



Many Gods, One State: Religious Diversity and Participation in Germany as an Immigration Country

2016 Annual Report with Integration Barometer

Eleven core messages

1 Church membership declining, immigration on the rise: Germany is becoming more secular and multi-religious

"How do you feel about religion?" Goethe's Faust evades the question posed to him by Gretchen and – much to her regret – avoids making a firm and unequivocal commitment to Christianity. More than 200 years after the publication of Goethe's classic, the 'Gretchen question' has more socio-political relevance than ever before. The idea, which has long prevailed in the social sciences – that religion and religiosity automatically play a less important role when societies undergo modernisation – has proven too simplistic. Instead, even though a transformation is clearly under way, also in secular societies like Germany, religion is by no means disappearing.

It has become more difficult for the two major Christian denominations to retain members. While nearly 95 per cent of the West German population belonged to the Catholic or Protestant church in 1970, only around 65 per cent do so today (and this figure is declining). At the same time, the percentage of those who either reject religion entirely or have their own set of personal beliefs in the sense of 'believing without belonging', but who are not affiliated with an institutional religion is on the rise. There is also, however, a growing number of people who call themselves religious, but don't belong to a major Christian church. The main factor driving this pluralisation of religious life is immigration. This is a phenomenon that, on the one hand, is broadening the spectrum of the Christian religions. On the other hand, religions which used to have few followers in Germany (such as Islam) have been imported, and religions that had all



but disappeared (or, in the specific case of Judaism, were virtually 'obliterated') are regaining a foothold. As a result, Germany has become a multi-religious country in demographic terms – with all of the associated cultural benefits, but also the latent and manifest conflicts that could intensify in the medium term as religious affiliation diminishes in other parts of society.

(For more information, see Chap. B.1.)

2 Religion and integration: correlations are ambivalent and often overestimated

Religiosity is often viewed one-sidedly either as a motivation for or an obstacle to participating in society. However, neither of these extremes can be empirically proven because there have hardly been any comparable individual case studies to date. For example, studies in the USA have shown a positive correlation between educational ambition and success on the one hand and religiosity and religious affiliation on the other. In the USA, Jewish, Buddhist and Muslim students in particular reach a higher level of education on average than individuals who don't belong to any religious community. Other studies, however, show that strict religiosity goes hand-in-hand with fewer opportunities to participate in the labour market; correlations of this kind are particularly apparent among very religious women (in the USA, mainly Mormon women and conservative Protestants; in Germany, mainly Muslim women).

Overall, however, the correlation between religion and integration is often 'doubly overestimated' in the public debate. On the one hand, there is no systematic evidence that religion or individual religiosity generally makes participation in education and the labour market more difficult. On the other hand, empirical research shows that differences in how successfully individual religious groups are integrated is not primarily due to discrimination on religious grounds. Social background is and will remain the main key to success or failure in the education system and, subsequently, the labour market.

A stronger correlation than in the area of integration in education and the labour market is shown between religion on the one hand and attitudes about democracy, fundamentalist attitudes and an affinity for violence on the other. Despite the scarcity of research in this area, two trends can still be identified in these studies. First, as religiosity grows, so does approval of fundamentalist attitudes. This is true across religions, but the effect appears to be much more pronounced among Muslims than among Christians. Second, religiosity among Christians is less likely to be accompanied by criminal acts, something which is not evident among Muslims. Even though there appears to be no direct (positive) link between religiosity and violent crimes



for this group, the effect of religiosity, which decreases criminal acts among other religions, disappears for religious Muslims. In view of the importance of this issue, more research should be conducted in this area in the future without taboos.

(For more information and recommendations for action, see Chap. A.1, A.2, A.3.)

3 Religion and terrorism: not a monocausal correlation

Even though there is evidence of correlations between religion and terrorism, they are complex, always linked to many other factors and never monocausal. One common position which is not, however, accurate is to disassociate terrorism carried out in the name of Islam from religious issues and instead point to factors such as discrimination, social marginalisation, unemployment or a lack of educational success. This contradicts the results of relevant global terrorism studies which show that, on the contrary, many terrorists also come from the middle class, that they have studied and are not necessarily unemployed. Integration policy measures that aim to increase the educational success and labour market participation of immigrants therefore also continue to be important as tools in the fight against terrorism because they address the lack of prospects available to young people. But they are not a universal remedy because a significant proportion of the perpetrators do not come from disadvantaged groups. Overall, however, the question of to what extent a link exists between the willingness to resort to violence in the name of religion and social factors still remains relatively unclear in research. The politically correct outrage that terrorism today has "nothing to do with Islam" is therefore not completely wrong, nor is it completely accurate: terrorism is usually practised by individuals who have severed ties with their families and mosque and are subject to a radical, sect-like resocialisation or 'conversion' – this often happens in prison, which needs to be understood more in socio-psychological or organisation-specific terms than in doctrinaire 'religious' terms. But terrorism in the name of religion – today mainly Islam – cannot be completely disassociated from religious issues because religion or a fundamentalist interpretation of the Koran serves as a reference framework for terrorism and as a basis for legitimising acts of terrorism. It is predominantly young people who become part of sectarian, highly dynamic Jihadist-Salafism movements which operate transnationally and globally. But this is also an indication that the logic behind terrorism committed in the name of Islam is more global and geopolitical than intrasocietal in nature.

(For more information and recommendations for action, see Chap. A.3.)



4 Positive neutrality of the state towards religion: rights for but also expectations of religious groups

The Federal Republic of Germany is a secular country, but not a laical one. On the contrary, the fathers of the German constitution answered Gretchen's question of "How do you feel about religion?" with a positive neutrality, and granted religious communities wide-ranging opportunities for development in both the state and public realms. This occurs, for example, with state-financed, denomination-oriented religious instruction which is established as part of the regular curriculum for a large number of different religious communities in many *Laender*, through theologies taught at state universities as well as the right to have a say in which representatives are appointed members of broadcasting commissions. Claims of autonomy reach as far as labour law which interprets the Church's right to self-determination very broadly and grants it precedence over individual civil liberties. Of course, all of this does not eliminate the distinction between the religious and the political sphere.

The German system of open neutrality is worded as an offer: it gives religious communities the opportunity to be involved in the state and public realms, but doesn't compel them to play a role. The secular, neutral state is to be generally regarded as 'incompetent' in terms of theology; it does not in principle have the right to evaluate the content of religions. This does not, however, explicitly mean that the state may not have any expectations at this level: religious communities that want to make use of the extensive opportunities for influence and participation established by German religious constitutional law in the public and state realms should endeavour, for example, to find an interpretation of religious content that takes historical context into account and critically assesses to what extent it can be transferred to today's religiously pluralistic and democratic society. The process of making room by the receiving society must be accompanied by the active engagement on the part of those who want to fill this room. Accordingly, there must be discourse in the religious communities, between associations and with the involvement of the Islamic theologians, to arrive at an understanding of Islam that makes it possible for believers to participate in Germany as a multi-religious and pluralistic society. This would also include an interpretation of the Koran that recognises the context of its origin.

(For more information and recommendations for action, see Chap. B.1, B.2.)



5 Basic principle of the state's positive neutrality towards religion: religious differentiation leads to pluralism in religious policy

A hierarchical religious policy of guaranteeing the 'traditional' and 'state-supporting' religions (particularly Christianity) many rights and opportunities for development in the state and public realms, but depriving other ('non-traditional') religions of them has lost credibility and supporters. In a secularised society sensitive to discrimination, a policy of this kind has become increasingly problematic. As a result, in terms of religious policy, there are only two ways for governments to deal with religions to ensure that the norms of liberal states are fully met: either to emulate countries like Germany and transfer a positive neutrality towards new religious communities that are being established in the country or – the alternative – to generally eliminate the possibilities for influence granted to religious communities by the government. In other words, government policy toward religious communities should either grant "all rights for everyone" or "no rights for anyone".

Germany has clearly decided to go the route of religious tolerance in the state and public realms, which is creating a new kind of pluralism, or what could also be called a 'multiculturalism in religious policy'. The rights that were initially granted to the Christian churches and the Jewish community due to their presence in the country need to be extended to newly established religions in Germany based on the principle of open neutrality. This is also an important aspect of the liberal order of the Basic Law, especially in times of waning religious affiliation among large sections of the population.

(For more information and recommendations for action, see Chap. B.1, B.2.)

6 Newly established religious communities: many institutional rights have already been transferred

The speed at which new religious communities have been granted extensive rights in Germany in recent years is surprising. In the Annual Report, a distinction is made between two different ways to grant rights in religious policy: less controversial are what are known as parity claims, or cases in which new religious groups also claim entitlement to the development opportunities available to the established Christian churches. This includes, for example, the privileges associated with the status of a public law corporation (*Körperschaft des öffentlichen Rechts*), the right to give religious instruction at state schools as part of the regular curriculum, the right



to state-financed Islamic theology at universities and to establish new religious-based charitable organisations. Current religious constitutional law ensures considerable tolerance. A basic condition for this tolerance, however, is that the religious communities – and this is directed particularly at the Islamic communities – are established in such a way that they can function as reliable and representative partners. This also includes breaking free of foreign influence and seeing themselves as religious communities in Germany.

Structurally different from parity claims are exemption claims in which individuals claim entitlement to religion-specific exemptions on the basis of constitutional religious freedom. These kinds of claims automatically lead to collisions between the rights derived from the freedom of religion and norms protected in the Basic Law that also often have constitutional status (such as the government's educational mandate). A paradigmatic case in this area is the request from female Muslim teachers to be able to wear a headscarf – viewed by them as a religious obligation – at school, a state institution, where neutrality is required. There are also collisions in this area between bans on blasphemy expressed by members of certain religions and the freedom of expression guaranteed in the Basic Law, or between faith-based circumcision rules that mainly apply to Jews and Muslims and the basic right to physical integrity.

Overall, a clear trend can be seen in the decisions made by lawmakers and the courts to generally grant the demands of religious communities for institutional equality and special religion-based rules and exemptions. The process of institutional equality is well under way; this is especially evident in the establishment of Islamic religious instruction as a standard subject at state schools and the incorporation of Islamic theology at state universities. When the implications of conflicting norms are weighed, individual religious freedom enjoys a high standing – for many too high – as became clear, for example in the 2015 'NRW Headscarf Ruling' of the German Federal Constitutional Court in relation to a teacher wearing a headscarf at a state school: the right of parents to expect teachers to adopt a religiously neutral appearance at public schools was ruled subordinate to the right of the school teacher (the plaintiff) to religious freedom. On the whole, therefore, the increasing religious diversity in Germany has led to far-reaching changes in institutions and in individual rights.

(For more information and recommendations for action, see Chap. B.2, B.3.)



7 Respecting differences must not be allowed to weaken the primacy of basic democratic values

To safeguard acceptance and cohesion in society as religious plurality increases and, at the same time, religion affiliation diminishes, the differences among the people who live here must be respected. This also means that believers, regardless of which faith they belong to, accept that there are people who don't believe and conversely, that non-believers need to accept that religion is important for others. The constitutional norms that apply to everyone and the universally valid democratic values form the basis for coexistence. These values also include the ability to differentiate: between the private and public/state sphere, between conflicts that endanger the rights of third parties or other constitutional values and those that must be tolerated in a democracy. Divergence from this path dictated by the constitution and the democratic basic order must not be accepted, nor must it be legitimised by religious recognition. The pledge of freedom and equality linked to current constitutional religious law is thus an inclusive pledge that is linked to the hope and expectation that it brings about integration and strengthens the liberal order – at the level of the individual, but also in society as a whole – while simultaneously respecting religious autonomy.

This means that anyone who wants to claim entitlement to religiously motivated exemptions needs to critically weigh the theological relevance of their claims because not everything that seems desirable in religious-theological terms is acceptable for an entire society. To uphold the promise of freedom and equality as an inclusive pledge also requires the judicial courts to engage in critical reflection when ruling on conflicting norms. Respecting religious autonomy should not weaken the cohesive power of the universally valid basic democratic values embedded in the constitution, on the contrary. A more intensive public discussion about conflicting norms and potential legal solutions is under way and necessary.

(For more information and recommendations for action, see Chap. B.2.1, B.2.2, B.2.3, B.2.4, B.3.)

8 Compulsory schooling as a cornerstone of the German education system: no exemption claims

In the German system, which generally exhibits a positive neutrality toward religion, there is one area that defies the trend of pluralism in religious laws: compulsory school education in



Germany which is conceptualised as compulsory school *attendance* is a key principle of the German education system; requests from members of different religious communities to exempt their children from at least parts of classroom instruction for religious reasons are rigorously refused. This also applies to an increasing number of requests in recent years from Muslims for exemptions (mainly for physical education and swimming classes). Back in the 1990s when the integration of migrants was a political niche issue, requests of this kind were often still granted in the interest of establishing 'legal multiculturalism'.

The Expert Council supports the practice of rejecting religiously motivated exemptions for compulsory schooling. It is important to draw a clear line, particularly in view of the integration policy challenges that the great influx of refugees (including those of school age) will involve in the coming years. Schools, after all, don't just teach abstract educational content or provide biographically and economically valuable qualifications, they also play an important social role in strengthening a democratic and close-knit community, thus helping to prevent the emergence of 'parallel societies' motivated by religion or ideology.

(For more information and recommendations for action, see Chap. B.3.4.)

9 Positive neutrality toward religion in German law: generally protected, improvements needed

The path of pronounced positive neutrality toward religion followed by Germany which is described in the Annual Report that policy-makers have emphatically pursued, particularly recently, is generally viewed as positive at an international level. In the SVR's view, the German model of positive neutrality has generally worked well and will also ensure that the legal integration of Islam as by far the largest new religion will generally succeed or has already succeeded in part. But this doesn't mean that the current religion policy structures in Germany are still up-to-date in all areas as pluralisation and secularisation continue. The individual chapters of the Annual Report can also be read as a kind of register which identifies areas in which, from the SVR's perspective, the German strategy of general positive neutrality toward religion or 'legal multiculturalism' in religious questions will lead to problems in a religiously diverse and secular Germany. This applies, for example, to the area of church labour law which gives religious communities extensive special rights vis-à-vis labour law, to the establishment of Islamic theology at German universities where associations with questionable legitimacy have been granted excessive rights of co-determination or to the circumcision



authorisation passed with great haste by lawmakers that leaves a lot unclarified with respect to the pain treatment of small children.

(For more information and recommendations for action, see Chap. B.2.3, B.2.5, B.3.3.)

10 State and religious communities: shared responsibility for religious policy and society

For many people, religion gives them answers to existential questions and helps them cope with uncertainty about the present and future. In addition, religion is also important to the process of integration because the need for orientation and stability is particularly pronounced among immigrants. But religions should not constantly create moral dilemmas for people as they deal with their day-to-day lives. The goal is for religions to be able to embrace pluralism without losing their meaning. It should be possible for a Muslim warehouse worker to stack beer crates without having a crisis of conscience or a Muslim girl to take part in swimming class – also in a normal bathing suit –, and Evangelical parents should allow their children to be exposed to educational content that is not consistent with their own ideas about religion. Believers and non-believers have to meet in the middle in a pluralistic and secular society and they have to practise tolerant beliefs and learn to deal with those who have a different faith or none at all. Otherwise, the number of religiously driven conflicts will increase, especially in our everyday lives, in such a way that a thriving coexistence is at risk. The religious communities thus have a special responsibility to interpret the content of faith; this interpretation should make it possible for the faithful to orient themselves in a religiously pluralistic and secular society without constantly being faced with religious conflicts.

Overall, the strived for readjustment of the relationship between state and religion in a religiously differentiated society is a complex issue and highly sensitive both in theological and political terms. It is consistent with the German constitutional tradition of showing special tolerance for religions and religious needs. German religious law has proven flexible and has made solutions possible that prevent unreasonable demands for religious people where possible and with which everyone can therefore live with well. The prerequisite for this, however, is a certain restraint in religious matters. When one's own religious standards are not absolute, then religious freedom does not become the basis for conflicts and possibly hinder integration, but instead acts as a positive resource for the individual and society as a whole.

(For more information and recommendations for action, see Chap. A.1.)



11 Migration management should also incorporate external and labour market policy aspects

This year's special section of the Expert Council's Annual Report addresses a highly relevant issue in light of the refugee crisis: the focus is the relationship between migration and socio-economic development in the regions of origin. The political discussion over the past few years has emphasised the positive aspects of migration, including on the regions of origin and thus prevented a one-sided 'emigration is bad' discussion. Well-managed migration, according to the tenor of the discussion, can entail an advantage for the destination regions, the migrants themselves and their regions of origin. Against the background of the relevant scientific evidence, the SVR warns, however, of a naive overestimation of the development policy potential of migration. For example, remittances from migrants to their countries of origin, the amount of which exceeds funding earmarked for development policy by states globally, are not a cure-all for structural development deficits because they are usually used for consumption and therefore hardly have any long-term structural impacts. However, well-designed migration management where external, labour market and development policy considerations are intertwined, is now needed more than ever before.

Unfortunately, Germany and the EU are far from establishing a consistent link between these policy areas. A similar shortcoming exists in the European Neighbourhood Policy which has failed to link the interests of the EU member states with those of the countries of origin and the transit of migrants to the EU. A coherent overall external and migration policy strategy would include considerably expanding the existing programmes (especially mobility partnerships and regional protection and development programmes) to strengthen the regions of origin and maximise positive effects of migration on development. In light of the European refugee crisis which is tying up political capacities and dominating the current negotiation processes at European and national level, this goal has been pushed further down the list of political priorities. This is a paradoxical (undesirable) development because the frequently invoked fight against the causes of people seeking refuge actually makes far-sighted and comprehensive migration management policy necessary that elevates migration and development to a top priority at national and international level.

(For more information and recommendations for action, see Chap. C.1, C.2, C.3, C.4.)