

Press release

“Religious policy in Germany lacks a concept”

New general volume Religionspolitik heute (Religious Policy Today) brings together for the first time positions on religious policy from the academic world, from politics, as well as from religious communities and other groups with a particular worldview – Contributions on fundamental questions of religious policy, current conflicts, and possible solutions – “The building of mosques, the headscarf, the crucifix, employment law, antisemitism: we should no longer stumble into conflicts unprepared” – “Population not prepared for religious diversity – More open discussion formats needed such as the German Islam Conference at the end of November”

Münster, 16 November 2018 (exc). Academics claim that the political domain in Germany “lacks a concept” when it comes to dealing with conflicts to do with religious policy. “Whether it is the building of mosques, the headscarf or the crucifix, church employment law, shechita or circumcision, the political domain often reacts without a concept when there is a dispute over the rights, symbols and practices of religious communities – without clear political ideas as to how religious interests can be negotiated constructively”. This is the point made by political scientist Ulrich Willems and publicist Viola van Melis from the Cluster of Excellence “Religion and Politics” at the WWU, and historian Daniel Gerster of the Centre for Religion and Modernity, the editors of the new general volume Religionspolitik heute. Problemfelder und Perspektiven in Deutschland (Religious Policy Today: Problem Areas and Perspectives in Germany). “Whenever there is a conflict, courts are called upon again and again. Although many individual cases are decided in this way, there is no attempt to address the fundamental conflicts underlying them”.

The book, published by Herder, brings together for the first time in this form positions and analyses on religious policy from the academic world, from politics, as well as from religious communities and other groups with a particular worldview, and provides an overview of the long-neglected political field of religious policy in Germany. “We want to stimulate debate and help people to be less unprepared should they stumble into conflicts to do with religious policy”. Open discussion formats on concrete questions of living together, such as the newly conceived Islam Conference in Berlin at the end of November, are important, but should not be limited to the federal level and to just a few dates a year. “After all, we have long had to protect members of religious minorities such as Jews and Muslims from violence in many German cities”.

The 32 contributions in the book assume historical, systematic, normative and international points of view to illuminate current conflicts and possible solutions, as well as fundamental questions, in the area of religious policy. They deal with issues of conflict such as the building of mosques, the burka, blasphemy, and circumcision, as well as with religious freedom, the corporate status of religions, and religious issues in employment law, social law, and media law. And they describe the positions of the German parties with regard to religious policy as well as positions abroad. “Ideas of what religious policy should look like in the future are sometimes so far apart that Germany will not be able to manage without conducting broad discussions on the issue”, say the editors. This is shown in the book by the broad range of assessments from

different disciplines, and by the sheer diversity of contentious interests expressed by political parties and religious communities. The demand for reform is already growing louder: “Lobbyists representing Muslim groups are much more confident than they were a few years ago in demanding access to the same resources that are available to the Christian churches. At the same time, though, a public critical of religion is audibly rejecting religious practices such as wearing the headscarf and circumcision”. Surveys have shown that the population has not yet become accustomed to “the transition from a homogeneously Christian to a religiously heterogeneous society”. Crucial here is that we conduct debates that are free of emotion. The editors cite as an example to follow here Canada’s Quebec province, which, together with the philosophers Charles Taylor and Gérard Bouchard, conducted a nationwide debate on religious policy.

Findings from the volume *Religionspolitik heute*

Inequalities in religious policy. The range of religious communities and other groups with a particular worldview is broader today than ever before in German history. Against this backdrop, the challenges and polarizations regarding religious policy have been growing for years, as the editors make clear in the book’s first two contributions. They provide a survey of the main features and current directions of German religious policy, as well as tracing changes to the religious landscape in recent decades. As a consequence mainly of migration, there are now more than 200 religious communities in some German cities. “A largely homogeneous religious landscape shaped by the Christian church, as it existed in the 1950s, has long since disappeared”. The volume editors criticize the privileging of the Christian churches. The approximately four million Muslims living in Germany and the growing group of those without a denomination are disadvantaged since there is a “strong list towards religion, Christianity, and the major two churches”, says political scientist Ulrich Willems. “Integrating Islam into the religious and political order of the Federal Republic usually happens only as a means of preventing fundamentalism: with Islamic religious teaching at school and Islamic theology at universities”. While the state shows its creativity here, it lacks in other cases the capacity to compromise, such as when it comes to granting the status of a public body (Körperschaftsstatus) to Islamic groups.

Parties and polarizations. *Political scientist Ulrich Willems* also criticizes in his contribution the failures of the political parties regarding religious policy: “If you look at recent election and party programmes, then you will find in the SPD a friendly disinterest in changes to religious policy, and in the Christian Democratic Union a courageous desire simply to maintain the status quo”. Such timidity, coupled with a privileging of Christianity, have led to a sharper distinction between a “Christian Europe” on the one hand and Muslims on the other. “Scepticism towards Islam and the anti-Islam politics of the AfD are also emanations of the fact that religious policy has been neglected”. The political domain must take action before the religious and political climate becomes so poisoned by recent escalations that proper and sustainable debate can no longer take place. Protestant *theologian and social ethicist Arnulf von Scheliha* analyzes the current positions of the parties on religious policy, such as in the general election campaign of 2017. He finds there a great deal of “historical interpretation motivated by ideology”, unanimous support for religious freedom, and very different views on Islam. He sums up by arguing that, while “there is certainly some movement in religious policy, we cannot expect to see any major shifts”.

International comparison. *Philosopher Hermann Lübke* uses his contribution to compare religious policy in Germany and the USA. In contrast to Germany, the USA has long perceived

religion as an important factor in domestic and foreign policy, and the country is much more open to new faiths. Lübke warns in the German case against forcing migrant religions such as Islam to organize themselves according to the law governing state-church relations. He advises against attempting to achieve religious-cultural integration if that means that religious traditions are forced to relinquish their “special features”. If, for example, a ban on wearing the headscarf were followed by a ban on the wearing of religious clothing by members of a religious order, then this obligation not to express differentness publicly would be “damaging” – for both the old and the migrant (religious) cultures.

Religious developments since the 1950s. The editors of *Religionspolitik heute* show how radically the landscape has changed with regard to religious policy: while in 1950, 44.3% of the West German population was Catholic, and 51.5% was Protestant, in 2010 it was only 36.5% and 31.9% respectively. By contrast, the number of those without a denomination has increased massively as a result of constant de-churchification, and accounts today for about one third of the population. Finally, a further 5 to 7% of the German population belong to other religious communities and other groups with a particular worldview, and include followers of Islam, Judaism, Buddhism and Hinduism, as well as representatives of esoteric and neo-religious groupings. The largest group among the religious minorities comprises the approximately four million Muslims currently living in Germany. Against this background, *contemporary historian Thomas Großbölting* traces the emergence and development of the regime of religious policy in the young Federal Republic. He shows how the legal regulations governing religion in the Weimar Constitution were incorporated into the Basic Law, and embeds this in the political culture and mentality of the 1940s and 1950s.

Religious freedom under pressure. In her contribution, Catholic *theologian and social ethicist Marianne Heimbach-Steins* presents the right to freedom of religion, worldview and conscience as a “constituent part of the rights of freedom pertaining to every human being”, a right that protects the faith of the individual just as much as it does the practice of religion by individual and society, positive as well as negative religious freedom. However, this human right is coming under attack in religiously and ideologically pluralistic societies from two directions: from the suspicion that it serves only particular interests or privileges; and from the attempt to appropriate religious freedom in the pursuit of particular religious interests or to use it politically. Heimbach-Steins calls on all actors in state and society who deal with religious policy to mount a vigorous defence of the right to religious freedom.

Legal scholar Thomas Gutmann also emphasizes that the right to religious freedom as “a fundamental dimension in the development of human freedom in a liberal society” should not be disputed. At the same time, according to Gutmann, religious freedom is a significant achievement of the secular state, since religious freedom necessarily presupposes the secular state’s ideological neutrality. Gutmann uses examples to show how religious freedom competes with other legal rights, and thereby works out where its borders lie. He denotes the equal freedom of belief a “fragile good”: in practice, he sees deficits in the equal treatment of all religions and “strong tendencies to defend the hegemony of organized Christianity”.

Public-body status. *Constitutional expert Hinnerk Wißmann* argues that granting the status of a public body to religious communities is just one of several ways that religion can be organized, and that its long-term viability must first be proven in the face of increasing religious plurality. Automatically creating special regulations for religious communities with the status of a public body (the much-discussed “bundle of privileges”) should be checked according to its

functionality. In the future, for example, certain rights could be removed, and religious communities without public-body status could apply for recognition. Wißmann emphasizes that “the demand for all religions to be treated equally cannot be met through uniformity”. Coming from the perspective of religious studies, *religious scholar Astrid Reuter* agrees in principle with Wißmann’s verdict, and denotes the debate around public-body status as an “imaginary giant”. It symbolizes in the debate precisely what the traditional legal system governing state-church relations urgently needs to reform, if not abolish entirely.

The fields of discussion on the welfare state, labour law, media law. *Political scientist Philip Manow* and Catholic theologian and *social ethicist Karl Gabriel* investigate the religious influences shaping the emergence of European welfare states. Protestant *social ethicist Hartmut Kreß* and Protestant *theologian Thorsten Moos* discuss church labour law, while *communications scholar Tim Karis* and *publicist Viola van Melis* investigate how religious diversity is dealt with in public broadcasting. They point out that many religious minorities are simply not represented in broadcasting councils and in the broadcast of religious messages, and identify a need for action with regard to religious policy. This, according to van Melis, could also have a positive effect on the coverage of religious diversity and thus promote debates in society that have a strong foundation.

Current conflicts – the building of mosques, the burka, blasphemy, circumcision. *Political scientist Claus Leggewie* traces the political and social conflicts that have flared up in recent decades with the increased construction of mosques in Western countries. In order to avoid future escalations, it is important to give the cases of dispute a new institutional and communicative “form”. *Political scientist Ulrike Spohn* examines the emotionally charged legal bans on the burka in European democracies, and asks why, despite extensive criticism from the academic world, initiatives to ban the burka repeatedly achieve political success. She sees this as grounded in a fundamental “discomfort on the part of European societies with the concealment of the face”, and notes that the bans do not help to calm the conflicts. *Political scientist Klaus von Beyme* addresses the issue of blasphemy, an issue that most European societies thought that they had long left behind. Its explosive power in society has been proven again in recent years, though, such as in the dispute over the ‘Muhammad caricatures’ or criticism of the beliefs held by evangelical Christians. Adopting the point of view of Islamic jurisprudence, *Çefli Ademi* outlines the debate on the religious circumcision of boys, a debate triggered by the verdict of the Cologne district court in 2012. Ademi’s contribution can be understood as a plea against an Islamophobia that disguises itself as a general criticism of religion.

Actors shaping religious policy. The contributions to the book by actors shaping religious policy from the political domain as well as from religious communities and other groups with a particular worldview are unanimous in their view that the fundamental right to freedom of religion and conviction should be protected absolutely as a valuable good. Beyond this consensus, though, there is a wide range of contested opinions and statements of interest with regard to current religious policy in Germany.

a) Positions from the political domain. Five politicians whose parties represented factions in the 18th parliamentary term of the German Bundestag (2013-2017), the period in which the book was predominantly written, each take a position on religious policy. *Political scientist Ulrich Willems* and *social ethicist Arnulf von Scheliha* also consider in their contributions the statements related to religion made by the FDP and AfD parties, which have also moved into

parliament with factions since the federal elections of autumn 2017. Among the authors who have their say in this volume are (former) members of the Bundestag: Volker Beck (Alliance 90/Greens), Christine Buchholz (Left), Kerstin Griese (SPD), and Johannes Singhammer (CSU), as well as Thomas Sternberg (CDU), who was a member of the North Rhine-Westphalia *Landtag* until May 2017.

For the editors of the volume, the contributions from the political domain also reflect in the scope of their thematic differences the degree to which the parties have dealt systematically with issues of religious policy: Alliance 90/Greens, for example, have gone through a nationwide process of discussion lasting several years and have presented a final report adopted by the party congress which takes a stance on numerous fields of religious policy; the Left, which initially presented secular demands, is now seeing in the party the emergence of debates with a more differentiated range of themes and opinions. The SPD and the FDP are currently beginning their own reflections on religious policy, but these have not yet materialized as reform papers. The CSU, on the other hand, does not argue for reform, but pleads instead for the preservation of the status quo, which Singhammer praises as a “careful balance between church and politics”; finally, while the CDU emphasizes the tenability of the law governing church-state relations, it does at the same time support, as Sternberg calls it, “important further development” when it comes, for example, to Islamic religious education at school. According to the volume editors, the contributions provided by the politicians reveal one thing: namely, that the sooner they plead for recognizing plurality as a reality, the more they reveal the problems of religious policy – but also the possible solutions, be it to public-body status, to church labour law, to the services provided by the state, to religious instruction, or to the theologies at public universities.

b) Positions from religious communities and other groups with a particular worldview. According to the volume editors, the choice of authors from religious communities and other groups was dictated by their wish to show as diverse a range of opinions as possible and to provide a glimpse of the multifaceted nature of the religious spectrum in today’s Germany. But, given the high number of religious communities and their respective denominations and currents, to achieve completeness and representativeness in this area is impossible from the outset. As examples, the volume gives voice to Rabbi Achivai Apel of the Orthodox Rabbinical Conference, Michael C. Bauer of the Humanist Association of Germany, Mohammad Dawood Majoka of the community Ahmadiyya Muslim Jamaat in Germany, Antonius Hamers of the Catholic Office NRW, Mohammed Khallouk of the Central Council of Muslims in Germany, Armin Pikel of the Jehovah’s Witnesses, Michael Schmidt-Salomon of the Giordano Bruno Foundation, and Irmgard Schwätzer, President of the Synod of the Evangelical Church in Germany. According to the volume editors, it is the representatives of minority religions that usually formulate the concrete need for action with regard to religious policy. For example, those representing Islam deal at length with the issue of public-body status, and emphasize that, without such status, Islamic communities cannot take care of the many needs specific to religion that Muslims have “from cradle to grave” in pastoral care, social welfare, and education. Moreover, other contributions mention the disadvantages that the Jewish community experiences in everyday life in Germany. (sca/vvm)

Note: Gerster, Daniel; van Melis, Viola; Willems, Ulrich (eds.), *Religionspolitik heute. Problemfelder und Perspektiven in Deutschland*, Freiburg: Herder 2018.

Caption: Book cover (Herder), Prof. Dr. Ulrich Willems (Cluster of Excellence “Religion and Politics”/ Sarah Batelka), Viola van Melis (Cluster of Excellence “Religion and Politics”/ Stefan Klatt), Dr. Daniel Gerster (Cluster of Excellence “Religion and Politics”/ Martin Zaune)

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