and equality, may also have had an impact on the way I conducted this study. However, I was aware of these limitations beforehand and tried to remain as objective as I possibly could during the study.

Findings

Through the analysis, eight main developments in the policy process were found that are relevant for understanding the decision-making process of the House. The following sub-chapters explicate how, and to what extent, each of the theories discussed can explain these distinct developments. Each of these eight developments is discussed, in chronological order, in a separate sub-chapter. And these sub-chapters are structured so that each contains a narrative

on the background of the development, a section on the CPOs found for each theory, and a section on the weighing of the found evidence in order to evaluate the extent of the theories' ability to explain the development discussed. For which it must be noted that the passing of the hoop, smoking or doubly decisive test automatically entails that a straw in the wind test is also passed. Similarly, the passing of a doubly decisive test entails that the smoking gun and hoop tests are also passed. Furthermore, some context is provided at times in order to complement the evidence found.

1. A majority of the House votes in favour of Wilders' motion(s) to formulate a ban on burqas and niqabs for all public spaces.

Background

As previously mentioned, it was Wilders who on the 10th of October, 2005, tabled a motion in the House to ban burqas and niqabs from all public spaces. Wilders at the time was an independent member of the House. This motion was subsequently accepted by a majority of the House, including the members of the CDA and the members of the VVD. These parties formed the ruling coalition '*Balkenende II*' together with D66. Even though D66 did not vote in favour, the motion still received a majority vote because LPF and independent member Nawijn voted in favour of the motion as well, besides Wilders himself.²

A year later, on the 17th of October, 2006, Wilders, who by then had erected his party the PVV, tabled another motion together with Weekers from the VVD in which they urged the Minister of Immigration Cases and Integration, Verdonk, to start with the formulation of a law proposal which would ban burqas from all public spaces. This they did because they found that the cabinet was too slow in executing Wilders initial motion to ban burqas. From the discussion on this motion, it is shown that a majority of the House voted in favour of Wilders' second motion (Tweede Kamer der Staten-Generaal, 2006a; 2006b). Those that voted in favour were the parties the VVD, CDA, SGP, LPF (Tweede Kamer der Staten-Generaal, 2006b).

Evidence

The policy document containing the discussion on the motion shows that Wilders used a gender equality frame to problematize the wearing of burqas in public spaces: "*It* (i.e. the

² See Appendix A for an overview of the Dutch political parties' full names and ideological positions.

burqa) is a women degrading, medieval piece of clothing, that moreover makes women unrecognizable and therefore unidentifiable” (Tweede Kamer der Staten-Generaal, 2006a, p.1072). Weekers, from the VVD, similarly used this frame, but also evoked frames pertaining to communication and public order and safety in order to substantiate the claim that burqas are undesirable in Dutch society: “... and the concern for a decent public order causes us not to tolerate such garments. ... You cannot communicate with someone whose facial expressions you cannot see” (Tweede Kamer der Staten-Generaal, 2006a, p.1073). Thereby these statements constitute CPOs which provide leverage to culturalism as the document on the discussion clearly shows that frames were used to portray the burqa as a problem.

A policy document containing parties’ explanation of vote demonstrates that, although D66 agreed that the burqa was an undesirable piece of clothing, it was not persuaded by the frames used to describe the burqa since the party opposed Wilders’ motions. This they did because they did not want to “rip off the burqa, but emancipate it away” (Tweede Kamer der Staten-Generaal, 2006b, p.1116). Also, the party feared that prohibiting the burqa would not lead to emancipation, but rather to social alienation, as burqa wearing women would no longer leave their houses (Tweede Kamer der Staten-Generaal, 2006b).

On the contrary, the document indicates that although the SGP did not vote in favour of Wilders’ first motion to ban burqas and niqabs from all public spaces, it did vote in favour of his second motion which urged the cabinet to start with the formulation of this law. And, that the party did so because the cabinet had not yet taken action on this matter, and that it made its decision on the grounds of public order and safety: “In the case of burqas, we find that on the grounds of public order and safety, such a prohibition can be appropriate. ... That, all together, is sufficient reason for our party to now vote in favour of the motion Wilders/Weekers” (Tweede Kamer der Staten-Generaal, 2006b, p.1116). This finding provides further leverage to the cultural perspective.

Concerning CPOs related to institutionalism, the document containing the discussion on the Wilders/Weekers motion shows that the minister responsible for the formulation of the burqa ban law proposal at the time, minister Verdonk, stated that she did not find burqas fitting in Dutch society and that they hindered immigrants’ integration. As the following quote demonstrates, she thereby mentioned values which, according to her, are important in Dutch society, such as being able to look each other in the eyes and having equal rights: “In the Netherlands, we want to live in a free society in which we can look each other in the eye, in which people can meet one another and can communicate with one another in the public space.

That is, after all, the beginning of integration. A society in which women have the same rights as men and do not occupy a subordinate position. ... The burqa does not fit in this, not from the perspective of integration and not from the perspective of emancipation.” (Tweede Kamer der Staten-Generaal, 2006a, p.1072).

Moreover, the stance that burqas did not fit in Dutch society are in line with the cabinet’s view on integration at the time. As a policy document from January, 2007, shows, *Balkenende II* aimed to reform the Netherlands’ integration approach by imposing demands on immigrants and by including aspects of cultural integration. For example, it was implemented that immigrants were already taught some Dutch and schooled on Dutch ways of living in their country of origin. In this way, the cabinet aimed to make integration less ‘non-committal’ and placed more responsibility on immigrants to integrate (Tweede Kamer der Staten-Generaal, 2007a). These findings therefore provide support for institutionalism, as the proposed ban seems to fit the institutions that existed at the time.

However, the document on the discussion about the motion also indicates that the cabinet wanted to await the rapport of a commission of experts before formulating its stance. This commission was asked to investigate both the legal possibilities of a burqa ban and the possible societal effects that such a ban would have (Tweede Kamer der Staten-Generaal, 2006a). Although this constitutes a CPO supporting rationalism when explaining why the cabinet at this point in the decision-making process had not yet taken action to start with the formulation of a law proposal, it also constitutes a CPO rejecting rationalism when it comes to explaining the development under discussion. This is the case because, as indicated by minister Verdonk, there was no scientific knowledge or information on the issue available yet. Therefore, this could not have influenced the process at this time.

[Weighing of the evidence](#)

As shown, CPOs related to the cultural, institutional and rational perspectives were found in the policy documents. Firstly, the cultural assumption is considered to pass the smoking gun test, because culturalism can sufficiently explain why a majority of the House voted in favour of the motions. That is, parties were persuaded by the frames used to portray the burqa as a problem, and they therefore voted in favour of the motion(s).

Except in the case of the SGP, it cannot be established, however, that the frames also constitute a necessary cause. While the SGP’s statement indicates that it was partly out of public order and safety considerations that the party was persuaded to vote in favour of the second

motion, this cannot be concluded for the other parties. This is because, based on the evidence, it cannot be determined that the outcome would not have come about in the absence of the frames evoked, as the data do not show whether the burqa was already considered a problem by other parties, prior to the frames evoked by Wilders and Weekers.

When secondly evaluating the evidence related to institutionalism, it is evaluated that institutionalism also passes the smoking gun test, as the approach can sufficiently explain why a majority of the House voted in favour of the motions. That is because the burqa did not fit within the cabinet’s shared worldview about the important Dutch norms and values. Furthermore, the ban fits within the cabinet’s integration approach, which started to include aspects of cultural integration. Thereby, the majority of the House could have considered the ban a logical, incremental step on the Netherlands’ path in terms of integration. And, in line with the country’s values and norms. However, based on the evidence, it cannot be determined that the country’s integration approach and shared worldview were also needed for a majority of the House to vote in favour of the ban because the cultural approach can also sufficiently explain the development.

And lastly, rationalism is rejected. This is the case because the statements made by the minister Verdonk indicate that knowledge and information at this time in the process were missing. Therefore, rationalism is eliminated from explaining this development in the decision-making process, as (scientific) knowledge and information cannot explain why a majority voted in favour of the motions. Overall, therefore, the institutionalist and cultural approaches are evaluated as sufficiently explaining the development. See table 3.

Table 3
Overview of the tests passed

		Sufficient	
		No	Yes
Necessary	No	Straw in the wind Rational Political Institutional✓ Cultural✓	Smoking gun Rational Political Institutional✓ Cultural✓
	Yes	Hoop Rational Political Institutional Cultural	Doubly decisive Rational Political Institutional Cultural

2. The idea to prohibit burqas and niqabs in all public spaces is replaced by the idea to pursue a general ban in all public spaces.

Background

In a letter from minister Verdonk to the House on the 28th of November, 2006, the minister indicated that the cabinet would no longer pursue a ban prohibiting Islamic wear, because this would violate freedom of religion, as well as the equality principle. And, that it would instead start with the formulation of a proposal to legally prohibit the wearing of all face covering clothes in public spaces out of considerations of “*public order, safety, and the protection of fellow citizens*” (Tweede Kamer der Staten-Generaal, 2006d, p.3). Also, she stated that the cabinet would ask an interdepartmental team to research which legal provisions already existed to prohibit face covering clothes and whether these needed expanding (Tweede Kamer der Staten-Generaal, 2006d).

Evidence

The analysis showed that this change from the pursuit of a ban prohibiting the wearing of burqas and niqabs in all public spaces to a more generally formulated ban directly followed the publication of the rapport ‘Overwegingen bij een boerka verbod’ (Considerations for a burqa ban). Which was published on the 3rd of November, 2006, by the commission of experts appointed by *Balkenende II*. As minister Verdonk indicates, it was on the basis of the experts’ advice that the cabinet decided to no longer to pursue a ban prohibiting only the wearing of Islamic face covering garments: “*The experts came to the conclusion that ... – a general or specific ban on the wearing of Islamic face covering veils – are not legally tenable. The cabinet is convinced by the judgement of the experts that such a prohibition would unlawfully infringe on freedom of religion and the equality principle*” (Tweede Kamer der Staten-Generaal, 2006d, p.1-2).

Furthermore, the minister wrote that the cabinet formed the opinion that regulations should be created regarding face covering clothes, because the public wearing of burqas poses a problem for society. Which, according to her letter, “*is also acknowledged by the experts*” (Tweede Kamer der Staten-Generaal, 2006, p.2). This problem included issues with communication, the enforcement of public order and safety, as well as the emancipation and integration of burqa wearing women (Tweede Kamer der Staten-Generaal, 2006d). These statements constitute CPOs supporting rationalism in explaining why the cabinet chose to pursue

a general ban for all public spaces instead of a ban prohibiting Islamic wear only. This is because the statements give the impression that the cabinet pursued this new, general ban on the basis of the rapport of the experts on the matter. Furthermore, the document shows that the minister still evoked frames pertaining to communication, gender equality and public order and safety in order to substantiate the need for the ban.

When analysing the rapport to determine whether the cabinet's decision actually is in line with the rapport of the experts, it is found that the commission indeed stated that a ban prohibiting only Islamic wear would be legally unattainable. And, that this is the case because such a prohibition would be in violation of the right to freedom of religion under article 9 of the European Convention on Human Rights (ECHR), as well as the equality principle under article 6 of the Dutch constitution, and article 14 of the ECHR. The commission also noted that limitations to these rights could be imposed if, first of all, the ban did not only prohibit Islamic wear, but was more generally formulated so that it included all types of face covering clothes. And, secondly, if the necessity for the ban was formulated as having arisen out of considerations of *"public order/safety and the protection of (fellow)citizens"* (Tweede Kamer der Staten-Generaal, 2006c, p.63). Furthermore, the commission pointed out that the existing legal framework already allowed for demands to be made regarding how people dressed in certain places, and that a ban should only be considered if this legal framework no longer sufficed (Tweede Kamer der Staten-Generaal, 2006c). This evidence, thereby furthermore strengthens the rational assumption that (scientific) information and knowledge influenced the decision-making process, because it is observed that what the minister wrote in her letter to the House followed what was said by the experts.

However, when more closely analysing the experts' advice, evidence weakening rationalism is found. Because the experts also indicated that it was highly plausible that a court would rule that a generally formulated ban conflicted with the right to the freedom of religion. Moreover, they stated that: *"A generally formulated ban on the wearing of face covering clothes is, in the current legal and societal context, highly problematic"* (Tweede Kamer der Staten-Generaal, 2006c, p.64). And, that they had: *"great concerns about the negative societal consequences of the implementation of a legal prohibition"* (Tweede Kamer der Staten-Generaal, 2006c, p.67).

Furthermore, the document demonstrates that the experts were critical of the argument that burqas necessarily hinder integration and emancipation: *"The wearing of a face covering veil might also very well be the beginning of an integration process ..."* (Tweede Kamer der

Staten-Generaal, 2006c, p.16). And, in terms of emancipation: *“We are of the opinion that it cannot be generally assumed that the wearing of face covering veils to a is the result of social pressure predominant degree ...”* (Tweede Kamer der Staten-Generaal, 2006c, p.17). Thereby, these statements constitute CPOs weakening the rational assumption because the experts were critical of the burqa posing a societal problem, and a general ban being a suitable solution to this problem.

In terms of the cabinet’s composition at the time of the development, it is noted that D66 in June 2006 had decided to leave the ruling coalition as the party had lost its faith in minister Verdonk (de Volkskrant, 2006). This left the ruling coalition, the CDA and VVD, in a minority, interim, cabinet called *‘Balkenende III’*, until the commencement of a new cabinet in February 2007. Evidence for the political perspective is therefore also found, since the CDA and VVD. Since both parties had been in favour of the burqa ban proposal of Wilders in 2005, the coalition behaviour of the parties might be weighed as explaining why a general ban was pursued. This assumption is further strengthened by the fact that it were members of the VVD, such as Weekers and Verdonk, who had actively been advocating for a burqa ban in the discussion on the ban (Tweede Kamer der Staten-Generaal, 2006a). Which indicates that the VVD was in favour of a ban prohibiting the wearing of burqas and niqabs in public spaces.

Weighing of the evidence

At first sight, it appears that the rational assumption would pass the doubly decisive test, as the statements made by minister Verdonk in her letter to the House indicate that the cabinet’s decision followed the experts’ report. However, when taking into consideration that the experts were in fact also quite critical about the pursuit of a general ban, it appears that the rapport can no longer sufficiently explain why the cabinet decided to continue the pursuit of ban, albeit general. This is because, based on the advice that a ban should only be considered if the legal framework at the time no longer sufficed, the cabinet could also have decided to await the findings of the interdepartmental team before it started with the formulation of a general ban for all public spaces. Thereby, the rational assumption fails to pass the smoking gun test, because the rapport cannot sufficiently explain why the cabinet decided to start with the formulation of a general ban proposal.

On the contrary, the rational assumption does pass the hoop test and thereby the rapport constitutes a necessary cause. This is because, when applying counterfactual reasoning, it appears highly unlikely that this specific development would have occurred if the rapport had

not stated that a generally formulated ban, unlike a ban targeting only burqas and niqabs, was attainable, but only on the grounds of public order and security. And, that existing legal measures needed to be looked into. This conclusion is drawn from the fact that, prior to the publication of the rapport, the policy documents contained no mentions of a generally formulated ban, nor of an inclination to analyse the existing legal provisions related to clothing.

As a necessary cause is considered to be required for an outcome to come about, although it cannot produce it in isolation (Kay & Baker, 2015), the likelihood that the political perspective holds explanatory power increases. This is the case because, as the evidence showed, the parties that had the power to start with the formulation of a general ban were the CDA and VVD, which together formed the cabinet. And, which had both been in favour of a ban prohibiting burqas and niqabs since Wilders tabled his first motion in 2005. Although, the coalition between these parties cannot by itself sufficiently explain why a general ban became pursued instead of a ban on burqas and niqabs, as both parties had initially been in favour of the ban of burqas and niqabs, the perspective, in combination with rationalism, is needed to explain the development. This is because it appears unlikely that a coalition including parties that had not been in favour of a ban, would also have resulted in the pursuit of a general ban. Especially since the Council had indicated that existing legal provisions should be examined first, before pursuing a ban.

Overall, therefore, the rapport by the commission of experts, as well as the coalition between the VVD and CDA are weighed as constituting necessary causes of the pursuit of the general ban. As the political perspective is needed to explain why a ban continued to be pursued, while the rational approach is needed to explain why the ban pursued took the shape of a general ban. See table 4.

Table 4
Overview of the tests passed

		Sufficient	
		No	Yes
Necessary	No	Straw in the wind Rational ✓ Political ✓ Institutional Cultural	Smoking gun Rational Political Institutional Cultural
	Yes	Hoop Rational ✓ Political ✓ Institutional Cultural	Doubly decisive Rational Political Institutional Cultural

3. A bill proposal by the PVV to ban burqas and niqabs in all public spaces is not pursued by the House.

Background

Before *Balkenende III* was able to formulate a law proposal, a new cabinet, ‘*Balkenende IV*’, took office on the 22nd of February, 2007. This cabinet consisted of the parties the CDA, PvdA and CU. The arrival of this new cabinet, however, did not stop the PVV from proposing an amendment to the Dutch Criminal Code, as the party, on the 12th of July, 2007, proposed a bill to prohibit the wearing of burqas and niqabs in all public spaces (Tweede Kamer der Staten-Generaal, 2007g). This proposal, however, was not pursued.

Evidence

In terms of the cultural approach, the policy document containing the explanatory note on the proposal by the PVV shows that the party used the same frames to substantiate the claim that the burqa was a problem as it did when Wilders tabled his first motion in 2005, and his second motion together with Weekers in 2006: “*The burqa or the niqab yield an unwanted safety risk*” and, “*A ban will take away the problems that the wearing of a burqa or a niqab yield in terms of interpersonal communication ...*” (Tweede Kamer der Staten-Generaal, 2007f, p.2). Furthermore, the authors of the note argue that the garments hinder integration, emancipation, and are a symbol of the oppression of women. And that these, because of this latter point, therefore conflict with the core values of Western society which highly values gender equality (Tweede Kamer der Staten-Generaal, 2007f). Furthermore, it is found that references to Dutch societal values and norms were made in order to substantiate the need for a ban.

CPOs related to rationalism were also found during the analysis. The Council of State (hereinafter: the Council), which is the highest advisory body of the Dutch government, namely advised the House on the amendment proposal put forward by the PVV. In their advice the Council writes that it “*considers, ..., the importance of open, mutual communication between citizens, both visually as well as verbally, of great importance for Dutch society*” (Tweede Kamer der Staten-Generaal, 2007h, p.1). However, in terms of integration and emancipation, they are also critical of the assumption that a burqa ban would aid burqa wearers in these areas. Furthermore, with regards to the safety argument, the Council notes that the petitioners of the amendment have not substantiated well enough why it would be only Islamic face covering

veils that would pose a safety risk and not any other types of face covering clothes. Also, the Council is critical of the extent to which burqas should be seen as posing a threat to public safety, as there is little concrete evidence presented that supports this claim. All in all, the Council therefore is not convinced by the arguments put forward by the petitioners and it states that, in fact, such an amendment would be legally difficult to obtain due to aspects of freedom of religion and the non-equality principle (Tweede Kamer der Staten-Generaal, 2007h).

A document on the discussion of the proposal by the political parties shows that almost all parties were critical of the amendment proposed, although to varying degrees and for various reasons. And, as the following evidence shows, for which some referred to the evaluation of the Council. First of all, both the CDA, VVD and PvdA indicated that they wondered why the amendment did not concern all types of face covering clothes. In this respect, the PvdA argued that the amendment in its current form was discriminatory, and the VVD argued that burqas and niqabs were not the only face covering garments that could be said to pose a risk to public safety, for which they referred to the Council's advice: *“Even though this (i.e. the proposal) is in line with the content of previous motions, it has since become apparent that there are many legal objections to solely prohibiting burqas and niqabs. ... The Council of State is clear in its reaction to the present proposal in that it finds it nonsensical to prohibit one specific piece of clothing while other face covering clothes remain allowed”* (Tweede Kamer der Staten-Generaal, 2008b, p.10). Which is why, the party continues, the VVD is in favour of a ban prohibiting all types of face covering clothes (Tweede Kamer der Staten-Generaal, 2008b).

Furthermore, while the PvdA agreed with the Council that the security argument was poorly substantiated, the SGP and CDA disagreed with the advisory body on this point. Although, the latter party did ask why the amendment did not include all types of face covering clothes. CDA: *“In line with the Council of State, the members of the CDA do not understand why the proposed prohibition is solely targeting the wearing of burqas and niqabs (which only a few people wear) and does not in a general way concern the public wearing of clothes ... that threaten public safety or inhibit or severely limit identification”* (Tweede Kamer der Staten-Generaal, 2008b, p.4).

Moreover, the party stated that *“After having read the rapport by the commission of experts (i.e. Considerations for a burqa ban), the cabinet's response to that, and the advice of the Council of State ..., the members of the CDA consider the legal basis for the arguments of the petitioners for a prohibition of the wearing of burqas and niqabs in public spaces insufficient”* (Tweede Kamer der Staten-Generaal, 2008b, p.8). And, the party indicated that it

rather awaited the announced proposal of *Balkenende IV*. The CU similarly asked why the petitioners had not awaited the proposal of the new cabinet and the findings of the interdepartmental team that was investigating whether additional legal matters were needed, before they had proposed the amendment (Tweede Kamer der Staten-Generaal, 2008b).

In terms of the emancipation and integration argument put forward by the petitioners, the VVD stated that, unlike the Council, it agreed that burqas hindered emancipation and integration, while D66 and SGP opposed this argument. D66: *“These members endorse the position that the degree of integration is shown by participation in social life and not by people’s choice of clothing”* (Tweede Kamer der Staten-Generaal, 2008b, p.3). With regards to the form of the proposed prohibition, both the PvdA and SGP wondered whether a ban that would be situation and/or location specific would not be more effective in reducing safety risks (Tweede Kamer der Staten-Generaal, 2008b).

Overall, these statements show that the parties were not equally convinced by the arguments put forward by the PVV and the frames used, as there was disagreement on whether the emancipation and integration argument, as well as the security argument were sufficiently substantiated or not. Furthermore, the statements indicate that most parties in their evaluation were influenced by the Council’s advice, although to varying degrees. As, the VVD, for example, disagreed with the Council in terms of the emancipation and integration argument, while the SGP and CDA objected to the Council’s advice regarding the security argument. However, the rational assumption is supported, as the evidence indicates that almost all parties were influenced by the advice of the Council.

Weighing of the evidence

As the evidence showed that the same frames were used at this stage in the process as in the beginning of the decision-making process, it is weighed that the cultural approach does not pass the smoking gun, hoop, or doubly decisive test. This is the case because there is no shift in frames observed that can explain why a majority of the House initially voted in favour of the motions tabled by Wilders (and Weekers), while they opposed the present proposal, especially since the content of these proposals was the same. Thereby, the cultural assumption is eliminated from explaining why the PVV’s bill proposal was not pursued.

Contrarily, there is strong evidence supporting the rational approach, as many parties refer to the Council’s advice in their evaluation of the proposal and/or indicate on which points they agree with the Council. Moreover, when looking at the argumentation put forward by the

CDA and VVD, which were the parties that initially voted in favour of Wilders’ motion, it is observed that these state that it was on the basis of experts’ advice and research report(s) that they did not support the present proposal. Therefore, the rational approach can sufficiently explain why the PVV’s proposal was not pursued. Furthermore, rationalism is needed to explain the development, since the frames evoked and the content of the proposal were the same as Wilders’ first motion in 2005. Therefore, these cannot explain the development. Moreover, when applying counterfactual reasoning, it is evaluated that the development most likely would not have come about in the absence of the Council’s advice and the experts’ report. Overall, the doubly decisive test is therefore passed, which confirms rationalism’s ability to explain why the PVV’s proposal was not pursued. See table 5.

Table 5
Overview of the tests passed

		Sufficient	
		No	Yes
Necessary	No	Straw in the wind Rational ✓ Political Institutional Cultural	Smoking gun Rational ✓ Political Institutional Cultural
	Yes	Hoop Rational ✓ Political Institutional Cultural	Doubly decisive Rational ✓ Political Institutional Cultural

4. A bill proposal by the VVD to ban all types of face covering clothes in all public spaces is not pursued by the House.

Background

On the 24th of January, 2008, half a year after the PVV’s proposal, the VVD put forward a proposal to alter the Dutch Criminal Code. However, the proposal this time concerned a ban prohibiting all face covering clothes in public spaces (Tweede Kamer der Staten-Generaal, 2008g). This proposal, however, was also not pursued.

Evidence

Unlike the PVV, The VVD substantiated the claim that this amendment was necessary solely on the grounds of public safety and order. In its explanatory note, the party writes that:

“In the first place, the wearing of face covering clothes threatens the objective safety. ... And in the second place, the relation between face covering clothes and criminality threatens the subjective safety” (Tweede Kamer der Staten-Generaal, 2008a, p.1). Regarding objective safety, the party indicated that face covering clothes pose a problem as it makes wearers unidentifiable and therefore untraceable in the case of a crime committed. In terms of subjective safety, the party notes that face covering clothes may give other citizens feelings of fear and uncertainty: *“One that covers his face in front of others, makes it impossible for those others to estimate his moods and intentions. He brings about the fear in others that he is up to no good”* (Tweede Kamer der Staten-Generaal, 2008a, p.1).

Furthermore, the party stated that it is up to the state to safeguard public order and safety. And, that it in order to do so, may impose limitations on the right to freedom of religion if the measure is proportionate and serves a pressing social need. Which, according to the VVD, is the case (Tweede Kamer der Staten-Generaal, 2008a). Overall, this evidence shows that the VVD chose to problematize face covering clothes only in terms of public order and safety, and not (anymore) in terms of gender equality, communication, and emancipation and integration. Which most likely is due to the ban no longer only prohibiting the wearing of burqas and niqabs, but all types of face covering clothing. Thereby, a shift in framing is observed, which constitutes evidence supporting the cultural approach in explaining why the proposal was not pursued.

No other documents were found that contained evidence supporting or rejecting any of the other approaches in explaining why the proposal was not pursued. And, as a later rapport by the Council indicates, the Council’s advice on the VVD’s proposal was not made public (Tweede Kamer der Staten-Generaal, 2012a). As the following sub-chapter shows, however, the VVD’s proposal was shortly followed by *Balkenende IV*’s proposal on the matter. Therefore, it is possible that this contextual factor influenced why the VVD’s proposal was not pursued.

Weighing of the evidence

Although a shift in the frames evoked was observed, since the VVD solely used a public order and safety frame in order to argue for the need of the amendment while communication and gender equality frames were no longer used, there are no statements that indicate that it was because of this frame that the proposal was not pursued. Therefore, the cultural assumption fails the doubly decisive test. However, the cultural approach is considered to pass the smoking gun test, because it can sufficiently explain why the proposal was not pursued. This is because, even

though the SGP and CDA may have been persuaded by the public safety and order frame, which is likely on the basis of the evidence found in the previous sub-chapter, the members of these parties, together with those of the PVV and VVD, did not amount to a majority in the House at the time of the VVD’s proposal. Therefore, the use of only a public order and safety frame can sufficiently explain why the proposal was not pursued, as not enough members in the House were persuaded by the frame for the proposal to be pursued.

It cannot be weighed, however, that the shift in framing also constitutes a necessary cause, as there not enough evidence was found to draw this conclusion from. And, because the timeline shows that it was only sixteen days after the VVD’s proposal that *Balkenende IV* presented its own proposal. Which makes it possible that this contextual factor caused the VVD’s proposal not to be discussed at this stage in the process, because, as the following sub-chapter will show, the cabinet’s proposal became the subject of discussion in the House.

Overall, the cultural approach is therefore found to be able to sufficiently explain why the VVD’s proposal was not pursued. However, this perspective is not considered needed to explain the development, since the contextual factor that the cabinet presented its own proposal very shortly after that of the VVD, can also account for the development. See table 6.

Table 6
Overview of the tests passed

		Sufficient	
		No	Yes
Necessary	No	Straw in the wind Rational Political Institutional Cultural ✓	Smoking gun Rational Political Institutional Cultural ✓
	Yes	Hoop Rational Political Institutional Cultural	Doubly decisive Rational Political Institutional Cultural

5. Instead of general ban for all public spaces the idea of a ban for educational institutions and public service functions is proposed.

Background

In a letter to the House on the 8th of February, 2008, several ministers of *Balkenende IV* wrote that, after careful consideration, the cabinet had evaluated that, at that moment, there were sufficient legal measures to limit or prohibit face covering clothes in order to safeguard public order and safety. And that, in addition to these measures, it wanted to establish a prohibition on face covering clothes in educational settings, and for public service functions, out of communication considerations (Tweede Kamer der Staten-Generaal, 2008f). And, that it wanted to establish ‘one line’ among schools and provide ‘uniformity’ and ‘clarity’: “.. *the announced plans offer schools, students, teachers and parents clarity and provide a helping hand for schools that do have a conflict, or that will have one in the future. Together we send out a clear signal that face covering clothing does not fit with the education in our open society*” (Tweede Kamer der Staten-Generaal, 2009a, p.4).

Evidence

Regarding rationalism, CPOs were found that support the rational assumption in explaining why the cabinet proposed this partial ban. For example, the ministers in their letter from February, 2008, state that the conclusion that there already were sufficient legal measures for the protection of public order and safety is supported by the advice of the Association of Attorney Generals, the Association of Dutch Municipalities, and the Policy Force Management/Board of Chief Commissioners (Tweede Kamer der Staten-Generaal, 2008c; 2008f). Furthermore, the analysis demonstrates that the police force had indicated that Islamic face covering clothes did not pose a threat to public order or safety. And, that the police had sufficient resources to safeguard this order and safety. Also, it was found that no problems involving burqas up until point in the process had arisen within the area of health care and that the Minister of Public Health, Welfare and Sport would investigate whether a prohibition in this area would be useful (Tweede Kamer der Staten-Generaal, 2008c).

However, in the area of education, the Minister of Education did state that a prohibition of face covering clothes was desirable because of the quality of education being dependent upon seeing one another’s faces, for which he refers to the Commission of Equal Treatment: “*According to the Commission of Equal Treatment, the not wearing of face covering clothes is*

important for the educational process throughout the entire school complex, including the schoolyard and hallways” (Tweede Kamer der Staten-Generaal, 2008c, p.6). This constitutes evidence supporting the rational assumption.

Although, evidence contradicting rationalism was also found in a document from December, 2008, as this document demonstrates that the cabinet was aware that the Board of Directors of schools in the Netherlands had indicated not to need the ban, as they were able to deal with any issues related to face covering themselves. And, because they had not yet experienced any actual problems with face covering clothes: *“The organisations for higher education rather don’t have it (i.e. the partial ban). I admit, this also applies to some organisations in primary and secondary education ...”* (Tweede Kamer der Staten-Generaal, 2009a, p.10).

With regards to evidence supporting the political perspective, it is observed that the proposal was put forward following the arrival of a new cabinet in which the VVD had been replaced by the PvdA and CU. As neither of these parties had been in favour of a burqa ban up until this stage in the process, it is likely that they negotiated with the CDA on this matter. Moreover, it is shown that the PvdA opposed a general ban and already publicly stated to be in favour of a ban that would apply only in schools and work environments, prior to the cabinet presenting its proposal: *“A general legal prohibition completely misses its mark. The Labour Party is in favour of a burqa ban in schools and work environments. Where it is relevant, such institutions can already, if on objective grounds, establish clothing regulations. Legislation, therefore, is not needed for this matter”* (Tweede Kamer der Staten-Generaal, 2007b, p.2720). Thereby, this findings constitutes evidence that supports the political assumption that interaction between parties influenced the outcome.

In terms of institutionalism, it is found that the new cabinet considered burqas not to fit in Dutch society because of communication and emigration aspects. However, it also thought that prohibiting them would conflict with the country’s free characteristic. The analysis demonstrates that in the months following the commencement of *Balkenende IV*, a debate arose in the House regarding the new cabinet’s integration approach and its plans for formulating a burqa ban. As the new minister responsible for integration, Vogelaar, who was a member of the PvdA, upon taking office had stated that wearing a burqa in public should remain possible, the VVD and the PVV demanded that the cabinet formulated a burqa ban. Furthermore, the parties critiqued the cabinet’s new integration approach, which detached immigration policies from integration policies (Tweede Kamer der Staten-Generaal, 2007b).

In its plans, the cabinet indeed indicated that the minister responsible for integration policies, Vogelaar, would no longer be responsible for immigration cases, but instead became responsible, besides integration, for ‘living’ and ‘neighbourhoods’. Furthermore, the cabinet indicated that it, unlike the previous cabinet, did not want to focus on the problems and limitations that integration produced in society, but wanted to tackle the problems on a neighbourhood level, without putting the emphasis on the problems. In this way, the minister aimed to “*give shape to a “modern citizenship”. For which she would use the pluriformity in society and look for common interests*” (Tweede Kamer der Staten-Generaal, 2007c, p.1). Both the PVV and VVD opposed this integration approach and argued that it reflected the ‘cultural relativism’ of the eighties (Tweede Kamer der Staten-Generaal, 2007e). Although not explicitly explained in the documents, the parties with this notion, referred back to the Netherlands’ integration policy of the eighties.

Context

In the sixties and seventies, the Dutch government initially assumed that guest workers who were brought to the Netherlands would one day return to their countries of origin. Therefore, the country did little to facilitate the integration of these newcomers. When in the eighties it turned out that the guest workers would not return to their countries of origin, the government implemented a number of ‘multicultural policies’. These included, for example, being able to receive education in one’s native language, to receive social welfare, and to bring one’s family to the Netherlands.

Discontent with this integration approach grew, however, among the native population in the nineties, as the population found that immigrants became a burden on the country’s social welfare system and did not integrate into society. Therefore, in the nineties, the country’s integration approach changed; higher integration demands were made and more responsibility was placed on the immigrants, who had to start following integration courses. Over the years, these demands have increased, which has led to an integration approach in which the requirements of civic integration have become harsher and harsher (Camacho, 2019).

By bringing up the cultural relativism of the eighties, the PVV and VVD therefore indirectly state that they find the integration approach of the cabinet not strict enough and that more should be demanded from immigrants, as these people will otherwise become a burden on the Netherlands. In their argumentation, they speak of gender equality, and Dutch norms and

values pertaining to interaction with one another. And about how these values should be defended. Which is also why, they argue, a burqa ban should be implemented (Tweede Kamer der Staten-Generaal, 2007b ;2007d; 2007e).

Although the cabinet acknowledged that the Netherlands in the past underestimated the importance of integration and should have taken action in this area earlier on (Tweede Kamer der Staten-Generaal, 2008e), it had a different view about the most suitable integration approach and immigrants' place in Dutch society. In order to defend its view, the cabinet referred to the Dutch past: *“The Netherlands has always been a country in which people from other parts of Europe or beyond were welcome. I am thinking of the Huguenots that were expelled from France. I am thinking of people from the Jewish community. ... The impressive thing of the Netherlands is that there actually has always been room for minorities, that there has been room for cultural and religious pluriformity. It is for that reason that the Netherlands has often been characterised as a tolerant and open country”* (Tweede Kamer der Staten-Generaal, 2007e, p.4435).

These documents clearly show that, although all political actors acknowledged that integration needed to be governed, the VVD and PVV had a different view than did the cabinet on what this governing should look like. While the VVD and PVV argued that a lack of demands on immigrants would lead to an undermining of Dutch values, the cabinet argued that it would not be in line with the Netherlands' historical path of tolerance and openness to want to establish cultural and religious uniformity. Thereby, evidence is found which shows that the cabinet's rejection of a general ban is in line with the cabinet's shared worldview about the characteristics that make up the Dutch national identity. That is, a free society which is characterised by openness towards and tolerance of religious and cultural pluriformity. Although, evidence was also found contradicting the institutional perspective since the findings indicate that there was not one shared worldview among all parties in the House in terms of the important societal norms and values in the Netherlands, and neither on what integration approach the country should have.

Weighing of the evidence

When applying counterfactual reasoning in order to determine whether the political perspective passes the hoop test, it is evaluated that the coalition behaviour constitutes a necessary cause of the development. This is because, it seems unlikely that this development would have taken place if the VVD had remained to make up the ruling coalition together with

the CDA. This is inferred from the fact that these parties so far had both been in favour of a ban for all public spaces and because the documents show no mentions of a partial ban by the CDA and VVD prior to the development under discussion. While the PvdA, on the contrary, had already mentioned to be in favour of a ban in school and work environments prior to the cabinet's proposal. Therefore, the coalition behaviour between the PvdA, CU and CDA is evaluated as having been necessary for the development to have come about.

However, when evaluating whether the coalition behaviour of the new cabinet can sufficiently explain the development, the political assumption is considered to fail the smoking gun test. This is the case because, even though the coalition behaviour can explain why a general ban was not pursued, it cannot sufficiently explain why the cabinet decided to pursue a ban only for educational environments and public service functions, but not for other areas, such as work environments. As this is what the PvdA had stated to be in favour of prior to the official cabinet proposal. For this, culturalism is needed.

As observed, the cabinet only used a frame pertaining to communication in order to substantiate its proposal. Therefore, it is likely that the PvdA and CU were persuaded by this frame, but not by the other frames. Which explains why the proposal of the cabinet only pertained to institutions and functions in which communication likely was considered especially important. Although the cultural approach is therefore needed to explain why a ban for educational institutions and public service functions was pursued, it cannot sufficiently explain why a partial ban was pursued instead of a general ban. As communication was not only inhibited by face covering clothes in these specific institutions and functions, but also in other areas. Therefore, it appears that other considerations also played a role in the cabinet's decision to pursue an institution/function specific ban. Such as individuals' right to freedom of religion. Which would explain why the PvdA and the CU had not been persuaded to be in favour of the earlier proposals.

Moreover, on the basis of the evidence found for the rational approach, it is weighed that the perspective can sufficiently explain why the cabinet did not pursue a general ban. As the decision followed the findings of the ministers that were asked to investigate the matter, as well as the advice of experts in the field. Furthermore, it would initially appear that the finding by the Commission of Equal Treatment can sufficiently explain the pursuit of a ban in educational areas, as the commission indicated that open communication is needed in the educational process. However, when taking into consideration the finding that the Board of Directors of schools in the Netherlands had indicated that it had sufficient measures to deal with

problems that might arise due to face covering clothes, so that additional measures were not needed to safeguard the quality of education, the rational assumption is contradicted. And, can no longer explain why a ban in educational institutions was proposed, since institutions already had measures to safeguard open communication. Rationalism, furthermore, is not needed to explain the cabinet's proposal, because the political and cultural perspectives can together account for the development. Therefore, rationalism is considered to pass only the straw in the wind test.

In terms of institutionalism, it is weighed that the perspective's assumption passes the straw in the wind test, because evidence was found that shows that the cabinet considered the general ban not to fit the free characteristic of Dutch society and its openness to, and tolerance of religious and cultural minorities. Nor did it fit with the cabinet's integration approach which acknowledged cultural and religious pluriformity. Which supports the notion that institutions influenced the decision not to pursue a general ban. However, evidence against institutionalism was also found, as other parties in the House opposed the cabinet's integration approach and argued that a general ban was needed in order to safeguard the country's important norms and values. Therefore, it appears that there was not one shared, stable worldview among all parties in the House about the values and norms that made up the Dutch national identity. Which is in contradiction with what institutionalism assumes (Bekkers et al., 2017). Therefore, institutionalism is considered to pass only the straw in the wind test.

Overall, the political and cultural perspectives are therefore weighed as being necessary to explain why *Balkenende IV* proposed a ban in educational institutions and public service functions instead of a general ban. While mixed evidence was found for the rational and institutional perspectives, which entails that these perspectives can neither sufficiently explain, nor are necessary for explaining why the development came about. See table 7.

Table 7
Overview of the tests passed

		Sufficient	
		No	Yes
Necessary	No	Straw in the wind Rational✓ Political✓ Institutional✓ Cultural✓	Smoking gun Rational Political Institutional Cultural
	Yes	Hoop Rational Political✓ Institutional Cultural✓	Doubly decisive Rational Political Institutional Cultural

6. A general ban for all public spaces is pursued.

Background

Because the formation of a majority cabinet had failed after the elections in 2010, the VVD and CDA together formed a minority coalition, *'Rutte I'*. However, in order to get bill proposals passed by the House, the parties made an official agreement with the PVV that the latter would support the cabinet on specific issues (Kollau, N.d). With the commencement of this new cabinet, in October 2010, the plan for the execution of a general ban for all public spaces was back on the table and send to the Council for consultation (Tweede Kamer der Staten-Generaal, 2011d; 2012a). And, similar to the initial stage of the decision-making process, the need for this general ban was substantiated on the grounds of safeguarding public order and safety, the need for open communication, and to aid gender equality (Tweede Kamer der Staten-Generaal, 2012).

Evidence

The arrival of a new cabinet and the official agreement made between the VVD, CDA and PVV constitutes evidence providing leverage to the political perspective, as it assumed that negotiations and coalition behaviour led the parties to come to an agreement on the burqa ban matter. Especially, since Wilders of the PVV had been pushing for the realization of a burqa ban since his first motion in 2005 (Tweede Kamer der Staten-Generaal, 2007f; 2007i; 2008d; 2011c). Furthermore, as the findings in the previous sub-chapters already showed, all three

parties had voted in favour of the ban prohibiting burqas and niqabs in all public spaces in 2005 and, had later on indicated to be in favour of a general ban for all public spaces.

Moreover, the analysis demonstrates that the VVD had also actively advocated for the establishment of a burqa ban, and a general ban, over the course of the decision-making process. Which is shown, for example, from the party's bill proposal. But also from the fact that the party initiated a discussion about what social welfare rights burqa wearers should have. For example, in October, 2007, the party, together with the PVV, tabled a motion which proposed that burqa wearers should not be able to receive social welfare if they were unable to find a job due to being unwilling to conduct work without a burqa (Tweede Kamer der Staten-Generaal, 2007i). Thereby, these findings constitute CPOs supporting the political perspective.

Furthermore, statements made by Wilders show that the pursuit of a general ban for all public spaces was part of the party's agreement with the cabinet: *"Because many measures that we want to take, ..., to counteract that Islamification, will be executed by this cabinet. ... On top of that, there will be a burqa ban in that sense, we are very happy with the cooperation with the CDA and VVD "* (Tweede Kamer der Staten-Generaal, 2011d, p.87). And: *"What is the situation of the burqa ban? ... "Ban on face covering clothing" is what it is called in the agreement (i.e. the official agreement made between the PVV and the cabinet), but the word "burqa ban" is also there, so I can call it this. In Belgium and France they have already taken care of it"* (Tweede Kamer der Staten-Generaal, 2011a, p.49). This provides further evidence for the political perspective.

Context

As can be seen from the quote, France and Belgium had passed a law prohibiting face covering clothes in public; the former in April, 2011, and the latter in July, 2011.

Furthermore, with the arrival of the new cabinet, a new integration approach was drawn up in which 'own responsibility' became a main focus. Which was reflected by the fact that integration courses, for example, would have to be paid by immigrants themselves if they had the means to do so. Because the cabinet assumed that this would lead to better integration. Moreover, as the cabinet considered multiculturalism to have failed, it wanted to say goodbye to multiculturalism and the relativism that was embedded within it. Instead, the cabinet wanted to establish a society in which there was pluriformity, as well as a common sense about the norms and values that the cabinet considered to be at the foundation of the country, such as

equality, tolerance, freedom and solidarity (Tweede Kamer der Staten-Generaal, 2011b). And, while the country continued to evolve, the cabinet wanted these values to remain the starting point from which this evolution took place: *“From now on, we assume a society that will keep evolving, partly because of the people that come and live here. But the continuity of the current society remains the starting point. That’s what this cabinet chooses”* (Tweede Kamer der Staten-Generaal, 2011b, p.21). As the following quote demonstrates, it was in relation to these values that the burqa was seen as a problem: *“If someone wears a burqa, normal communication is not possible anymore and that hurts in the broad sense the freedom of others”* (Tweede Kamer der Staten-Generaal, 2011b, p.11). Therefore, evidence is found supporting the assumption that the system of values and norms shared by the CDA, VVD and PVV influenced the cabinet’s decision to pursue a general ban in all public spaces.

D66, however, was critical of the cabinet’s integration approach and argued that norms and values should not be imposed on people from a government level. Furthermore, in response to the claim that the cabinet wanted to say goodbye to multiculturalism, the party asked whether the cabinet’s integration approach in fact was substantially different from that of previous cabinets: *“The minister distances himself from the multicultural society. Meanwhile, in response to questions asked about that, he makes a strong case for the multicultural society and also uses exactly the same text that I am used to from Ella Vogelaar (i.e. the minister responsible for integration under Balkenende IV). ... Is the minister forcibly trying to make it seem like there is a change of course? If so, what is that change of course? ... Or is the minister busy pleasing the ‘gedoogpartner’”* (that is the party supporting the cabinet, i.e. the PVV) (Tweede Kamer der Staten-Generaal, 2011b, p.27). The CU, similarly asked whether the burqa ban was not the only thing that differentiated Rutte I’s approach from that of previous cabinets. When asked by D66 whether the minister responsible for integration, Donner, interpreted the cabinet’s integration approach as a break from the Netherlands’ path in terms of integration. The minister responded: *“In the past, steps have gradually been taken and these are still being taken. It is just a question of whether you can call this a break from the path. Myself, I have not used this term. But I did observe that we should go down that path with accelerated steps”* (Tweede Kamer der Staten-Generaal, 2011b, p.24).

Many of the other parties in the House, also voiced their critique against the cabinet’s new integration approach as they found that people would not be able to integrate without support from the government. The PvdA, furthermore, argued that this approach entailed that the cabinet would do nothing in terms of integration and that, as the past had shown, this

approach would not work: *“All this may well be a historical mistake. Just like in the eighties, the Christian democrats and the liberals say that the government does not need to do anything about integration, and that it will all work out by itself and that it is all one’s own responsibility. However, I would assume that we have learned that it does not work like that”* (Tweede Kamer der Staten-Generaal, 2011b, p.5). The PvdA, in this statement, refers back to the eighties in which the Dutch government did little to enhance integration. Which is remarkably the same period of time to which the VVD referred when critiquing the integration approach of *Balkenende IV* (i.e. the cabinet that the PvdA was a part of). This again shows that the parties in the House diverged in terms of their ideas about what the Dutch integration approach should look like, and how this approach related to the country’s previous integration approach(s). Therefore, evidence contradicting the institutional assumption was also found, since not all parties in the House shared the cabinet’s view on integration.

Weighing of the evidence

In terms of evaluating the explanatory power of institutionalism, it is weighed that the perspective passes the straw in the wind test. This is because the ban fits within the view that the cabinet had about the important values of Dutch society, as well as its integration approach which demanded from immigrants that they assumed and adhered to these values. However, this view was not shared by all parties in the House, which contradicts the institutionalist assumption that a shared worldview influenced the outcome, as this shared worldview appears to be absent. Therefore, institutionalism is neither needed for, nor can sufficiently explain why a general ban for all public spaces was again pursued.

Contrarily, the coalition behaviour between the parties is considered needed for the outcome to have come about, since it is unlikely that this development would have taken place if other parties had formed the ruling coalition since most other parties had opposed the proposals of a general and/or burqa and niqab ban for all public spaces. Furthermore, the perspective can sufficiently explain the outcome, since all three parties had been in favour of a burqa ban, and later a general ban, since the start of the decision-making process and since the statements by Wilders confirm that an agreement between the parties was made on the matter. Thereby, the political assumption passes the doubly decisive test. See table 8.

Table 8
Overview of the tests passed

		Sufficient	
		No	Yes
Necessary	No	Straw in the wind Rational Political✓ Institutional✓ Cultural	Smoking gun Rational Political✓ Institutional Cultural
	Yes	Hoop Rational Political✓ Institutional Cultural	Doubly decisive Rational Political✓ Institutional Cultural

7. Instead of a general ban for all public spaces, a partial ban is pursued.

Background

On the 5th of November, 2012, a new cabinet, ‘*Rutte II*’, took office. Earlier that year, in April, *Rutte I* came to an end after disagreements between the VVD, the CDA and the PVV. The new cabinet was comprised of the VVD and the PvdA, which together formed a majority coalition. While abandoning the idea of a general ban for all public spaces, this new cabinet set out to formulate a ban that would prohibit face covering clothing in specific institutions, namely schools, government buildings, healthcare institutions and public transport (Tweede Kamer der Staten-Generaal, 2012e).

Evidence

With regards to framing, the cabinet argued that while freedom of expression was characteristic of the free Dutch society, ‘open communication’ was also needed in this free society in order to safeguard ‘safety’ and the ‘quality of services’. Which is why, according to the cabinet, a general ban would be disproportionate, and a partial ban was desirable (Tweede Kamer der Staten-Generaal, 2016a). Which constitutes evidence for the cultural approach, as it is observed that a shift in framing took place at this moment in the process, since *Rutte I* evoked not only a communication frame, but also gender equality and public order and safety frames.

Furthermore, the taking office of a new cabinet constitutes evidence providing leverage to the political perspective. As the previous sub-chapters have shown, the VVD throughout the decision-making process had been in favour of a general ban in all public spaces, whereas the

PvdA had been in favour of ban on face covering clothes only in certain places, such as educational institutions. Therefore, it is likely that negotiations and collation behaviour between the parties led to a compromise. That is, a ban on face covering clothes that would apply only in specific institutions.

Additional evidence that negotiations between the PvdA and the VVD influenced the process at this point is found in a statement made by the PvdA. When the PvdA is asked by the CU why it supports the VVD on another issue (which is unrelated to the burqa ban), the PvdA responds that it compromised on this issue in order to abandon the pursuit of a general burqa ban: *“It is this (i.e. the other issue) that remained after the burqa ban had been removed This measure remained and was agreed upon with the VVD.”* (Tweede Kamer der Staten-Generaal, 2012b, p.48). This quote shows that in order to have to have the general burqa ban removed from the political agenda, the PvdA compromised with the VVD on another issue.

Furthermore, CPOs providing leverage to the rational approach were also found. A document from January 2012 namely demonstrates that the Council was critical of the proposal of *Rutte I* to establish a general ban on all types of face covering clothing in all public spaces. As the following extract shows, the council found the arguments put forward by the cabinet to argue the need for the ban poorly substantiated: *“.. she (i.e. the Council) considers ... it not plausible that a general legal prohibition on the wearing of face covering clothes is necessary. Arguments such as equal treatment and emancipation of the wearers of burqas and niqabs should not be used against the wearers’ own choices. Subjective feelings of unsafety do not constitute an independent, bearing motivation to justify an interference as the one discussed. Furthermore, the government also does not demonstrate why the already existing regulations,, to tackle concrete problem, would not suffice”* (Tweede Kamer der Staten-Generaal, 2012a, p.6). The Council therefore objected to the proposal of a general ban and advised against it being send to the House (Tweede Kamer der Staten-Generaal, 2012a).

Weighing of the evidence

When weighing the evidence related to rationalism, it is found that the rapport by the Council constitutes a sufficient cause of the cabinet’s decision not to pursue a general ban. But, that it cannot sufficiently explain the choice for a partial ban, since the Council does not evaluate the desirability of a partial ban. For that reason, the rapport is also not considered as having been necessary for the cabinet’s decision to pursue a partial ban to have come about.

Furthermore, based on the PvdA's statement that the general ban was no longer pursued due to negotiations with the VVD, the political assumption is evaluated as passing the doubly decisive test. Additionally, in explaining the choice for a partial ban, the approach is weighed as passing the hoop test, as the coalition behaviour between the PvdA and VVD is needed to explain why a partial ban was decided upon. This is because the PvdA had already earlier on indicated to be in favour of a partial ban for educational institutions and public service functions, whereas the VVD throughout the process had been in favour of a general ban in all public spaces. Therefore, the political perspective is needed to explain the development, although it cannot sufficiently explain why the cabinet opted for a ban in the specific institutions mentioned. The cultural approach is needed for this, as this perspective can explain why a ban was proposed for institutions in which open communication was considered especially important and not in other areas. Although, the perspective cannot sufficiently explain the development, since communication was not only inhibited by face covering clothes in these specific institutions but also in other areas. Overall, both the cultural and political approaches are therefore needed to explain the development. See table 9.

Table 9
Overview of the tests passed

		Sufficient	
		No	Yes
Necessary	No	Straw in the wind Rational Political✓ Institutional Cultural✓	Smoking gun Rational Political Institutional Cultural
	Yes	Hoop Rational Political✓ Institutional Cultural✓	Doubly decisive Rational Political Institutional Cultural

Development 8: A majority of the House votes in favour of the partial ban on face covering clothing.

Background

After having sent the partial ban proposal to the Council for consultation, *Rutte II* sent the proposal to the House for voting. Which is where, on the 29th of November, 2016, a majority of the House voted in favour of the partial burqa ban. The parties that voted in favour were the VVD, PvdA, PVV, CDA, SP, SGP, CU and 50Plus (Tweede Kamer der Staten-Generaal, 2016b).

Evidence

Besides the argument that open communication was needed for safety and the quality of services, the cabinet, similar to *Balkenende IV* in 2009, argued that the ban was necessary on the grounds of ‘clarity’, ‘uniformity’, and ‘establishing the norm’ (Tweede Kamer der Staten-Generaal, 2009a 2012c; 2015a; 2015b; 2015c). The following quote demonstrates this: “*When it concerns the basic principles of society which are essential for reciprocal interaction and communication between citizens, the cabinet finds it important to establish unambiguous, uniform legal norms. That way, problems can be avoided in places where ... the quality of public services and safety are put under pressure*” (Tweede Kamer der Staten-Generaal, 2015c, p.5). Although, the cabinet acknowledged that the institutions in which the ban would apply already had measures to their disposal to tackle any problems that might arise. This shows that the cabinet, besides using a communication frame to portray the burqa as a problem, now started to substantiate the need for a ban by problematizing the lack of such a ban.

Furthermore, and although still at times evoked, the analysis showed that frames pertaining to gender equality were no longer as saliently evoked at this point in the decision-making process: “*The government finds it important to emphasize that the proposed prohibition not (only) pertains to the wearing of burqas, but to the wearing of all types of face covering clothes in the institutions. ... The prohibition can, however, counteract the social pressure on women to wear face covering clothes*” (Tweede Kamer der Staten-Generaal, 2015c, p.6). This is most likely because, as the cabinet stated, the ban no longer concerned burqas and niqabs

only, but included all types of face covering clothes. Although not explicitly stated in the policy documents, an international development can explain this shift in framing as well.

Context

As previously mentioned, France had passed a ban prohibiting face covering clothes in public spaces in 2011. Subsequently, a French woman filed a lawsuit against the country's ban on the basis of the right to freedom of religion and expression. The case was brought to the European Court of Human Rights (ECtHR), which ruled that the law was legally justified on the grounds of public safety and "*the protection of the rights and freedoms of others*" (S.A.S. v. France, 2014, p.49). Of which the latter meant that in order for people to live together in a society, people had to have "*respect for the minimum requirements of life in society.*" (S.A.S. v. France, 2014, p.49). With regards to the argument that the ban promoted gender equality, however, the court ruled that a government could not argue to promote gender equality, when wearers of the face covering garments indicated to wear the garments out of their own will (S.A.S. v. France, 2014). Thereby, the case set a precedent for the other countries party to the Council of Europe, including the Netherlands.

When looking at the timeline, it is observed that it was following this ruling of the ECtHR that the Dutch cabinet started to evoke mostly frames pertaining to safety and communication. And, that the cabinet stated that the ban would reflect the 'basic principles' of Dutch society in terms of interaction between citizens. Which indicates that the ruling of the ECtHR may have influenced the frames and arguments put forward by the cabinet. Which might explain why a majority of the House voted in favour of the partial ban.

Regarding rationalism, evidence is found contradicting the rational assumption, as the European Commission against Racism and Intolerance of the Council of Europe (ECRI) advised the cabinet to refrain from the proposal in 2013, on the basis that the ban would indirectly discriminate Muslims (Tweede Kamer der Staten-Generaal, 2013a; 2015e). Furthermore, in 2015, the Council also evaluated that the cabinet had poorly argued for the need of the ban and it noted that the institutions to which the ban would apply probably would not need the ban, as these institutions had indicated not to have had problems with face covering clothes. Furthermore, in case problems would arise, these institutions had the necessary means to take care of these problems themselves. Moreover, the Council found that there was no need for a 'uniform' national law on face covering clothes in these institutions: "*In other words,*

realistically and legally, a sector specific prohibition of face covering clothes is already the reality there where it is functional. Thereby it has not been shown that the, by the petitioners assumed, lack of uniformity has led to unclarity and legal uncertainty” (Tweede Kamer der Staten-Generaal, 2015d, p.6).

Weighing of the evidence

Based on the evidence found, rationalism is eliminated from explaining why a majority of the House voted in favour of the partial ban, since the decision to vote in favour did neither follow the advice of the ECRI nor that of the Council.

The cultural assumption that the frames evoked during this part of the process influenced the adoption of the partial ban, passes the smoking gun test. This is because it is possible that the parties that voted in favour were persuaded by the communication frame. However, culturalism is not needed to explain the outcome, because other factors can also account for the outcome. Such as the fact that the cabinet started to problematize the lack of a ban on face covering clothes, besides problematizing the wearing of face covering clothes. Or, the fact that the ECtHR had ruled that the French general ban for all public spaces was legally justified.

Another, and more likely explanation is the fact that the ban took the shape of a partial ban. Besides the PVV, VVD, and CDA, which had been in favour of bans for all public spaces, the other parties that voted in favour of the partial ban had indicated at some point throughout the process that they were in favour of a partial ban. The SP and CU, for example, stated that they found a general ban disproportionate, and asked why a partial ban was not considered when discussing *Rutte I*'s proposal of a general ban for all public spaces in 2012 (Tweede Kamer der Staten-Generaal, 2012d). Similarly, the SGP, in 2008, also wondered whether an institution specific ban would not be more suitable than a general ban (Tweede Kamer der Staten-Generaal, 2008b). Additionally, the PvdA throughout the process had also been in favour of a partial ban. And although no inferences about 50Plus' motivations for voting in favour can be made, as the party was not found to have been in favour or against a ban in the decision-making process, it is assumed likely that it was the shape of the partial ban that influenced the parties' decisions to vote in favour of the ban. See table 10.

Table 10
Overview of the tests passed

		Sufficient	
		No	Yes
Necessary	No	Straw in the wind Rational Political Institutional Cultural✓	Smoking gun Rational Political Institutional Cultural✓
	Yes	Hoop Rational Political Institutional Cultural	Doubly decisive Rational Political Institutional Cultural

Discussion

Conclusion

By looking at the CPOs found and the tests passed by the theoretical assumptions in the overall decision-making process,, the research question of this thesis can be answered. That is, *How can the decision-making process of the Dutch House of Representatives and the adoption of the burqa ban in 2016 be explained from the rational, institutional, political and cultural perspectives?* This is done by evaluating the overall explanatory power of the distinct theories, which is established by answering the sub-questions pertaining to these perspectives.

For rationalism, the sub-question: *Does evidence indicate that research reports, expert opinions and/or other scientific information influenced the decision-making process?*, is answered affirmative, because evidence was found that indicated that experts' advice and a research report by a commission of experts influenced the process. When answering the following sub-questions: *If so, when and how did these influence the process?*, it is determined that the rational approach holds power in explaining why a general ban for all public spaces was proposed instead of a ban prohibiting only burqas and niqabs in these spaces in 2006. And, why parties in the House opposed the bill proposal put forward by the PVV in 2007 and 2008. In case of the former development, the extent of the explanatory power is such that rationalism is needed to explain why a general ban was pursued, although it cannot sufficiently explain the development, since the political approach is needed for this as well. While in the latter case, the perspective is needed for, and can sufficiently explain why parties in the House opposed the PVV's proposal.

With regards to the following sub-question of the cultural perspective: *Is there evidence that indicates that the framing of the burqa influenced the decision-making process?*, the findings confirmed that this evidence exists. Furthermore, with regards to the question *If so, at what time and how did these frames influence the process?*, it is found that frames at multiple times throughout the process were able to sufficiently explain why developments occurred. Although, the perspective was not needed to explain the development, since the other theories and/or contextual factors could also account for the developments. See table 11 for an overview.

Furthermore, the cultural approach was needed to explain why *Balkenende IV* decided to propose a ban in educational institutions and public service functions in 2008. As well as why *Rutte II* in 2012 proposed a partial ban in the institutions in which face covering clothes are now prohibited. Since the communication frame is needed to explain why the proposals only concerned areas in which open communication was considered especially important. Although, the PvdA's, and CU's, convictions about individual freedoms are also needed to explain why partial bans were pursued. Overall, the cultural approach is considered to hold explanatory power throughout the process.

In terms of the sub-question for the political perspective *Is there evidence that indicates that the process was influenced by interaction between political parties?*, it was found that this was the case. In terms of the question *If so, at what time and how did this interaction impact the process?*, findings showed that the political perspective at multiple times is needed to explain why certain developments in the process took place. First of all, the decision to pursue a general ban in all public spaces, in 2006, cannot be explained without taking the coalition behaviour of the CDA and VVD into consideration. Similarly, the coalition behaviour of the CDA, PvdA and CU is needed to explain why a ban in educational institutions and public service functions was pursued in 2008, instead of a ban for all public spaces. Although, the coalition behaviour in neither cases can sufficiently explain the developments, as rationalism, in case of the former, and culturalism, in case of the latter must also be taken into consideration when explaining the developments.

The last development for which the political approach is needed to explain why it came about, is the proposal of the partial ban in 2012. This is because, the coalition behaviour of the VVD and PvdA is needed to explain why a partial ban for specific institutions was pursued, instead of the general ban that *Rutte I* had proposed. Although, the cultural approach is also needed to explain why the cabinet opted for the specific institutions in which the ban would be applicable. The political perspective is overall, therefore, needed to explain several

developments throughout the decision-making process, notably those in 2006, 2008 and 2012. Although, the perspective by itself cannot explain these developments as other perspectives are needed for this as well.

For institutionalism, the sub-question: *Is there evidence that indicates that institutions have influenced the decision-making process?*, is answered affirmative. And regarding the question: *If so, at what time and how have these institutions impacted the decision-making process?*, the findings showed that the approach can sufficiently explain why a majority of the House voted in favour of Wilders' motion in 2005, as the ban fitted with the country's view on important societal values, as well as the country's integration approach at the time.

Furthermore, mixed evidence for the perspective was found in 2008 and 2012. *Balkenende IV's* rejection of a general ban, in 2008, was namely found to fit with the cabinet's view on important Dutch characteristics and values, such as openness to and tolerance of cultural and religious minorities. Furthermore, the decision matched the cabinet's integration approach which acknowledged religious pluriformity. However, evidence also showed that not all parties in the House agreed with the cabinet's view on integration and, how the general ban on face covering clothes related to the country's important societal values. Similarly, *Rutte I's* decision to pursue a general ban for all public spaces was found to fit within with the cabinet's integration approach, although other parties voiced their critique to this approach and the view that the cabinet had about Dutch norms and values. Therefore, the assumption that a stable, shared worldview influenced these developments is weakened, as it appears that there was not a stable shared worldview amongst the parties in the House in terms of the country's integration approach and, important norms and values.

Thereby it is difficult to evaluate whether the developments fit within a broader shared worldview about important Dutch norms and values and the country's integration approach. And, whether the developments should therefore be considered as path dependent or not. However, when taking into account the finding by Camacho (2019), that the Netherlands has started to demand more and more from immigrants over the years in terms of civic integration, the inclusion of cultural aspects and, therefore, the adoption of the partial burqa ban, can be evaluated as being a logical next step in the Netherlands path in terms of integration. Although, as this thesis demonstrated, the contours of this path were heavily debated upon. Overall, institutionalism therefore is especially useful in explaining the context in which the Dutch burqa ban discussion took place and why it took eleven years for the House to decide on a ban.

Lastly, regarding the question: *What national and global events took place that have influenced the Dutch burqa ban decision-making process?*, a few events were found to have influenced the decision-making process and the adoption of the ban in 2016. The fact that the VVD's bill proposal in 2008 was shortly followed by that of *Balkenende IV* explains why the VVD's proposal was neither discussed, nor pursued at that time in the process. Furthermore, the *S.A.S. v France* court case can explain why *Rutte II* started to evoke mostly frames pertaining to safety and communication and why it stated that the ban would reflect the 'basic principles' of Dutch society regarding interaction between citizens. While the gender equality frame was no longer saliently used.

When answering the research question based on the answers to the sub-questions, it is found that institutionalism, overall, explains the context in which the decision-making process took place as there was great disagreement between the political parties in the House in terms of how the bans proposed related to the country's important societal values, as well as the country's integration approach. In terms of explaining the specific developments in the process, the cultural perspective, however, was mostly found to be able to sufficiently explain several developments in the process. While both the political and cultural approaches, were at several times needed to explain developments. Although, in combination with another theory.

Besides some developments that took place early on the process, the rational approach, does not explain most developments in the process, including the adoption of the partial ban. Although, the theory is needed to explain why the partial burqa ban, as the adopted ban is colloquially known for, does not prohibit burqas and niqabs only, but all types of face covering clothes. Table 11 provides an overall overview of the perspectives' ability to explain the developments in the decision-making process.

Table 11

Overview of the perspectives' ability to explain the developments in the decision-making process

		Sufficient	
		No	Yes
Necessary	No	<p>Straw in the wind</p> <p>Rational A general ban for all public spaces is proposed instead of ban prohibiting only burqas and niqabs – 2006 The PVV's proposal to prohibit burqas in all public spaces is not pursued – 2007 A ban for educational institutions and public service functions is proposed - 2008</p> <p>Political A general ban for all public spaces is pursued instead of ban prohibiting only burqas and niqabs – 2006 A ban for educational institutions and public service functions is proposed – 2008 A general ban is pursued – 2010 A partial ban is pursued - 2012</p> <p>Institutional A majority of the House votes in favour of Wilders' motion(s) – 2005/2006 A ban for educational institutions and public service functions is proposed – 2008 A general ban is pursued - 2010</p> <p>Cultural A majority of the House votes in favour of Wilders' motion(s) – 2005/2006 The VVD's general ban proposal is not pursued - 2008 A ban for educational institutions and public service functions is proposed – 2008 A partial ban is pursued – 2012 The partial ban is adopted - 2016</p>	<p>Smoking gun</p> <p>Rational The PVV's proposal to prohibit burqas and niqabs in all public spaces is not pursued - 2007</p> <p>Political A general ban is pursued - 2010</p> <p>Institutional A majority of the House votes in favour of Wilders' motion(s) – 2005/2006</p> <p>Cultural A majority of the House votes in favour of Wilders' motion(s) – 2005/2006 The VVD's general ban proposal is not pursued - 2008 The partial ban is adopted - 2016</p>
	Yes		

Yes	<p>Hoop</p> <p>Rational The PVV's proposal to prohibit burqas and niqabs in all public spaces is not pursued - 2007</p> <p>Political A general ban for all public spaces is proposed instead of ban prohibiting only burqas – 2006</p> <p> A ban for educational institutions and public service functions is proposed – 2008</p> <p> A general ban is pursued – 2010</p> <p> A partial ban is pursued - 2012</p> <p>Institutional</p> <p>Cultural A ban for educational institutions and public service functions is proposed – 2008</p> <p> A partial ban is pursued - 2012</p>	<p>Doubly decisive</p> <p>Rational The PVV's proposal to prohibit burqas and niqabs in all public spaces is not pursued - 2007</p> <p>Political A general ban is pursued - 2010</p> <p>Institutional</p> <p>Cultural</p>
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Theoretical and Methodological refinement

The findings of this study are in line with the previous finding that nation's self-understanding influenced burqa ban discussions (Lettinga & Saharso, 2012). Because, the country's national identity and conceptions about the important norms and values in Dutch society were addressed by political parties throughout the process in order to argue for, as well as against the different types of burqa bans.

Also in line with previous findings (Moors, 2009; Sauer, 2009; Lettinga & Saharso, 2012; Silvestri, 2012; Fournier, 2013; Lettinga & Saharso, 2014), is the finding that the burqa in the Dutch debate was problematized by means of frames pertaining to gender equality, communication, and public safety. However, unlike Lettinga & Saharso (2012; 2014), this study found that the gender equality frame was already present early on in the Dutch decision-making process and, was evoked by several actors (Tweede Kamer der Staten-Generaal, 2006a). Moreover, the findings of this thesis contribute to existing findings on framing in the burqa ban debates, by showing that the use of the gender equality frame decreased near the end of the decision-making process. Which could be explained by the fact that the ECtHR ruled that promoting gender equality was not a good enough argument to substantiate the need of a ban on face covering clothes.

Furthermore, the fact that *Rutte II* started to problematize not only the wearing of face covering clothes, but also the lack of national regulation on the matter is an interesting finding. As it demonstrates that the cabinet at the end of the decision-making process, not only portrayed the wearing of face covering clothes as a problem, but also the lack of a national regulation on the matter. Especially, since the institutions to which the ban would apply, did not experience this lack. Therefore, future studies on framing in the burqa ban debates might research whether this new way of framing had an influence on the adoption of the partial ban. And, whether other countries similarly problematized not only the wearing of burqas and/or face covering clothes, but also the lack of legislation on the matter. Furthermore, it could be studied whether the use of the gender equality frame similarly decreased, following the ruling of the ECtHR, in other countries' discussions on the topic.

Additionally, the finding of this thesis that culturalism at times was needed in combination with the political approach in order to explain a development, supports the assumption of the CPT method that the method is not only useful for searching for whether evidence related to a theoretical perspective is present or absent. But, that it causes evaluations

to be made with regards to a theory's extent in explaining an outcome, relative to other theories (Kay & Baker, 2015). Which has as an advantage that the findings of a study provide a fuller picture about perspectives' extent in explaining an outcome. Therefore, it is recommended that future researchers use the tests of the CPT method when conducting qualitative research as this makes them critically evaluate whether their data can account for an outcome, and if so, how and to what extent. A limitation of this method is, however, that findings of studies employing a CPT method cannot be generalized to other cases, due to the method being highly case specific. Regarding the findings of this thesis, no generalizations can therefore be made. Which has as a limitation that the findings are no indication of the theories' ability to explain the burqa ban decision-making process of other countries. And neither are they an indication of the approaches' ability to explain other decision-making process in the Netherlands.

A further limitation of this study is that, because the responsibility to collect evidence and weigh which tests were passed, laid only with me, this collection and weighing were constrained by my prior knowledge on the burqa ban debate. During the analysis, for example, I found that the term 'gelaatsbedekkende kleding'³ was also used for a short amount of time to describe the proposals that were being discussed in the House. However, due to having been constrained in knowledge on the topic, I did not include this term as a search word in my methodology. Which might have resulted in that not all policy documents of the House from 2005 until 2016 on the burqa ban decision-making process were analysed.

Furthermore, inferences were made in this thesis about the explanatory power of the political perspective on the basis of the knowledge that a new cabinet formation always entails a (re-)negotiation on various issues. However, it is possible that other negotiations between political parties took place that influenced the process as well and that I, as a researcher, was not aware of. And, of which there were no indications in the policy documents. Future studies on the burqa ban decision-making process, as well as other studies employing a CPT method, therefore might benefit from also including interviews with political actors and policy-makers in order to fill in any gaps that the policy documents leave, and to obtain further, undocumented evidence supporting and/or contradicting the theoretical perspectives under analysis.

Although this study had some limitations, a comprehensive overview of the influences in the Dutch decision-making process was established. Thereby, individuals can now evaluate

³ The translation of this is 'face covering clothes', although, as can be seen, the word in Dutch differs in spelling from 'gezichtsbedekkende kleding', which also translates to 'face covering clothes'.

whether they consider the grounds on which the burqa ban was adopted to be legitimate grounds for laws inhibiting individuals' freedoms. And, it hopefully makes them critically think about on what basis, as well as how, issues of diversity should be dealt with in the future. Possibly, the partial burqa ban will again be such an issue, since it is not unthinkable that the debate about the burqa ban will flare up again now that the Covid-19 pandemic has caused face masks to be obligatory in Dutch public transport.

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Appendix

A

Overview of the political parties and their political ideology

Party	Orientation
CDA (Christian Democratic Appeal)	The CDA is a Christian inspired, centrum party which values justice, solidarity, responsibility and, 'stewardship'. Which entails that political issues are approached from this angle and that the government is seen as a servant of god.
CU (the Christian Union)	The CU is Christian party which is ethically conservative, but progressive in terms of social and economic development. The party values freedom, sustainability, and also solidarity.
D66 (Democrats 66)	D66 is a reformist, social liberal party which considers the human to be at the centre of politics. The core values of the party are freedom and equality for all, despite of sexual orientation, religious conviction, or background.
LPF (Pim Fortuyn List)	The LPF was a party that was considered to stand for citizens and it critiqued the way in which politics was conducted. Especially in terms of integration and immigration, the party was considered to bring up the societal dissatisfaction that was felt. The party furthermore wanted to combat criminality and bring back cultural norms and values in the Dutch society.
PvdA (the Labour Party)	The PvdA is a progressive, social democratic party which strives for equal opportunity, and the equal distribution of power and income among citizens. The party is based on the principle of 'solidarity', so that all can achieve a sustainable livelihood.
PVV (the Party for Freedom)	The PVV is considered a populist party which is mostly concerned with combatting the 'Islamification of Dutch society', as well as the national and European political elite that prevent the Netherlands from being an independent, prosperous and free society.
SGP (the Reformed Political Party)	The SGP is a Christian reformist party which conducts politics on the basis of Christian biblical norms and values. The party therefore stands for the protection of life, family life and, solidarity.
SP (the Socialist Party)	The SP is a socialist party which values solidarity, equality and human dignity. The party therefore is in favour of employment and a decent livelihood for all in which everyone can get free and good healthcare and education.
VDD (the People's Party for Freedom and Democracy)	The VVD is a right, liberal party which values freedom, responsibility, tolerance, social justice and responsibility. Furthermore, the VVD considers individual freedom highly important which is why it is of the opinion that the government should not interfere with this freedom, but only protect the safety of its citizens.
50Plus	50Plus is a party which focuses on the interests of elderly people. The party values social responsibility and justice, as well as individual freedom.

This information is derived from the parties' own websites, as well as the website parlement.com.