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**Politics of Participation among Muslims in Germany:
Changes and Debates**

At least since September 11, 2001 the optimistic view of the multiculturalists has been blurred especially in regards to the view of the harmonious integration of Islam in Western society. In Germany this date legitimizes the repeal of the so called 'privilege of religious communities' ("Religionsprivileg"), which means that it is now possible for the government to prohibit religious communities without any proof of criminal or illegal behavior. The first religious group which has been forbidden was the Islamic extremist group of the 'Kaplancis'. This Islamist group of Turkish immigrants was in particular established in Germany where it strove for a new Khalifat for all Muslims and where it was involved in a murder and probably in bomb attempts in Turkey. The repeal of the privilege seems to be pushed only to prohibit this and other Islamic or Islamist groups.

So the question arises: What about the other 3 million Muslims living in Germany? Are they a threat to the German society as well? Are they unintegrated and are they anti-democrats?

In the last ten years the conflicts between the political and legal order and the Muslims have been increasing. But the conflicts have changed: Formerly many things were found that were not as they should have been in the communities of Muslim immigrants, like physical punishment in Quran courses for kids, oppression of women in many different ways, not speaking and learning German in their communities, the use of so-called free Hodschas also for healing and some others. These issues were almost always discovered by investigative journalism rather than by scientists, but you never heard the voices of the Muslims. They were and have been isolated in this period.

Gritt Klinkhammer

The current conflicts are of a very different type. They are initiated by the second and third generation of Muslims in Germany. These conflicts have been argued about legally and discussed in public as well. Non-Muslims and Muslims have been involved in these discussions in the media. The main topics of discussion have been the recognition of Islamic associations as representatives of Muslims, religious education in school, the headscarf in school and other public spheres, building of mosques, Islamic slaughter and some special topics of political participation in the federal states (Laender) or local government.

These current conflicts should not be recognized as symbols of deterioration but as an attempt at mutual rapprochement and as the Muslim wish of participation. The phase of self-isolation of Muslim communities and backyard mosques has passed since the early nineties. Muslim associations have been united in larger alliances, although there are still two such main alliances and two larger associations. But in the meantime these alliances and larger associations agree in their political aim to consolidate the Islamic life of the Immigrants primarily in Germany instead of connecting it to their homelands.

The German government has only recently decided to start general projects to make up for integration (like language courses for first generation Immigrants also), but the decision of its constitutional court about the crucifix in classrooms in 1995 has indicated a political shift concerning strategies of integration in a secular democratic society. In regards to Charles Taylor (2002), I might conclude that the former decisions of the constitutional court were made in terms of "tolerance" and aimed at reaching cohesion and inclusion of society on the basis of the equality of its citizens. Now it shows a policy of cohesion by acknowledgement and preserving differences between citizens.

The relationship of religion and state in Germany is based on Article 4 of the constitution, which says that everybody may have a belief or a philosophy of life and may act accordingly if it does not interfere with other basic rights, for instance the right to life and to inviolability of person. Thus religious freedom is guaranteed. Generally all religions are acknowledged in Ger-

many and at the same time secularism in the sense of separation of state and religious institutions is taken for granted.

The Weimar Constitution of 1919, which is the basis for the current German rules for establishing religious communities, has granted both Christian churches the privilege of having the status of a 'statutory body' (Körperschaft des öffentlichen Rechts). This status includes several privileges regarding taxation, welfare abilities, special legal inner structures and others. Other religions were normally allowed to found associations for non-profit organizations, which also includes some tax relief for their activities.

Although the Weimar Constitution confirmed secular public structures concerning marriage and education, it could have had the goal of supporting the Christian churches as guarantors for tradition of common values of life and therefore of cohesion of its citizens. The parliament of 1919 probably did not think of the problems relating to the secular political order and religious freedom in a pluralistic democratic society as we have it today. The relationship between state and religious communities seemed to be resolved by the constitution. And indeed, this relationship was hardly questioned until the 1980s, either by the rise of other small Christian and non-Christian communities which applied for the status of a 'statutory body' (and some of them got it), or by the increasing number of people who have been leaving the churches since the 1960s. Only the immigration of non-Christian people and those remaining in the country has changed the situation. This development seems to be the trigger of a new discussion about the relationship of religious freedom and the tasks of a secular state. But although the new, above-mentioned conflicts are triggered by and connected with problems of immigration, I think they are actually based on the inner tension between secular state and religious freedom and - as I already mentioned above - on the problem of cohesion in spite of differences between society's citizens as well.

The problems of the relationship between religions and the secular state seem to be solved by the demand of religion to shape only the private sphere. But actually this does not repre-

Grift Klinkhammer

sent, either empirically or theoretically (Bielefeld 1998), the former and the current relationship between religion and state in Germany insofar as the secular state provided the basis for development of religious groups as public institutions, and religious groups always have tended to influence the social life of their members.

With this background information I would now like to focus on empirical data to answer questions which were raised by my thesis: How do Muslims currently tend towards participation in German society? Which discussions have Muslims triggered about that? To some extent I want to show how these Muslim activities have also released a broader debate about the relationship between secularism and Christian churches and the question of cohesion in spite of difference.

There are three main issues of conflict in public, Muslim and non-Muslim debates which are especially linked to the aim of participation of Muslims in Germany: the question of recognition of Islam as the third largest religion, the question of Islamic education in public schools and the question of visibility which is especially linked to the symbol of headscarf.

1. Participation as institutional integration and agreement to secularism

In German history the main Christian churches were established as 'statutory bodies'. Although other religions were acknowledged in general, only the churches have got all the possible privileges of a religious statutory body. Automatically this form of institutionalized religion has often been seen as the only status of religion which would be fully acknowledged in Germany (e.g. Cavdar 1999). This is not totally wrong especially concerning participation in public sphere, insofar as the statutory and religious structure of the churches which make it easier to act as representative and stable partners for others. The discussion about Islamic education in public schools for instance is deeply influenced by the question of a stable statutory

and so far representative Islamic body although there is no statutory body required.

But would the institutionalization of a statutory body be appropriate for all others and the Islamic religion? The Islamic community has discussed this question time and again without any real agreement. There are many critical voices who do not want to segregate Islam in Germany like some Islamists, but who would care about the Islamic identity if structures of churches were to be taken over. Wolf Ahmad Aries has pointed out this for many: "... the prophet Muhammad neither chose a successor nor a central institution. The idea of Islamic unity has remained a Muslim **Utopia** contrasted by variety in reality." (1997, 49) And this "variety of Islam in reality", he emphasizes, should not synthetically be abolished by a clerical-like church structure. Therefore he votes for keeping the pluralistic structure of associations which he feels **appropriate** for the Islamic identity.

Another Islamic group points out an additional critical argument against striving for statutory status: this approach would give rise to "fitna" which means - at least theoretically - splitting the Umma and destruction of the unity of the Muslim community. Ayyub Köhler (who is on the board of the large alliance ZMD) has been quoted in most of the German Islamic magazines with his essay regarding this argument (Der Morgenstern, Al-Islam, HUDA, www.islam.de, and others). He emphasizes that in the worst case the German government would have to deal only with a statutory rigid 'caste of officials' and the Umma would be split up in communities which have the status of a 'statutory body' and deal with the government and in such communities which would be skeptical about this.

But finally and imperceptibly the 'caste of officials' stood up for its interests long ago. Until now there has been no Islamic case of recognition as a 'statutory body' in Germany. But there are indeed structural changes inside the associations that indicate the effort to apply for and assimilate at this status. A look at the constitutions of the two large alliances for instance reveals that there were crucial changes in the beginning of the nineties. Therefore, both alliances integrated a religious authority into the

Gritt Klinkhammer

formal structure, which every member has had to follow. In 1993 the IR set up a "Shaik ul-Islam" who would be the director of a religious - or you could say 'clerical' - administrative authority. He would be responsible for religious affairs and decisions in religious doctrine and law. In 1995 the ZMD designated a 'religious council of experts' which would be responsible for all religious affairs, but only decisions according to the community would be binding upon its members. Other associations at the federal level also set up such religious councils.

Thus, the associations have made concessions to requirements which German administrative bodies and some politicians have expressed. Administrative bodies wanted to have binding decisions, but like members of Christian churches many Muslims do not feel religiously bound to such decisions. Only approximately 30% are members of one of the associations. So many Muslims neither totally agree with them nor are they all convinced about the need of such institutions. In some cases we might assume that this was a good sign because of the very conservative direction and partly political involvement in Turkey of most associations in Germany, but there are no reliable quantitative investigations about this.

A very interesting step towards expressing the acceptance of the German secular democratic society exceeding the limits of the institutionalized Islam has been the "Islamic Charta". This Charta was published in February 2002 by the ZMD and states, in 21 points, the loyal relationship of Islam to the secular society. Islam is declared as a religion of freedom and peace and a "clerical theocracy" is rejected. It has touched upon critical points like leaving Islam, equality of gender in law, loyalty to secular democratic constitution of Germany and acknowledgment of human rights.

Some describe the Charta as a "paradigm without value", others, especially the conservative Muslim Mosque in Munich, reject the aim of supporting a secular government. At least the declaration of the Charta was a trigger and first step towards a public discussion on participation of Muslims in which Muslims and non-Muslims have taken part.

In the last few years this has been continued by other issues of discussion which I will shortly mention in the following:

2. Participation as the right of public education

The change of the meaning of public discussions on Islam has become obvious especially by the issue of Islamic education in school. Although the federal government of Nordrhein-Westfalia (NRW) - a region with many Muslim inhabitants - has been constructing a religious education program for Muslim pupils for about 15 years now, it has only been discussed in public in the last few years. There are also efforts to install religious education in further federal states, but nowhere over a long period of time and nowhere as an initiative by the governors.

Background of this initiative was the criticism of courses on Quran for children in mosques in the end of the seventies and the beginning of the eighties. The criticism concerns its pedagogical methods, including physical punishments, and sometimes political and nationalistic propaganda. The NRW-governors drew the conclusion that it is necessary to offer an alternative education program for Muslim youths in school. In the meantime the need for religious education as well as the need to do it in German has been accepted by the Muslims, but they want to guide it on their own. But the program has been formed only by some German officials, pedagogues, Christian theologians and officials from the Turkish administration of religious affairs. The teachers are Turkish with special further training, but usually with no experience in German society and school pedagogy and not necessarily with any religious belief. This has been the same even until today.

Up to now all complaints by Muslim associations against this procedure have been rejected. At the same time the attempts of integration into the advisory board by initiative of the NRW-governors have failed because of the disagreement among the Muslims. There are less theological disagreements but they still have a problem negotiating with one another. There are espe-

Griff Klinkhammer

cially strong reservations between the 'Laizist' Turkish administration and the Islamic associations in Germany, but after the change in the government of Turkey there might be new possibilities for finding a solution.

In the beginning only 15% of the Muslim pupils took part in this voluntary program. Today participation is much higher but without any changes to the program. Currently most of their parents are affected by the public discussions about the need for Islamic education and seemingly they do not want to exclude their children from a public offer of religious education. So far, the federal government seems to be successful but actions have been filed against this governmental initiative. In regard to the German constitution you can say it is illegal, because the federal government becomes the paradox of a secular non-Muslim representative of Islam. The education program itself deals also with a paradox: it is called "Religionskunde" which means lessons from the outside of Islam and not within Islam. But in fact most of them teach Islam as their confession and a look at the program shows that both are possible. (Gebauer 1986) A condition for applying to be a teacher is in fact the affiliation to Islam.

In the NRW there is a tradition of a social-democratic government which is usually linked with a position of critical distance to religion. As I see and know from administrative debates, in the end this policy of inclusion aims at excluding religious beliefs from school all together. Islam seems to be only a peg for a first step towards this direction which has been hardly discussed in public. The decision of the Federal Constitutional Court concerning the headscarf in schools in my opinion is a second step to open the discussion for that: Which role is possible and fair for religion in school?

But in the case of religious education in public schools, there are further interests which may be discovered in the debates. First, there is disagreement about the meaning and function of religious knowledge between several groups. The government especially hopes that offering scientifically controlled Islamic knowledge may be an important step for containing fundamen-

talism. Therefore some German federal governments, like the one from the NRW, want to involve and to control Islamic knowledge in a secular-democratic way. Islamic ideas then should especially be ethical needs and social rituals. Most of the Turkish "laizists" (Laizisten), like the Turkish-German association of teachers, also think this way. On the other hand there are further groups who maintain that this is not enough. The more Islamist viewpoint is actually against an institutionalization of Islamic teaching in school and in German universities with all its implications of administrative control. This opinion is also disseminated inside the associations, although the officials of all associations publicly act for installing Islamic education in school as an act of recognizing Islam in Germany. Some of them like the IGMG (Milli Görüs) have already installed their own institutions for religious education and for training to get qualified teachers for Islamic education (Ffm, Köln). And also some of them have been involved in installing founded professorships at universities (Ffm, Bayreuth).

Many Muslims who are not members of associations advocate the institutionalization of Islamic education in school without a one-sided influence of one of the associations. The more intellectual side of Muslim and non-Muslim groups hope that by installing Islam as a third 'confession' at the university a process of self-reflection and self-criticism, maybe similar to that of Christianity, will begin. But yet we are still waiting for the proof. In NRW one professorship for teachers training at a university is being announced.

3. Participation as the right of visibility of difference

The Muslim complaint of wearing a headscarf as a teacher in school presently might be the height of public discussion about the integration of Islam. This is not surprising because even before the court's decision, the Muslim headscarf has always been an issue of special interest in the public. I think there are at least two reasons:

Gritt Klinkhammer

First, the headscarf is often understood as an inner criticism of the general - not empirical - foundation of secular-Western systems as societies of general equality of all citizens. Second, the headscarf makes the affiliation and special belief of women visible. This is especially a problem for a society that thinks cohesion is only possible because of the equality of all its citizens and that thinks the influence of religion has strongly decreased and therefore leaving no space for it in public - which is more an abstract idea than a fact.

In regard to Muslim women it must be recognized that empirical studies have shown that there is no obvious correspondence between wearing a headscarf and conservative or Islamist conviction and belief. Even if, on the surface, the women's opinions seem to fall back into old traditional tracks by wearing the headscarf, it is very important for the dynamics of action that this is not based on a traditional understanding of relationships, personality and religion. The women's subjective understanding is that they have chosen the covering freely. They neither feel bound to a man nor to their parents. The personal relationship to Allah is more important than the obedience to a man. They interpret the religion of Islam from their experience and their claim to freedom and independence in private and public. This interpretation is also connected to respect accorded by other Muslims, especially Muslim men. The headscarf enables them to go into the public area and do all the things that Muslim men do. It is exclusively through this possibility of freedom of action that they accept the headscarf as an expression of their personal religiosity, (e.g. Klinkhammer 2000, 2003, Karakasoglu 2002, 2003) Especially many Muslim teachers who wear a headscarf belong to this group of women. Teaching at school means for them that there is no male head of the family who is able to forbid them from going into the public and interacting with other male persons.

Interestingly enough, in NRW where Islamic education in school is restricted by the hands of its administration and not of Islamic associations, women with headscarf were teaching (several programs) without any problems long before the complaint of Fershta Ludin.

Conclusion

As a result we can see that the willingness to struggle in order to participate in public spheres has obviously been increasing in comparison to the first generation of Muslims. On the other hand a shift may be observed concerning decisions of the Constitutional Court in the direction of accepting religious plurality. Claus Leggewie has called this shift an "Americanizing of the religious structure" in Germany (2003). This means the increasing presence of diverse religious movements like Islam in public sphere as well as the more horizontal structure of this plurality against a former vertical (or hierarchical) one. I would say in regards to Charles Taylor, this also implies a shift from cohesion because of equality to cohesion in spite of difference. In consequence the beginning discourse on participation of Muslims in public sphere in the future would have to be followed by a discourse of a stricter separation of church and state.

The repeal of the so-called German "privilege of religion" in 2001 might show that the secular government will draw a sharper line between allowed and prohibited religious activities in the future. However, this seems to be handled differently in comparison to how it is handled in America but more similar to current activities in France.

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Gritt Klinkhammer

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