

# **The Need of the Establishment of a Federal German Sacral Building Authority for Islamic Faith Affairs – Roadmap and Capacity Building of an Institutional Framework for Religious Communities, State Bodies and Citizens in Europe**

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## **1 ABSTRACT**

Rising trends of migration to Europe and the combined efforts of the integration process by the German Government and a great variety of stake holders highlights new aspects of developments of the civil society within Germany. By the end of 2015 an estimated 4.5 million Muslims (5.8%) were living in Germany. The majority of German Muslims are of Turkish origin (63% / 2008) and migrant labourer who came as “Gastarbeiter” during the 1960 and 1970s. There are no exact studies of the numbers of strong religious practitioner in Islam in Germany. In the past decades Muslims who attends religious services had little options in worship in appropriate sacral facilities. Most religious services are held in so called backyard house of prayers. Those sacral infrastructures are allocated in the industrial centres in Germany. The numbers of suitable mosques and house of prayers is slightly rising. The aging population of migrant workers of the first generation, the renaissance of religions within a globalizing world and the influx of refugees from the Middle East is enhancing the demand of applicable places for religious worshipping and parochial orientated social services. The further expansion of parochial facilities is limited by the carefully tread of the current Muslim communities, the missing adequate dialogue within the council administrations and planning boards. Germany is a country of a rich European heritage of sacral building culture and tradition. By a century long tradition a fundament were led by the churches, religious foundations and rulers in construction of sacral buildings and social infrastructures. Today there is a well functional system of church owned building departments within the country. The two established German Church institutions are currently facing a declining number of worshippers, caused by ageing population and the ongoing trends of secessions from the churches. This paper is focused on the current request for sacral buildings and site religious social infrastructure for the Muslim minority within the framework of freedom of worship granted by the German constitutional law. In addition perspectives are given for a potential need of adequate properties and land resources for the next twenty years. It discuss the demand of an institutional body as an acting contact point for setting the standards of religious aspects within the framework of German and European building codes and planning basic principles. Further on alternative options were disputed for the common or separated use of social facilities of different religious faith in order to sustain the necessary precaution for the local population.

Keywords: European islam, religious heritage, sacral building, migration, institutional building

## **2 INTRODUCTION**

### **2.1 Overview**

The Federal Republic of Germany as the economic power house of Europe underwent different phases of immigration of sections of the population and ethnic groups into the country the last sixty three years. It is a story of success starting from the integration of a vast number of German refugees fleeing from the Eastern parts of the former German Reich after WWII, through the integration of migrant workers within the 1960/70s. Further on into the assimilation of millions of migrants of German origin from the former Soviet Union, the unification of Germany and the admittance of the civil-war refugees from the Balkans during the 1990s. Since the 1960s when Muslims or migrants coming from Islam dominated countries to Germany or Europe, they are often subject of demagogue and populist campaigns. Representing just 5 % of Germany’s total population, they are the current target group for populist parties.

### **2.2 Muslim communities in Germany in the framework of globalisation**

Within the context of Muslim community life in the Federal Republic of Germany the country can look back to the early phase of foreign workforce migration to the country during the 1960/70s. Founded by the enormous influx of refugees from Islam dominated countries in 2015/16 a base of Anti-Muslim hysteria were set-up. The wrong communication policy by the German government to the German people and the

misunderstanding of the decreasing level of tolerance by the German society in relation to the rising numbers of displaced persons arriving to the country had a negative impact to the ongoing process of integration of minorities. As a result most of the progress of the former dialogues were minimized.

### 2.2.1 Status and situation of Muslims in Germany

The history of early Islam in Europe is connected with a long standing attempt to conquest the Continent. It starts in the 8th century by the Umayyad conquest of Hispania and the establishment of the Kingdom of Al-Andalus. Through the Ottoman Empire and the conquest of land in today's Russia and Ukraine it finds its ways to the edge of Europe mainly during the 14th and 15th century. The most long standing Muslim communities in Central Southeast Europe are the Muslims in parts of the Balkans like Bosnia and Albania. As a result Islam never had the chance to conquest Europe. By surveying the statistical data base by 2010 an estimated 44 million Muslims were living in Europe (6%), including an estimated 19 million in the EU (3.8%). They are projected to comprise 8% of the total population by 2030. In December 2016 an official extrapolation by the Research Centre of the Federal Office for Migration and Refugees on behalf of the German Islam Conference gave new numbers of Muslims living in Germany. The result is that between 4.4 and 4.7 million Muslim men and women were living in Germany on 31 December 2015. Accordingly, out of a total of 82.2 million inhabitants, between 5.4 and 5.7 percent belong to the Muslim faith. The majority of German Muslims are of Turkish origin (63% / 2008) and migrant labourer who came as "Gastarbeiter" during the 1960 and 1970s. They came to Germany to fill the gap of sufficient numbers of workforce for the economic development. Most of them were deployed in unattractive job positions. Having planned to stay a few years the Turkish workers in comparison to other work migrants of other nations did not move back to their homeland. After having lived for more than fifty years, married and raised their children in Germany, the majority of the migrants decided to stay in the country. Till the German reunification in 1990 most Muslims in Germany were located in the industrial belts and centres of the Western part of Germany. As a fact of being a quite small minority within the German civil-society, the integration process of Muslim living in Germany is a relation to be shy with strangers. Both parties involved, the German politics and administration on one hand and the Muslim communities on the other side are lacking on sufficient efforts in managing a qualified integration process. German politics and the main parts of German society did not accept the fact, that most migrants of Turkish or Islam dominated origin within the Country are a real part of the German civil-society after being stayed more than fifty years. At the second half of the 1980s sociologist scientists and politicians starting a debate to do more efforts for the better integration especially of migrants with an Muslim background. They are still a subject of discrimination. That was accompanied with discussions to reform the residence permit regulation for foreigners. This discussion was halted by the German reunification in 1990 and the economic and social integration process within the unified Germany. The population development – the so called demographic change – after the turn of the millennium regain one's momentum to reform the integration process in the country.

### 2.2.2 Islam in Germany influenced by developments in the International context

A renaissance of Islam can be observed since the 1970s in the global context. Accompanied by the strengthening of the Islamic brotherhood movement in Egypt, which spread all over the Middle East, the Islamic Revolution of 1979 in Iran and the theological and financial support of conservative Wahhabi faiths all over the world by Saudi-Arabia. Germany and the German society was nearly not affected by this. The first changes came up during the break-down of the former Yugoslavia in the 1990s and the civil-war in the following states of Bosnia, Macedonia and Serbia. This caused a wave of refugees from the Balkans. Later on the political, economic and cultural achievements of the Turkish-Islamic movement of Erdogan's AKP party during the End of 1990s to the 2016 influenced the Turkish community living in Germany. Accompanied by the events of 9/11 in the USA and conflicts in the Middle East an instigation of Islamophobia arise in the mass media of Germany. Islamophobia is defined as fear of Islam, esp. as a political force or hostility towards Muslims. The cultural and social exchange between the Turkish community and their homeland were always very strong. Inner Turkish politics are currently misused by all sides to disqualify the harmonic Turkish-German relationship.



### 2.2.3 Sacral infrastructure and parochial orientated social facilities for Muslim practioners in Germany

Muslim community life is still a young and hided and unknown part in our society. The developments to establish praying rooms started mostly during the 1970s. In the past decades Muslims who like to attend religious services had little options in worship in appropriate sacral facilities. Most religious services are held in so called backyard house of prayers. Those sacral infrastructures were often founded in abandoned industrial buildings within industrial zones in Germany. After more than forty years the number of suitable mosques and house of prayers is slightly rising. The reasons are the state of being more emancipated Muslim communities and the better financial situation. The aging population of migrant workers of the first generation, the renaissance of religions within a globalizing world and the influx of refugees from the Middle East is enhancing the demand of applicable places for religious worshipping and parochial orientated social services. The further expansion of parochial facilities is limited by the carefully tread of the current Muslim communities. There is a missing of an adequate dialogue within the council administrations and planning boards. These lack of communication can be identified as the central iussue in start. In analogy to the real estate task of Muslim communities there are needed structures to be adopted in boths of the great churches. As Germany is a country of a rich European heritage of sacral building culture and tradition, lessons can be learnt. By a century long tradition a fundament were led by the churches, religious foundations and rulers in construction of sacral buildings and social infrastructures. Today there is a well functional system of church owned building departments within the country. The state and the two major churches have set up a system of finance, construct and maintain sacral buildings and social facilities. Since more than twenty years the two established German Church institutions are facing a declining number of worshippers, caused by ageing population and the ongoing trends of secessions from the churches. As an alternative the current request for sacral buildings and site religious social infrastructure for the Muslim minority could be met by the re-use of the church properties. In addition perspectives are given for a potential need of adequate properties and land resources for the next twenty years. Due to the strong demand to serve the needs of practising Muslims and provide the infrastructural facilities and installations within a proper environment to practise their worship guaranteed by the constitution. which is avoiding possible reactions of majority. Missing expertize show the need for an institutional body as an acting contact point for setting the standards of religious aspects within the framework of German and European building codes and planning basic principles. The establishing of an Federal Sacral Building Authority for Islamic sacral infrastructure is one of the different steps to create a technical and institutional framework for serving consulting and accompanying all citizens especially the Muslim communities, the state administrations and the society. There are further alternative options were disputed for a common or separated use of social facilities of different religious faith in order to sustain the necessary precaution for the local population.

### 2.3 Analysis of current state of research

By doing research in the subject area of “sacral buildings and social infrastructure for Muslim communities in Germany” the outcome is quite sobered. This area of expertise needs a wider support by the scientific institutions, the public administration and politicians. A lot of theoretical and basic research, discussions and strategies to implement the need for solving that iussue has to be done. Even the Muslim communities had to put their focus to this technical and organisational field of work to formulate the duties and responsibilities for their executive boeards and the governmental administration to meet the demands for having a society tolerated and integrated spiritual life within their religious faith. This young field of research has lots of potentials to exame.

## 3 THE ENLIGHTENMENT, STATE BUILDING AND SECULARIZATION IN GERMANY

For establishing a structural base for sacral infrastructure for Muslim communities, the status and history of the relationship between the state and Christian communities have to be observed. The relations of the German state to its major religious institutions is a history of a century long power struggle between the mundane aristocrats of Europe to the Roman Catholic Church in Rome and the local branches of the Catholic Church represented by their bishops within the regions. Initially a war between various Protestant and Catholic states in the fragmented Holy Roman Empire,. The early stages were meld by the Protestant Reformation during the 16 th Century, which resulted in the Thirty years war. Ended with the Peace of Westphalia. It was one of the most destructive conflicts in Europe where major parts of German territory and settlements were completely destroyed. Up to now the country is still traumatized by this deadliest religious

war resulting more than eight million casualties. The Protestant Reformation came in effect in diverting the country in two Christian faiths each identified by the believe of the local or regional ruler. The power struggle continous the next centuries frequently.

### 3.1 Secularization

The church as a refuge of social institutions and education during the middle age, lost this status by two major developments. The most important refers to the historical process of Secularization during the French Revolution and later on the Concordat of 1801 in which Christian religion lost social and cultural significance in Central Europe. In parallel to the Catholic Church in the reformation phase, both churches lost lands and properties by seizure acts and confiscation by the state. The Concordat was an agreement between Pope Pius VII and Napoleon of France. It solidified the Roman Catholic Church as the majority church of France, with most of its civil status restored. But it did not restore the vast church lands and endowments confiscation during the French Revolution. Those events had similar effects on the balance of church-state relations in Germany, too. In 1803 during French occupation of the German Rhine provinces, German aristocrats lost lands in Western Rhine area. The French Empire using confiscated assets and property of the church to reimburse the princedoms in financial means. Most of the church estates as like as monasteries and residences of bishops accumulate to the German royal families. Those ruled by royal families like four kingdoms, six grand duchies and six duchies. The “Reichsdeputationshauptschluss” (German mediatisation) of 1803 , ratified by the Imperial German assembly same year, used as road map organizational chart plan how to prepare the reparation of the German royal families. A detailed compensation plan proceeded to occupy the prince-bishoprics, imperial abbeys, and free Imperial cities that had been allotted to them. By this annexation organizational and social aspects arise. So there was the question how to handle and finance the duties and the payments of staff, maintain the buildings, facilities etc. of the former ecclesiastical principalities and bishoprics estates. By social means many of the staff lost their jobs and poverty. Huge gueter and were switched to foundations status. The proprietary outcome had special effects on the relation between the state and the church. As a result of the secularization and the compensation plan a major territorial restructuring of German regions took place. Large numbers of wealth, property, Imperial Estates, ecclesiastical principalities and other bodies lost their independent status and were transferred and integrated into remaining duchies or kingdoms within Germany. Germany shifted from an Roman Catholic church dominated Country to a much more protestant lutherian church orientated state. Especially the King of Prussia, who was in majority protestant lutheran benefitted strongly from the clash between the state and the Roman Catholic Church. Even after the German mediation Prussia continued its campaigns against the Roman Catholic Church. This phase was named “Kulturkampf” culture struggle is a German term referring to a set of policies enacted from 1871 to 1878 by the Prime Minister of Prussia, Otto von Bismarck, in relation to secularity and the role of the Roman Catholic Church in the Kingdom of Prussia. Jesuits, Franciscans, Dominicans and other orders were expelled in the culmination of twenty years of anti-Jesuit and antimonastic hysteria. The other effect were the German/French war 1870/71 and the unification of Germany enabling of the German Reich dominated by the protestant Prussia. The Kulturkampf ended about 1880 with a new pope willing to negotiate with Bismarck. Till 1887 several new laws were decreed to regulate the proportion between the church and the state. The aftermaths of proprietary transferring of assets to the state and the mischief to the church were never reversed by the state. But during the early days of the mediation the state started to reduce the hardship of a few victims like staff and monks in the beginning or to take on responsibilities for buildings, social foundations and properties. Although it takes nearly two hundred years accompanied by many negotiations and agreements to find solutions to create a normal understanding between both main churches and the state.

### 3.2 Setting-up the constitutional base of the relationship between the state and the religious bodies and churches within Germany

The most important agreement was the Weimar compromise after the WWI. Since the “Weimarer compromise” of 1919 the churches and all other religious institutions gain the special status to act as non-state bodies / corporations under public law. Set in the third section of the “Weimar Verfassung” (constitution) freedom of faith is ensured. Article §137. disclaim the existence of an state church. Granted by the so-called “Kirchenfreiheit” ranked as an constitutional level all religious bodies are guaranteed to have a self-governing structure. The Art. §§ 136, 137, 138, 139, 141 of the Weimarer constition regulate all. The



Weimar compromise is by separate interstate treaties between the Federal and the Laender governments to the churches and enlarged to other religious confessions. In comparison no one of the different Islamic religions applied for the status to be a body of law in Germany.

#### 4 CONCLUSION

Muslims living in Germany have an perfect environment to practise their individual worship to their faith. To do the worship in greater groups or well equipped mosques, it depends on the region and the status and abilities of the local religious communities. Because of secularization of Germany the religious communities are independent and have to act by ones own initiative to create an sufficient religious infrastructure for their religious needs. In comparison to other European countries (Britain and France) the situation of Muslims living in Germany to have a comfortable standard to practise their religious is disappointing. Since 2006 the Federal Government represented by the Minister of Interior set up the German Islam Conference as a platform for dialogue between the different Muslim communities with represantatives of the political class, the administration and German society there is a slight move for discussing options and strategies for a better integration of Muslims. In 2017 the results of the ongoing process of the joint German Islam Conference showing some slight developments, but the overall situation is still unsatisfactory. Caused by the emergence of demographic change of population, the availability of church property and the influx of more Muslim people it is necessary to create efficient structures. As an important milestone a work group of experts should be set-up. The members should be a selection of the experts from the targeting fields. These are architecture, construction, the cultural and heritage sector. The work group could give the right stimulus for the establishment of an Islamic building Authority for Germany.

#### 5 REFERENCES

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