

Abstract für den Call for Papers für ein Sonderheft der Zeitschrift für Vergleichende Politikwissenschaft zum Thema „Migration und Integration als politische Herausforderung – Vergleichende Analysen zu politisch-kulturellen Voraussetzungen der Migrationspolitik und Reaktionen“

Divergence in regulating Islamic religious education in Germany:  
the role of cultural and institutional opportunity structures

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**Abstract:**

Over four million Muslims currently live in Germany. This number increases on a daily basis due to large refugee flows. Many Muslim refugees will stay in Germany and hence, strengthen their standing as largest religious minority. Policy questions related to the religious and political rights of Muslim immigrants are not new. They emerged as priority issue in the early 1990s, when the political elite confessed that Germany lacks a comprehensive integration program for the generation of Muslim “Gastarbeiter”. Besides questions related to social welfare and labor market integration, also religious rights for Muslims required a broader debate in politics. Until today, this includes for instance the construction of mosques, veil policy and Islamic religious education (IRE).

Especially, the latter policy is an important instrument of integration and probably also a preventive measure against radicalization and segregation of the Muslim community (Schiffauer 2003). Muslim immigrants long have failed to find the same infrastructure for instruction in their religious faiths. Few of these immigrants had previously received academic training in Islam and therefore many of the first educational circles of Islam in mosques were founded by religious autodidacts (Fuess 2007). A second disadvantage is that the vague legal status quo caused a lack of public

control and ability to steer. Just recently, several attempts at the state-level started to change this situation. So today, we find a large divergence in the regulation of IRE in Germany. Some states introduced IRE as regular subject in schools (e.g., Nordrhein-Westfalen, Hessen or Niedersachsen), while other states launched first trials for specific school types or areas (e.g., Baden-Württemberg, Bayern). How can we explain these differences among states? Why do some states permit and implement IRE throughout their region, while others just run test models for a limited number of schools or lack any attempt at all?

This paper argues that the institutional opportunity structure for Muslim religious associations and the underlying political culture determines the model of IRE. In detail, we expect the governance capacity of Muslim religious organizations in combination with the public opinion in a state to influence policy outputs. The argument relies on the literature on morality politics as we assume that IRE is morality issues. Primary values and religious norms are essential in the political debate, while economic interests are secondary (cf. Meier 1994, Mooney 2001). Scholars of morality politics illustrate that besides institutional factors, especially the political culture within a region determines policy change processes (Knill 2013, Schmitt/Euchner/Preidel 2013).

The study explores this argument in a comparative case study of two German states (Hessen and Baden-Württemberg). The case selection follows a most-similar-system design. The states vary in the dependent variable (model of IRE) but dispose of many similarities, such as the proportion of Muslim immigrants (about 7% respectively 6% of the population) or the main political forces ruling the states in the last two decades. However, the two states differ in the recognition of Muslim religious associations. For tracing the underlying mechanism of the argument in more detail, the study analyzes primary and secondary resources of Muslim religious associations (e.g., press material, policy statements, websites, etc.), conducts semi-structured interviews with key-players and uses data on public opinion from the Allbus survey.

All in all, the study integrates in its empirical and theoretical approach the research on comparative public policy analysis and political culture. In so doing, we can formulate recommendations on how future policies for religious minorities should be designed given certain cultural conditions.