

Dinçer Gel-
Avrupa Demokrasi Vakfi e.V.
Marktstrasse 10
50968 Koeln- Germany
avrupademokrasivakfi@yahoo.de

Evaluating the Muslim Minority's Situation in Germany and Suggestions for a Possible Solution

OSCE- Human Dimension Implementation Meeting
Warsaw 28 September- 9 October 2009-09-29
Working Session 2

1. Introduction

According to the Federal Agency for Migration and Refugees (BAMF) 4.3 million Muslims live in Germany. This corresponds to a share of approx. 5% Muslims among the entire German population. In turn, of these, 45% are German citizens. With approximately 2.7 million members, the Turkish minority represents the largest share of Muslims in Germany.

Muslims living in Germany are part of a heterogeneous minority. They belong to different persuasions and exercise their religion in different ways and forms. They also live and practice their belief within the framework of the liberal democratic constitutional system.

The Avrupa Demokrasi Vakfi (European Democratic Foundation) dedicates itself, among other things, to an inter-religious dialogue and to a peaceful coexistence between all humans regardless of their origin, culture, or religion. Germany's current legal and socio-political situation complicates the peaceful coexistence of Muslims in the majority German society and heavily restricts the right of Muslims to the free exercise of religion as anchored in Article 4 of the Constitution. In this regard, we will now highlight several of the issues and will submit suggestions toward a solution.

2. Media Representation of Islam

In recent years in Germany and in many European countries, Muslims have been regularly confronted with negative headlines. Increasingly, Islamo-phobia – which given 2.7 million Turkish-Muslim residents in Germany is equal to Turko-phobia – is spreading and national agencies are not combating it effectively.

Just like the terrorists, who actually justify their actions through Islam, the media also argue that Islam is the source of human rights violations and terrorist attacks. Negative events are cherry-picked. The appearance of general validity is underscored. In contrast, daily realities or positive events and developments are hardly taken into account.

Especially the headscarf is incomprehensibly used in the media as a symbol in discussions of foreign issues or topics containing violence, such as terrorism or violent attacks against women. Despite the fact that only 28% of Muslim women wear headscarves, the headscarf in Germany is considered typical for Muslims. Even though the headscarf is the expression of independent religious choice, it is also realized as a symbol for the oppression of women.

The unilateral and negative representation of Islam – even in the public media – has a negative effect on public opinion. It only inflames the prejudices of the majority German society. Increasingly, Islam is perceived as a repressive, radical, and reactionary religion. As a result, anti-Muslim racism has increased in Germany. This reflects itself in the negative attitudes and numerous exclusions that many Muslims face as a daily reality. The result is that the urgently required inter-religious dialogue has become more difficult.

A particularly interesting case of discriminatory and irresponsible media representation was the reaction of empathy and declarations of sympathy to the terrible September 11 attacks in the US or the attacks in Madrid and London, while the terror attacks in Istanbul were more or less passively observed with warnings even of the possible risk that fundamentalist Islamic terror would be imported to Europe.

Unilateral and negative reporting on Islam also prepares the soil for political party behavior that is driven by election tactics – especially in the case of conservative and extreme-right parties and groups. This makes it more difficult to take the necessary political steps toward solving legal and socio-political discrimination against Muslims. It is particularly troublesome that extreme-right groups are becoming members of state legislatures and municipal councils through ever-improving election results that are financed with public funds and built on anti-Mosque and anti-Islamic propaganda (see the pictures attached). This leads to the conclusion that to a certain extent their ideology is anchored and accepted among the German people.

3. Legal and Socio-Political Discrimination of Muslims

The International Helsinki Federation for Human Rights (IHF), the human rights organization, issued a report in which it pointed to the increasing intolerance and discrimination of Muslims in Europe. According to the report, Muslims are subjected to enormous discrimination in almost all areas of life. Discrimination is especially strong in Germany. In this regard, I will now point to several of the areas of life.

The German education system is highly selective and socially impermeable. Professor Vernor Muñoz, UN-reporter for Human Rights in Education, shares this opinion. He justifiably criticizes the paid-for pre-school education and three-tiered school system. Among other things, and as a result, children with migration backgrounds are systematically excluded. And Muslims are particularly affected by this.

Much too often, because of claimed language impediments – which sometimes don't even exist – talented Muslim students are sent to special or trade schools. These students then rarely have the opportunity to visit schools of higher education or to even attempt a university education.

Different studies repeatedly show that migrants, and thus Muslims in particular, are massively discriminated against in the education system and on the labor markets. Thus, according to a study by the Federal Agency for Migration and Refugees (BAMF), while the rate among non-Muslims is 6.9%, 13.5% of Muslims with a migration background have not completed their schooling. Generally, one has to conclude that the share of Muslims, and especially of Turkish Muslims, in the education system's more and more higher demanding educational institutions is decreasing. The number of Muslims of Turkish descent studying is approximately three-quarters lower than for Germans (approx. 20% to 6%). Furthermore, it is a matter of concern that in many cities ghetto schools have formed which are attended by hardly any German students.

The discrimination of Muslims in the education system leads to a lower level of education and thus to fewer employment opportunities. But even with the same level of education, Muslims are systematically put at a disadvantage. Thus, a study of the Federal Institute for Professional Education (BIBB) shows that under very specific circumstances a German student has a 70% chance of obtaining an apprenticeship, while a student of Turkish descent – Turks represent nearly 2/3 of German Muslims – under similar conditions only has a 16% chance. In the same study, companies also say that they would much rather have a German apprentice. This phenomenon is also reflected among highly qualified workers. Thus Muslim academics of Turkish origin have almost double the rate of unemployment than German academics (approx. 10% to 5.5%).

And, Muslims wearing headscarves will have a very hard time even finding employment. Because they wear headscarves, their access to the labor market remains closed.

Aside from massive economic and socio-economic effects on the German state, poverty, lack of prospects, and psycho-social issues are among the problems that Muslims face because of discrimination in the education system and on the labor markets.

The demands of the UN reporter Muñoz for paid-for pre-school education and the dismantling of the three-tiered school system must be implemented. And more value must be placed on cooperation between the schools and parents of Muslim children. In this way, specific issues can be dealt with and mutual solutions can be found. In particular, linguistic competencies and study habits of Muslim children must be fostered. The response to the problem of education shouldn't be the automatic instruction of Muslim students in educational institutions that provide lower qualifications. Both German educators and families must become aware of their responsibilities in this regard.

A large majority of Muslims (76%) desire Islamic religious education at their schools. Even though according to Article 7, Section 3, of the Constitution, classes in religion must conform to the principles of religious communities, courses in Islamic religion are not offered at public schools. At least after primary school and especially in regions with a large share of Muslims, classes in Islamic studies must be offered as a regular elective in public schools. To achieve this, appropriate preparations must be made. These include training teachers or setting-up lesson plans with the cooperation of associations and professionals.

State authorities forbid us – in contrast to the symbols of other religions – from carrying the symbols of the Islamic religion. In order to prevent this discrimination and to strengthen the Constitutional separation of religion and state, any religious symbols must be separated from public services. Related laws especially in conservatively run states such as Bavaria and Baden-Württemberg, which refer to Christian traditions, are not acceptable.

Some Muslims are taking action through religious organizations and especially in associations and mosque communities. These organizations serve not only as places to realize religious obligations or education, but also as places for cultural and social exchange. Many mosque communities offer recreational activities, German, lettering courses, and many sources for advice. Furthermore, mosque communities, through their mostly voluntary socio-political engagement, provide an important contribution to integration and inter-religious dialogue. It therefore is incomprehensible why the reflex reaction to the construction of mosques and communal administration buildings in parts of Germany is skeptical opposition.

Legal discrimination of Islamic organizations in comparison to Jewish or Christian organizations should be removed and the conditions for them to better fulfill their social tasks should be created. Islam should be accepted as a state-recognized religious community. Both Islamic associations and German authorities must create the necessary conditions for this as described in Article 140 of the Constitution. In doing so, attention should be paid to transparent structures within the Islamic organizations. The dialogue with the majority German society should also be continued and intensified.

Despite there being approx. 4 million Muslims, there isn't a single cemetery in Germany. In the meantime, numerous German communities have set aside burial grounds for Muslims. Though often the offered burial opportunities do not correspond to religious prescriptions so that many Muslims (approx. 80%) are forced to carry their deceased abroad. Just as there are numerous Jewish burial grounds for the near 110,000 Jewish citizens, German authorities should also create similar ones for the approx. 4 million Muslim citizens.

In contrast to non-Muslims, Muslims acquiring German citizenship in the state of Baden Württemberg must respond to a series of questions relating to their political and personal views. The Minister of the Interior reasoned that the aim was to ascertain applicants' loyalty to the Constitution. The fact that there is a need for a loyalty test to test Muslim's loyalty to the Constitution but not one for non-Muslims is not only discriminatory, it's also insulting.

In the foreigner's law too, Muslims are extensively discriminated against in comparison to other non-Muslim foreigners living in Germany. In the newly updated 2007 Immigration Act, for example, spouses of Muslims who immigrate at a later date are required to prove knowledge of German while other foreigners are exempted from this rule. Certain foreign citizens in Germany have the right to dual citizenship while this is denied the 2.7 million Turks and other Muslims in Germany.

Muslims are systematically prevented access to many services. For example, in many areas Muslims are not provided any access to the housing market. This especially encourages ghettoization in many urban areas.

Legal regulations aimed at fighting discrimination, such as the General Equal Rights Law, are ineffective in their implementations.

4. Racist Attacks Against Muslims

Unfortunately, German agencies don't maintain any meaningful statistics on racial attacks against Muslims. We are therefore unable to present any concrete numbers on this matter. Almost every day, however, there are numerous racist attacks against Muslims and Islamic institutions (see the photographs in the attachment). I will now describe some of these to provide you with examples.

There are continuous racially-motivated arson and other attacks against mosques. Such attacks are hardly noted in the media. Politicians also don't take heed. The German authorities are not capable of preventing such attacks. More often than not too, the perpetrators are not identified. The rate for solving these crimes is low.

In comparison: In the failed Islamist-motivated suitcase attacks, which caused no damage, the perpetrators were identified within two days, tracked down in Lebanon, and their deportation was compelled.

In their daily lives, Muslims are subjected to numerous attacks, insults, and threats. A particularly serious event was the attack on the 32 year-old, pregnant, Egyptian, Marwa El-Sherbini, who was knifed down and murdered on July 1, 2009 in the Dresden Court Building. Her German murderer had just been convicted for insults

made during a fight with an Egyptian for being, among other things, an Islamist and a terrorist. The murderer was also of the opinion that Muslims did not belong in Germany. Nevertheless, this tragedy did not trigger a debate about latent Islamophobia in Germany. There also was hardly an expression of sympathy with Muslims. In contrast, the attack on Theo van Gogh in November 2004 raised intense and irrational discussions. At that time, the Islamic religious background of the perpetrator became the focus and was declared to be incompatible with basic values such as democracy or human rights. The Christian religious background of the perpetrator in the murder of the Egyptian woman was not even mentioned and the act was represented as the unique action of a crazy person. These examples show again that similar circumstances are explored in different ways among the German public – regardless of the actor's origin or cultural and religious background.

Racist acts of violence against Muslims are not sufficiently discussed in public. While any form of racism is rejected, Islamo-phobic attitudes among the general public are not identified. For this reason too Germany is taking no effective measures to fight Islamo-phobia.

5. Radical Islamists in Germany

Radical Islamists are not – even if they are sometimes represented in that way in the German public – the authentic representatives of Islam. According to the 2008 Report by the Federal Agency for Internal Security, there are around 3400 violent Islamists. According to the report, associations classified as ideologically extreme approximately 32,000 members. These associations thus represent less than one percent of all Muslims in Germany. In comparison: The number of leftist extremists willing to engage in violence is around 6,300 and the number of Neo-Nazis willing to engage in violence is around 10,000.

Scientific studies have also confirmed that the totality of groups accepting violence and anti-democratic attitudes are a minority. The overwhelming majority of Muslims in Germany thus are peaceful and live and practice their belief within the framework of the liberal democratic constitutional system.

Even if the Islamists are a very small minority in Muslim society, their effect cannot be underestimated. They represent a risk for a popular, democratic constitutional order, disparage the Islamic religion, inflame prejudice in the majority German society, and make it thus more difficult to peacefully coexist with others in this country. The highest priority therefore must be placed on fighting such manifestations.

It isn't acceptable that there are no restrictions in Germany on radical preachers disseminating extremist thought or recruiting violent individuals and terrorists for training camps in Afghanistan and Pakistan. Not only is this especially dangerous from a security-policy point of view, but it also shows a deficit in Germany's position as a rule of law nation. In this regard, German authorities and politicians will have to become more decisive in their actions. For example, it is not acceptable that the deportation proceedings for radical fundamentalists can drag on for years.

6. Conclusion

Muslims in Germany are peaceful and live their belief within the framework of the liberal democratic constitutional system. No ethnic and inter-religious border to the majority German society exists. Nevertheless, Muslims are exposed to a multitude of racial attacks and discrimination in all areas, and in the daily reality, of life. The

basic conditions for the free exercise of religion are also not fulfilled. The legitimate needs of Muslims and their Constitutionally guaranteed rights are also ignored.

The highest priority must be placed on solving these diverse problems. This is the basic condition for a peaceful coexistence and an effective integration. Otherwise, prejudice could further be inflamed and mutual mistrust could continue to be created. Frustration could spread among Muslims and their trust in the state authorities could erode.

Unfortunately the unsatisfactory condition of Muslims in Germany often becomes the victim of symbolic policies. The German authorities and political parties must now finally understand the significance of these problems so that measures can be taken to fight Islamo-phobia and legal and socio-political inequalities. This is also a condition to benefiting from Muslims' social and inter-cultural potential.

In the end, we should note the following: The European states, and thus especially Germany, who vehemently and often very arrogantly dedicate themselves to democracy and human rights in other countries, are losing credibility. They don't have the right to act if not all of their own citizens can share in the enjoyment of these values.

7. Attachment





