Religious Freedom in the Field of Tension between Populist Anti-Muslim Sentiments and Islamist Radicalisation Tendencies

Sociological Observations Using the Case of Germany

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Introduction

Sociological research on Islam offers an important conceptual tool for examining the genesis and inner dynamics of the religious field of Islam as a self-organised minority religion in the context of German society, without losing sight of the religious conflicts and disputes that arise from it, including religious self-organisation conflicts, social integration conflicts, legal institutionalisation conflicts, etc.[1] Islamophobic tendencies are also just as much a part of a well-founded sociological description of the conflicts and debates surrounding Islam and Muslims as the legal possibilities of institutionalising Islam according to religious law standards in Germany, at the centre of which is the fundamental right to freedom of religion. It is therefore unsurprising if "legal disputes about religious freedom and thus about human rights have become an important part of the institutionalisation process of Islam in Europe."[2]

While these dynamics of religious self-organisation and the legal and institutional integration of Islam in Germany have brought about legal and religious emancipation opportunities for Muslims, they have been accompanied by side-effects and conflicts, which are evident in increasing populist and far-

1 Wohlrab-Sahr, Monika/Tezcan, Levent: "Einleitung," in: Monika Wolhrab Sahr/Levent Tezcan (eds.), Islam in Europa. Institutionalisierung und Konflikt, Baden-Baden: Nomos 2022, pp. 7–23.

2 Wohlrab-Sahr: Einleitung, p. 17. Quotes that have not been published in English have been translated into English by the editors of this book.

right Islamophobia in German society[3] and visible in the strengthening of Islamist forces. Recent sociological research shows how both developments are in a spiralling relationship with each other, which drives and legitimises radicalism and resentment on both sides.[4] While the former are afraid of "Islam"[5] and equate it with Islamism, their opponents from the Islamist spectrum fear for "Islam," which is understood and practised here in a fundamentalist sense.[6] The human right to religious freedom is instrumentalised by both extremes and accordingly appears as the object of different and contradictory interpretations and appropriations.

In this article, in a first step I will briefly outline the genesis and institutionalisation of the religious field of Islam in Germany. In a second step, I will show why the discussion about the equal treatment of Islam in Germany can sociologically only be described in fields of tension between increasing social Islamophobia and Islamist radicalism, whereby the right to religious freedom appears to be contested within society. In a third step, I will use the example of the mosque building debates in Germany to demonstrate how moderate

3 Bielefeldt, Heiner: Das Islambild in Deutschland. Zum öffentlichen Umgang mit der Angst vor dem Islam, Berlin: Deutsches Institut für Menschenrechte 2007; Benz, Wolfgang: Die Feinde aus dem Morgenland. Wie die Angst vor den Muslimen unsere Demokratie gefährdet, München: Beck 2012; Pollack, Detlef: "Öffentliche Wahrnehmung des Islam in Deutschland," in: Dirk Halm/Hendrik Meyer (eds.), Islam und die deutsche Gesellschaft, Wiesbaden: Springer Fachmedien Wiesbaden 2013, pp. 89–118; Pickel, Gert: "Religion als Ressource für Rechtspopulismus? Zwischen Wahlverwandtschaften und Fremdzuschreibungen," in: Zeitschrift für Religion, Gesellschaft und Politik 2 (2/2018), pp. 277–312; Pickel, Gert: Weltanschauliche Vielfalt und Demokratie. Wie sich religiöse Vielfalt auf die Demokratie auswirkt, Gütersloh: Bertelsmann Stiftung 2019; Hafez, Kai/Schmidt, Sabrina: Die Wahrnehmung des Islam in Deutschland, Gütersloh: Bertelsmann Stiftung 2015; Bundesministerium des Innern und für Heimat (BMI): Muslimfeindlichkeit – Eine deutsche Bilanz. Berlin: BMI 2023.

4 Pickel, Gert/Öztürk, Cemal: "Die Bedeutung antimuslimischer Ressentiments für die Erfolge des Rechtspopulismus in Europa – Konzeptuelle Überlegungen und empirische Befunde," in: Monika Wolhrab Sahr/Levent Tezcan (eds.), Islam in Europa. Institutionalisierung und Konflikt, Baden-Baden: Nomos 2022, pp. 303–355; Pickel, Gert/Pickel, Susanne: "Elemente und Rahmenbedingungen der (Co-)Radikalisierung. Erste Analysen und Erkundungen des Forschungsfeldes," in: Hikma 14 (1/2023), pp. 31–53.

5 Bielefeldt: Islambild; Benz: Feinde.

6 Dennaoui, Youssef: "Reflexiver Islam: Islamsoziologie als Kosmopolitisierungsforschung," in: Ulrich Becks/Oliver Römer/Clemens Boehncke/Markus Holzinger (eds.), Soziologische Phantasie und kosmopolitisches Gemeinwesen: Perspektiven einer Weiterführung der Soziologie, Baden-Baden: Nomos 2020, pp. 239–271.

forces among Muslims and non-Muslims alike are among the major losers in this form of populist and radical Islamist instrumentalisation of religious freedom. In the concluding part of the article, perspectives are briefly outlined on how religious freedom and its significance for society as a whole can be redefined for all and across all religious contexts.

Religious institutionalisation of Islam in Germany: Internal dynamics and external factors

Religious conflicts and disputes about Islam can be divided into those that arise from the logic and dynamics of internal religious differences and disagreements among Muslims, and those that relate to the social environment of the Islamic field (social and constitutional framework, social integration and institutionalisation processes, etc.). For an understanding of the former, the aspect of Islam's self-organisation among Muslims must be given greater consideration. Self-organisation refers to processes of religious self-sufficiency that significantly shape the formation of a religious field of Islam in Germany. By contrast, external general conditions refer to religious constitutional and institutional requirements, at the centre of which is the freedom of religion as a fundamental right.

While in the 1980s conservative religiously-oriented Muslims (mostly lay people) were significantly involved in building the first mosques to meet the growing need for religious places of communal faith practice on the part of the growing number of Muslims (family reunifications of the first generation of immigrants), these first religious structures were taken over by Islamic (self-)organisations (mostly from the respective countries of origin) from the 1990s onwards, largely partially professionalised (sending imams and preachers, etc.) and successively expanded in their competences. In a further phase, this led to the established organisations seeking the cooperation and support of the state. This enabled new areas of Muslims' lives to be served religiously and new needs to be awakened (charitable institutions, cemeteries, Islamic instruction in public schools, etc.).[7] In this way, professional actors who represented the interests of Muslims in society more or less successfully established

7 Ceylan, Rauf: "Orthodoxe versus heterodoxe Gemeinden. Machtaufbau und Machtverlust der etablierten Gemeinden," in: Lamya Kaddor (ed.), Muslimisch und liberal. Was einen zeitgemäßen Islam ausmacht, München: Piper 2020, p. 164.

themselves. These established actors are characterised by two features: first, the orientation of their activities towards the possibilities that the German constitutional law on religion offers to religious communities, and second, the orientation towards established religious – usually Christian – institutions and their religious-political actions. Interest in the religious and religious-political institutionalisation possibilities offered by religious law has grown over time. Even though many Islamic organisations to date have been denied legal recognition as *corporations under public law*, they continue to show a stable willingness to pursue their self-defined religious interests and needs in this direction. Already at this point, it becomes apparent how the religious field of Islam – including the organisations that claim a substitute entitlement – is determined by religious constitutional requirements, which in turn find their first justification in the fundamental right to freedom of religion. Here, no less is at issue than the question of what Islam is and how it can be appropriately practised and organised under the conditions of a modern secular society without "the bureaucratised corset of the semi-state religious organisation being imposed on it."[8]

While the first small backyard mosques were hardly noticed in the 1970s and 1980s, over time they have become a public issue and the subject of social debate. The more expressive or larger that the mosques became, the greater the conflicts and the more heated the debates about them in the media and public. In this respect, Thomas Schmitt can be agreed with when he writes:

> "The most violent conflicts occur [...] precisely over visible architecture that can be identified as Islamic (or the audible call of the muezzin). These are always also symbolic conflicts that have an 'added value' compared to the limited cause of the conflict. They are symbolic and symptomatic conflicts around the integration of migrants and the position of Islam in Germany."[9]

8 Ulrich Beck says here that the legal equality of Islam with the other – above all Christian – religious communities in Germany and Europe can lead to a kind of "organisational assimilation," since it must treat Islam according to the standards and rules of religious constitutional law without taking into account its own religious constitutionality: Beck, Ulrich: Der eigene Gott. Von der Friedensfähigkeit und dem Gewaltpotential der Religionen, Frankfurt am Main: Verlag der Weltreligionen 2008, pp. 198 ff.; in detail Dennaoui: Reflexiver Islam, p. 256.

9 Schmitt, Thomas: "Moschee-Konflikte und deutsche Gesellschaft," in: Dirk Halm/Hendrik Meyer (eds.), Islam und die deutsche Gesellschaft, Wiesbaden: Springer Fachmedien Wiesbaden 2013, pp. 145–166.

Mosques can thus be understood as symbols of the increasing religious presence of Muslims in an environment influenced by Christianity. The larger the mosques, the larger and more violent the conflicts that arise. This situation is currently accompanied not only by tense challenges for German society but also by repercussions for Muslim life environments, traditions and organisational forms of the religious, and ultimately leads to debates about Islam and Muslims in Germany increasingly revolving around the political question of whether certain religious practices and spaces can still be placed under the protection of the fundamental right to freedom of religion. This politicisation of the debate has led to a radicalisation of positions in different directions: while right-wing extremist groups in Germany equate Islam with Islamism (for example Islam as a political ideology) to denigrate Muslims and discriminate against them under religious law, radical Islamist groups instrumentalise the increasing Islamophobia and Muslimophobia in the country and exert pressure on moderate Muslims who act as cooperation partners of the state in many religious policy projects, such as the German Islam Conference (*Deutsche Islam Konferenz*, DIK), which has been held regularly since 2006.

Equal legal treatment of Islam in Germany in the field of tension between social Islamophobia and Islamist radicalisation tendencies

The right to religious freedom is a human right anchored in both the international and the European human rights system. In the German Basic Law, it is enshrined in Article 4 as a fundamental pillar of freedom. It is about the freedom that – according to Heiner Bielefeldt – "opens up the space for the articulation of religious or ideological convictions, interests, needs and practices. This is not only about questions of inner faith, but also about shaping one's life in accordance with religious or ideological postulates. Moreover, religious freedom is not limited to strengthening the position of the individual, but equally includes communal and infrastructural dimensions of religious practice."[10] Freedom of religion is thus protected by the state, which – under the conditions of modern secular societies – has the task of legally guaranteeing freedom of religion for everyone and enabling it in terms of religious policy, without privileging a particular religion or even identifying with it and

10 Bielefeldt, Heiner/Wiener, Michael: Religionsfreiheit auf dem Prüfstand. Konturen eines umkämpften Menschenrechts, Bielefeld: transcript 2020, p. 12.

thus undermining the state's neutrality requirement in religious-ideological matters and indirectly calling into question the secularity of the constitutional state.[11]

Within Islam, Muslims refer differently to religious freedom, with different intentions and expectations. Self-organised Muslims – religious as well as non-religious – are open to different degrees to the possibilities that the constitutional law on religion offers to everyone. When Muslims articulate themselves differently under the umbrella of religious freedom and make different demands on the state regarding the practical exercise of this right, these articulations and demands are increasingly perceived negatively within society, and beyond the boundaries of religious communities.[12]

The negative perception of Islam in Germany in its interaction with the state triggers paradoxical effects both in society as a whole and among Muslims, in which prejudices about Muslims[13] and Islamophobic attitudes and misunderstandings – especially in Islamist circles – about the meaning of the right to religious freedom play a central role. The prejudices in society as a whole are not justified or well-founded criticism of Islam as a religion, which incidentally also exists, but are false generalisations (all Muslims are Islamists, radical, misogynistic, prone to violence, intolerant, etc.). The social dissemination of a negative image of Islam – which for example equates Islam with Islamism – has the effect of creating an environment of culturally accepted inequality in which it becomes possible to devalue Muslims religiously and socially to then exclude them from the right to religious freedom.

Moreover, the equation of "Islam" and "Islamism" serves not only as a demarcation mark but also as a mobilisation strategy for the long-term establishment of an Islamophobic consensus that can be resorted to – depending on the political situation – to articulate one's own problems and fears in a populist manner and mark "scapegoats." In this respect, it is only logical that "right-wing populist parties that are spreading throughout Europe […] have quickly recognised the potential of 'Islam as a bogeyman.'"[14] It even takes on "a central

11 Bielefeldt, Heiner: Muslime im säkularen Rechtsstaat. Integrationschancen durch Religionsfreiheit, Bielefeld: transcript 2003; Bielefeldt: Religionsfreiheit.

12 Hafez: Wahrnehmung; Pickel: Weltanschauliche Vielfalt.

13 Zick, Andreas: "Das Vorurteil über Muslime," in: Peter Antes/Rauf Ceylan, Muslime in Deutschland. Historische Bestandsaufnahme, aktuelle Entwicklungen und zukünftige Forschungsfragen, Wiesbaden: Springer VS Wiesbaden 2017.

14 Hafez, Kai: Freiheit, Gleichheit und Intoleranz. Der Islam in der liberalen Gesellschaft Deutschlands und Europas, Bielefeld: transcript 2014, p. 8.

political function"[15] and thus encodes an anti-modern and anti-democratic attitude of denial aimed at questioning equality and freedom rights for Muslims. By equating Islam and Islamism, Muslims are placed under general suspicion and countered by mistrust and fear, as recent studies clearly show.[16]

Paradoxically, the main beneficiaries of this development in the field of Islam are radical forces from the Islamist and Salafist spectrum. Through the populist equation of Islam and Islamism, Islamist forces are moved to the centre of the field of Islam and being presented in the media and politically as "Islam." It is very important to mention this aspect here to understand how processes of populist equation of Islam and Islamism work and how Islamists benefit from it. Radical Islamist and radical Salafist forces skilfully use prejudice and discrimination against Muslims to propagate their version of a threatened Islam in Germany, recruit new followers and thus place pressure on moderate Islamic associations, which they accuse of cooperating politically and legally with the German state to distort "Islam." In doing so, they polemicise in a conspiracy-theory manner against all those who represent a different understanding of Islam: against state institutions and media, Muslim associations and liberal Muslims, whom they derogatorily call "modernists" and accuse of *takfir* (unbelief). Especially Salafist – mostly self-proclaimed – preachers and spokespersons have gained massive power within

15 Decker, Oliver/Brähler, Elmar: Autoritäre Dynamiken. Alte Ressentiments – neue Radikalität / Leipziger Autoritarismus Studie 2020, Gießen: Psychosozial Verlag: 2021, p. 25.

16 In the Bertelsmann Foundation's *Religionsmonitor*, Gert Pickel even states that a "negative perception of Islam" (Pickel: Weltanschauliche Vielfalt, p. 12) has solidified and stabilised at a high level. The Authoritarianism Study 2020 of the University of Leipzig goes in a similar direction, and in addition to the solidification of old resentments and the emergence of new forms of far-right radicalism in the middle of society, it states high stable values for Muslim hostility, which is "strongly pronounced and also significantly higher in the East than in the West in 2020" (Decker: Autoritäre Dynamiken, p. 64). For the German context, the report of the Independent Expert Group on Muslimophobia commissioned by the Federal Ministry of the Interior has recently expanded the empirical research on this development to include further data from police crime statistics as well as anti-discrimination agencies and counselling organisations, and has highlighted the extent of anti-Muslim reservations and incidents as well as their different manifestations and the consolidation of Islamophobic prejudices in the middle of society as a real social fact (BMI: Muslimfeindlichkeit, p. 8).

the Islamic field in recent years.[17] Their conspiracy-theoretical and polemical discourse goes as far as to cleverly portray all processes of institutionalisation of Islam in Germany as attempts to "tame" Islam. They see in the right to religious freedom above all the right that guarantees them the freedom to pursue their religious-radical mission. In doing so, radical Islamic forces position themselves not only against other Muslims and Islamic organisations within Islam but also against other non-Muslim groups, social institutions and like-minded people from the right-wing populist spectrum.

Through the right-wing extremist appropriation of Islamic issues, corresponding actors prove to be further profiteers of debates on Islam, especially in times of crisis. For example, simply drawing attention to Islam now provides the AfD in Germany with the necessary political leeway to put its radical agenda centre stage and place other parties under pressure. Although it professes "unrestricted freedom of faith, conscience and confession in accordance with Article 4 of the Basic Law"[18] in its political manifesto, the AfD polemicises in a sweeping manner against everything that is important for the religious life of Muslims in Germany: the building of mosques and minarets, Islamic instruction in schools, theological Islamic centres, etc. Using questionable objections and populist themes, they pursue a strategy that amounts to the de facto abolition of the human right to religious freedom for large sections of Muslims. The protests, citizens' petitions and initiatives initiated by the AfD throughout Germany in the last ten years should also be seen in this context. They are primarily concerned with using certain occasions to scandalise and thus negatively portray Islam in the media as Islamist, radical, foreign, misogynistic, anti-Semitic, etc. and portray the established parties as incapable of countering the increasing Islamisation of the country and presenting themselves as the saviours of the "Christian Occident" without themselves being religious in the Christian sense.

17 Dennaoui, Youssef: "Religiöse Überbietung: Dimensionen und Folgen einer Sonderform religiöser Konkurrenz im Feld des Islam in Deutschland am Beispiel des Neosalafismus," in: Paula-Irene Villa-Braslavsky (ed.), Polarisierte Welten. Verhandlungen des 41. Kongresses der Deutschen Gesellschaft für Soziologie in Bielefeld 2022.

18 Alternative für Deutschland (AfD): Deutschland. Aber normal. Programm der Alternative für Deutschland für die Wahl zum 20. Deutschen Bundestag, p. 84, https://www.afd.de/wp-content/uploads/2021/06/20210611_AfD_Programm_2021.pdf, accessed on: 8 Aug. 2023.

Religious freedom in the context of debates on the building of mosques, minarets and muezzin calls in Germany

Like all human rights, freedom of religion or belief must prove itself in the concrete conditions and constraints on the ground. In Germany, every application for a building permit for a mosque or an application for a muezzin call has to reckon with the fact that decisions are made not only based on construction law but also how strongly right-wing extremist parties are represented locally and how well they are organised, as the disputes in recent years over the DITIB (Turkish-Islamic Union for Religious Affairs) mosque in Cologne have clearly shown. The right-wing extremist movements and parties have succeeded in shifting the debate about the building of the mosque and later about the muezzin call into a debate about the influence of political Islam in Germany and organising broad alliances for this. They argue that the muezzin call does not fall under the protection of the right to religious freedom and should be seen as a symbol of an increasing politicisation of Islam in Germany. This is an attempt to relativise the fundamental right to freedom of religion on the grounds that this is not a religion but a political ideology that seeks to mark its sphere of influence and impact through further visible (mosque, minaret) and audible (muezzin call over loudspeaker) signs of power. Indeed, it is only along these and similar lines of argumentation that the AfD can write sentences in its most recent political manifesto such as: "Minarets and the call of the muezzin are not compatible with a tolerant coexistence of religions as practised by the Christian churches."[19] In this way, it places other parties and religious organisations under pressure and can present itself to its supporters as a bulwark against "political Islam" and as a protector of "Christian religious traditions."

With this strategy, the AfD succeeds in placing pressure on and dividing established politics. While some politicians – across all party lines – are publicly advocating the unrestricted validity of the right to religious freedom for Muslims, others are calling on Muslims for restraint in building mosques or minarets, yet others position themselves similarly to the AfD, adopting or even anticipating its slogans such as "Islam does not belong to Germany," as the then Interior Minister Horst Seehofer did when he took office in 2018, thereby politicising the issue of Islam in his own way and not only taking a stand against the AfD but also attempting to position himself against the

19 AfD: Deutschland, p. 86.

then Federal Chancellor Angela Merkel in order to make her appear "Islam-friendly" in the political contest.

Conclusion

This article was not about constitutional law on religion in the context of discussions about religious freedom and Islam in Germany but the sociological observation of how the right to religious freedom is instrumentalised or misunderstood by populist forces – right-wing extremists as well as Islamists – and thus comes under strong right-wing extremist and religious-radical pressure. The clash between right-wing populist discourses of Islamophobia and Muslimophobia and the attractiveness of radical Salafist groups (especially for young people) ultimately leads to the actors involved legitimising and empowering each other through ideologically pejorative attributions. We are dealing here with dynamic and reflexive stabilisation processes[20] that cannot be understood in isolation from each other and that lead to different understandings of human rights in general and the right to religious freedom in particular. While right-wing populist groups want to cut off the religious constitutional rights of Muslims as religious communities because they see "Islamisation" by Muslims at work,[21] radical Islamist forces evaluate efforts to institutionalise Islam in German society as a "deformation" of Islam and inadmissible assimilation to Christian institutions, which in their eyes must be rejected and fought with all means. In this way, the extreme poles (right-wing extremists, Islamists) succeed in placing the moderates and those willing to compromise in both camps under pressure, with fatal consequences for Muslims as well as society as a whole.

From this perspective, the article has taken up in particular the conflict-ridden debates about mosque construction and the calling of the muezzin in Germany to show how different instrumentalisations of the fundamental right to freedom of religion decisively shape the debate about Islam in German society and contribute to the fact that increasingly more Germans perceive Islam as foreign or even threatening.

How, in view of this situation, the fundamental right to freedom of religion can develop its overall social significance and validity for all and across all re-

20 Dennaoui: Reflexiver Islam.

21 AfD: Deutschland: p. 14.

ligious contexts within the framework of a "coherent and systematic religious policy"[22] appears as a task for state religious policy and the religious communities alike. Cooperative institutionalisation processes of Islam (construction of representative mosques, Islamic instruction in schools, Islamic theological centres, etc.) – which are covered and supported by the right to religious freedom – are inconceivable without committed and equal cooperation partners on both the state and Muslim sides. The further development and strengthening of democratic institutions in Germany depends to a strong extent on the place that Islam in its diversity occupies in them.

22 BMI: Muslimfeindlichkeit.