ISLAMIC INSTRUCTION IN GERMAN PUBLIC SCHOOLS: THE CASE OF NORTH-RHINE-WESTPHALIA

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1. Introduction

Religious instruction in German public schools is a confessional subject, sheltered by Article seven of the Basic Law. Due to the separation between state and church, the state cannot define the content of the instruction, but is compelled to organize it according to the teachings of the religious communities, or Religionsgemeinschaften, which is the wording of the law. The institution has been coveted by Muslim organizations in Germany since the late 1970s, but until present only the Land of Berlin has allowed for confessional Islamic instruction in public schools. Rather than organizing confessional instruction as anticipated by the Constitution, during the 1980s the German Länder opted for interim solutions: religious instruction was given as part of native language classes, organized either by the consulates or by the German Land. The latter model has been officially non-confessional due to the neutrality of the state. Only in very recent time school experiments involving Muslim partners have been carried out in some Länder. The explanation for the different treatment of Muslims, as given by the authorities and legal scholars, has been that the state lacks a negotiating partner, an argument coupled with the absence of a church organization within Islam.

Indeed, Islam knows no organizational hierarchy and no intermediary priesthood corresponding to that of the churches. Still, in response to the call for a negotiating partner, Muslim organizations have struggled to appear more unified. The aspiration for public religious instruction has been a major mobilizing force behind the building of federations and umbrella organizations that appeared from the late 1980s. This article argues that the failure of Muslim organizations in being acknowledged as state partners cannot simply be understood as emanating from structural deficiencies on the Muslim side. In order to properly understand the quandary posed by Muslim claims to equal treatment with the established religious communities, most noticeably the Catholic and Evangelical churches, the normative rationale and expectations inbuilt
in the institution of public religious instruction must also be taken into consideration. Islam as represented by Muslim organizations does not necessarily fit into, or is taken to fit into, this predefined space and functioning of public religion.

The first part of the article will sketch out the legal, pedagogical and political aspects of public religious instruction and discuss how the debate on Islamic instruction took shape on this background from the late 1970s. The second part will explore how the issue of Islamic instruction was addressed in one particular Land, North-Rhine-Westphalia. North-Rhine-Westphalia has been a pioneer in the field of Islamic instruction. As early as 1979 a pedagogical program was inducted, designed particularly for Muslim children in Germany. The syllabus was unique in that it was developed mainly by German scholars and the State Institute of School and Education in North-Rhine-Westphalia. It has figured as a national pilot project and remained the most comprehensive Islamic teaching program used in public schools throughout the 1980s and 1990s. The venture is thus apt for shedding light on the pedagogical and political challenges linked to Islamic instruction, that is, the shaped and role assigned to religion in German public education and the assessment of Islam from this perspective. The last part of the article will address Muslim responses to the state initiative. These express different notions of religious education, but also an emerging readiness to adapt to new requirements.

2. Public Religious Instruction and the Challenge of Islam

The principles of separation between religion and politics and state and church, so frequently held against Muslims’ claims to a public manifestation of their religion, are not so straightforwardly given as commonly held in public debates. The general European pattern, in which Germany fits, has been a continued close cooperation between state and church, notwithstanding the principle of differentiation. France, with a strict institutional separation and a public ethic excluding the religious, represents the major exception to this pattern, where the traditional alliance between state and church as founding pillars of society has not been discarded altogether but rather been blended with Enlightenment principles. Thus, while all religious groups are assured basic rights and freedoms, the historical denominations enjoy a more privileged position, benefiting from state support and interwoven into public life. The