

Country Profile

Germany

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October 2019

This Country Profile provides a brief overview of religious diversity and its governance in the above-named state. It is one of 23 such profiles produced by GREASE, an EU-funded research project investigating religious diversity, state-religion relations and religiously inspired radicalisation on four continents. More detailed assessments are available in our multi-part Country Reports and Country Cases.

Countries covered in this series:

Albania, Australia, Belgium, Bosnia and Herzegovina, Bulgaria, Egypt, France, Germany, Greece, Italy, Hungary, India, Indonesia, Lebanon, Lithuania, Malaysia, Morocco, Russia, Slovakia, Spain, Tunisia, Turkey and the United Kingdom.

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The GREASE project has received funding from the European Union's Horizon 2020 research and innovation programme under grant agreement number 770640

Total population: 66.9 million

Religious affiliation (percent)

| | |
|----------------|------|
| Christian | 68.7 |
| Muslim | 5.8 |
| Jews | 0.3 |
| Buddhist | 0.3 |
| Folk Religions | <0.1 |
| Hindu | <0.1 |
| Unaffiliated | 24.7 |
| Other | 0.1 |

Source: Pew 2010 figures from: <https://www.pewforum.org/2015/04/02/religious-projection-table/2010/number/Europe/>

Role of religion in state and government

Germany is a federal state with 16 regions, or *Länder*, each with their own governmental structures. Germany has a complex history when it comes to state-religion connections, although overall relations have been close. Germany reflects a good example of what has been termed “moderate secularism”.

Germany’s Basic Law (*Grundgesetz*) establishes a formal separation between church and state, but at the same time the constitution secures cooperation between the two institutions in areas such as education and social welfare through the status of religions as public corporations. The granting of this status to religious bodies is devolved to each *Land*, which determines applications within its jurisdiction.

One of the particular features of this relationship is the arrangement for the collection of a “church tax” (*Kirchensteuer*). A local community tax (*Kirchgeld*) is also collected. This means the government levies tax directly from the income of members on behalf of the churches. Paying the tax is voluntary but it is automatically collected unless an individual formally leaves membership of the church to which they are registered. The funds raised are used for the religious, education and social welfare work that the churches provide, thereby playing an important role in German society.

Religious associations who do not have public corporation status are registered under private rather than public law and may have separate, ad hoc agreements and contracts with the regional governments in order to secure their place and role in areas of service provision.

Freedom of religion

Religious freedoms are constitutionally guaranteed. Article 140 of the German Basic Law protects freedom of belief as well as the right to exercise religious freedom, which is given additional meaning by article 4.

In order to be recognized and granted public corporation status, a religious organization must meet certain conditions, stipulated in article 140. Two important conditions are size and permanency. These are generally interpreted as requiring that a group make up at least 0.1% of a given *Land's* total population and that the group has been in existence for at least 30 years. Recognition also depends upon the government being satisfied that the group in question respects the law. Public corporation status has been granted to an estimated 180 groups in total, including around thirty smaller religious associations. Minority faiths have also been able to gain some exemptions and accommodations in relation to general laws that indirectly discriminate against members' ability to fulfil aspects of the faith.

The conditions of size and permanency have, however, meant that it has been difficult for some groups to gain public corporation status. Failure to organize diverse associations into umbrella organisations, for instance, has meant that Muslim groups have routinely had their applications for public corporation status denied despite repeated applications beginning in the 1950s. Currently only two Muslim organisations have been recognized in different regions.

When it comes to the key area of education, article 7 of the Basic Law provides that religious instruction (*Religionsunterricht*) is provided as part of the core curriculum in state schools for recognized communities and is the only subject to enjoy this status. The requirement and application of this constitutional provision varies between *Länder*, the governments of which (*Landesregierungen*) are responsible for educational policy. Thus, Germany's federal system means that there can be considerable regional variation in what and how religion is taught in state schools.

Concerning religious clothing for students, some variation can be seen between *Länder*. But here have also generally been pragmatic compromises worked out when it comes to accommodating requirements such as provision of *halal* meat in schools and exemption from certain co-ed activities such as swimming and sports lessons and school trips. For teachers, however, the situation has been different based on an understanding of neutrality in schools where a teacher is seen as a public servant representative of the state, and thus must remain "neutral". While in some *Länder* teachers have been free to wear the *hijab*, in other regions it has been controversial and banned, which notably follows political lines of the *Länder* governments, with those on the left favouring general bans and those on the right selectively targeting the Islamic headscarf and distinguishing it from Christian symbols.

Religiously inspired radicalisation

Germany experienced several attempted terrorist attacks linked to radicalised Islamist groups between the mid 2000s and early 2010s. Attacks by lone operators with links to ISIS became more prominent during a spate of attacks starting in 2015 and 2016. The most serious attack came on the 19th of December 2016 when a truck was driven into the Christmas market at the Gedächtniskirche in Berlin by Anis Amri, a Tunisian with links to ISIS. 12 people were killed and 56 wounded in that attack. Although the attacks during this period represented the most severe of their kind on German soil, most have not been on the same level as those experienced by other Western European countries.

Germany already had a significant counter-terrorism infrastructure from dealing with both left- and right-wing groups during the 1980s and 1990s, and this came to be reoriented and expanded towards violent Islamism. Yet Germany as a federal republic does not have a formal national strategy that each *Land* must follow uniformly, although calls for such a national strategy have increased in the last few years. Instead it provides a framework within which *Länder* design their own strategies

Following the 9/11 attacks in the US, Germany increased its counter-terrorism legislation and developed new policies, including successive national security packages that expanded the scope and powers of various government agencies.

Germany also expanded its institutional infrastructure and has a range of agencies and organisations that are involved as part of its counter-terrorism measures. In 2004 a Joint Counter-Terrorism Centre (*Gemeinsames Terrorismusabwehrzentrum, GTAZ*) was established to improve the communication and cooperation between 40 different agencies involved in German national security with regard to international Islamist terrorism.

Alongside legislative, security, intelligence and policing measures, Germany has developed a social- and community-oriented institutional framework and engaged with NGOs and other civil society organisations as part of de-radicalisation programmes and policies. These also have their beginnings in earlier contexts. EXIT-Germany, for instance, was initially founded to combat neo-Nazi extremism and has been adapted for violent religious radicalisation. It is part of a comprehensive civil society-based NGO network called the Centre for Democratic Culture (ZDK). Although it is partly funded by the German government, the ZDK operates independently.

Religious diversity governance assessment

As mentioned, one of the most important features of religious diversity governance in Germany is the significant variation between the regions.

A prominent example of this variance is the 1995 “crucifix decision” by the Federal Constitutional Court. In that case the court scrutinised the regulation in Bavaria compelling classrooms in public schools to display a crucifix. The court declared that regulation to be in violation of Basic Law articles pertaining to freedom of religion. Nonetheless, crosses continue to be required in Bavarian schools and courtrooms, and the state government has also more recently expanded the requirement to include the entrances of all state administrative buildings. This serves as an example of how public symbols related to Christianity are perceived and therefore treated differently from minority faiths, for instance where the cross serves as an expression of heritage and cultural identity.

A further significant feature of religious diversity governance in Germany is the country’s effort to institute a national Islam (in contrast to “foreign” Muslims), an aim that has been stimulated by security concerns and is bound up with issues surrounding Islamist terror threats. With a view to meeting this overall aim, the country convenes German Islam Conferences at regular intervals, bringing together Muslim organisations and government departments to discuss various issues.

On the whole, allowing for regional variation, minorities including Muslims have been reasonably successful in gaining rights and accommodations from the courts, although these decisions have proved controversial; ritual slaughter and circumcision are both permitted for Jews and Muslims, for instance. Mosques have also been an area of contention reflecting significant variation between *Länder*. While some cities allow large mosques to be built in a traditional style, others impose more restrictions on their size, number, style or location.

New Religious Movements have also come under sustained attention in relation to their management and religious freedom. During the 1990s a number of sects came to prominence and were seen as political threats. Government campaigns targeted them, and a special commission was established. The Jehovah’s Witnesses, for example faced suspicion and criticism from the state as well as the state’s partner representatives from the major churches during the 1990s and were for a long time denied public corporation status. *Länder* gradually and reluctantly capitulated to pressure in 2009, and Jehovah’s Witnesses were eventually granted public corporation status.

About the GREASE project

Radicalisation, Secularism and the Governance of Religion: Bringing together European and Asian Perspectives (GREASE)

Involving researchers from Europe, North Africa, the Middle East, Asia and Oceania, GREASE is investigating how religious diversity is governed in over 20 countries. Our work focuses on comparing norms, laws and practices that may (or may not) prove useful in preventing religious radicalisation. Our research also sheds light on how different societies cope with the challenge of integrating religious minorities and migrants. The aim is to deepen our understanding of how religious diversity can be governed successfully, with an emphasis on countering radicalisation trends.

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October 2019

Document series reference: D2.2 Country Profiles