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A Colourful Encounter:

The Complexity of the Relationship between Politics and Religion in the German Green
Party

by

Rebecca Aechtner

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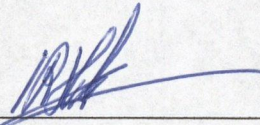
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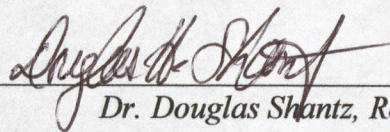
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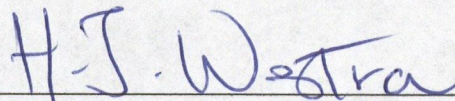
The undersigned certify that they have read, and recommend to the Faculty of Graduate Studies for acceptance, a thesis entitled "A Colourful Encounter: The Complexity of the Relationship between Politics and Religion in the German Green Party" submitted by Rebecca Aechtner in partial fulfillment of the requirements of the degree of Master of Arts.



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Abstract

This thesis examines some aspects of the relationship between politics and religion in the German Green Party. It implements historical and anthropological methodologies, as well as textual analyses of Green publications and speeches. The research is primarily based on original fieldwork and archival work conducted throughout Germany in fall 2006. It attempts to chronicle and observe contentious issues within contemporary German society, in light of the Green Party's interaction with religious communities. The current study is divided into two sections, which focus on the Greens' contradictory policies in regards to: 1.) their desire for the separation of religion and state, while demanding for the latter to integrate Islam into German society, and 2.) their support of abortion, while adamantly denouncing stem cell research.

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Introduction:

A Historical and Anthropological Examination of an "Inhomogeneous Party"

We should not reduce the scope of our appeal by siding with one religion. I am quite convinced that you can be a good Buddhist Green, and I have seen quite a lot of good Catholic Greens. Everyone can ask himself or herself: Would Jesus drive a Humvee? If they want to put it that way.

Reinhard Bütikofer, Co-Chairperson of the Germany Green Party.¹

Originating in 1980, the German Green Party sought social, economic, and political reform under the rhetoric of environmental conservation. Dissatisfied with extra-parliamentary opposition, various activist groups united their alternative values and ideologies to create a new voice in the German political arena. While the Greens are not the first party of its kind to manifest the goals of diverse environmental and protest movements, it is arguably the most successful and distinguished.² Refusing to be silenced, the Greens continue to drastically evolve their policies and public image in light of current cultural concerns, often embracing provocative issues such as bioethical concerns and challenging the established political and religious institutions.

The Green Party began as two separate, but cooperative political parties in divided Germany; the West German party, the *Grünen*, was founded on 12 January 1980,

¹ Reinhard Bütikofer, interview with author, October 27, 2006, Platz vor dem Neuen Tor 1, Green Party Headquarters, Berlin.

² The first Green Party was founded in the United Kingdom in 1973, under the name "The People Party," which changed to "The Green Party" in 1985.

while its East German counterpart, *Bündnis 90*, was not established until 24 November 1989, fifteen days after the fall of the Berlin Wall.³ Ironically, in Germany's first national election succeeding unification, the two parties did not unite and consequently failed to win seats in the government, known in the party as the "election-debacle" of 1990.⁴ However, it was not until 1993, after considerable discussion, that the West and East German parties joined together to form *Bündnis 90/die Grünen*, the Green party in its current configuration. Between 1998 and 2005 the party cooperated with the Social Democratic Party to form a coalition government, validating the Greens' role in the German political sphere.

In 1980, party members collaborated to create the *Grünen's* first platform, the *Federal Program*, which initiated policies that endured for over twenty years. With its inauguration, the Greens boldly emerged as an 'alternative party,' running as the 'anti-parties party.' They announced themselves to the German public as a politicized modern, social, and ecological reform movement, claiming:

We are the alternative to the traditional parties. We grew out of a coalition of alternative groups and parties. We feel solidarity with all those who have become active in the new democratic movement: the life and nature groups, the environmental protection groups, the citizen

³ Throughout the remainder of this study, particularly during historical discussions, *Grünen* will refer to the West German party, *Bündnis 90* to the East German party, while *Bündnis90/Die Grünen* (Alliance 90/the Greens), or 'Greens' generally, will be used interchangeably to refer to the contemporary party.

⁴ Germany's official unification took place on 3 October 1990, promptly followed by a national election on 2 December 1990, in which East and West Germany remained two separate voting districts. Disappointingly, the *Grünen* fell short of the "five-percent hurdle" in western Germany (see note 79 for a brief discussion of Germany's electoral system), while *Bündnis 90* managed to receive 6.1% of East German votes. Since the five-percent hurdle was apportioned separately in West and East Germany, *Bündnis 90* received eight parliamentary seats, while the *Grünen* were excluded. For more, see 25 *Jarhe Grüne Geschichte* (Berlin: Kompakt Medien, 2004).

initiative organizations, the workers' movement, the Christian initiative organizations, the movements for peace, human rights, women's rights, and Third World rights. We consider ourselves a part of the Green movement that is rising up throughout the world.⁵

Unmistakably, the party identified itself as the organic merger of various social movements, seemingly disillusioned with 'traditional' politics. Except for the general classification of conventional political policies, the *Federal Program's* preamble neglected to explicitly identify what the *Grünen* were an 'alternative' to. The party which had grown from radical extra-parliamentary opposition established itself, its motivating factors, and vision for a better ecological future, as a more relevant option to existing political agendas.

Like numerous European and North American Green parties, the German *Grünen* evolved from copious grassroots movements beginning as early as the late fifties. In Germany, the cultural climate was rife with protest and widespread dissatisfaction, which materialized in the 1968 Student Movement,⁶ Second Wave Feminism, anti-nuclear and peace movements, and the 1973 oil crisis;⁷ the latter united environmental and political

⁵ Die Grünen, *The Program of the Green Party of the Federal Republic of Germany*. (Bonn: 1980), 4 (hereafter cited in text as *Federal Program*).

⁶ The student protests of the late 1960s, known as the "*68er-Bewegung*" was an idealistic left-wing dissident movement largely organized by young academics in Germany. Various issues of protest included the perceived amnesia of West Germans towards their National Socialist past, the authoritarian and elitist nature of the universities, as well as reactions against the Vietnam War and the Grand Coalition of the CDU and SPD from 1966 to 1969, which effectively eliminated political opposition. A significant faction within the movement was influenced by the radical neo-Marxist philosophy of the Frankfurt School, particularly Max Horkheimer and Theodor Adorno's *Dialectic of Enlightenment*. For Green perspectives see Antje Vollmer, *Eingewandert ins eigene Land. Was von Rot-Grün bleibt* (München: Pantheon, 2006), 51-58; and Matthias Geis and Bern Ulrich, *Der Unvollendete: Das Leben des Joschka Fischer* (Buchholz: Rowohlt, 2002).

⁷ The 1973 Oil Crisis which began in the Middle East played a cataclysmic role on the international political and economic stage. Israel's prolonged occupation of Arab lands taken during the Six-Day War of June 1967 (including the West Bank, Jerusalem, and the Sinai Peninsula down to the Suez Canal)

concerns with problematical aspects of unrestrained economic growth.⁸ Germans were struck with the realization that non-renewable resources were inescapably *limited*, a comprehension that questioned the capitalist ideal of indefinite economic growth. This awareness of the restricted nature of natural resources shook the generation which had experienced the boundless re-building of Germany during the *Wirtschaftswunder*. Unified by mounting ecological concern, various movements and ideologies converged, resulting in a politicization of issues previously deemed apolitical, such as gender, religious, and economic exploitation.

In 2002, the German Greens published *The Future is Green*, which replaced the 1980 political platform, in which they explain that "in order to stay successful," they must develop into "a party of reform:"

The main reason why our role has changed since our founding is the consequence, in particular, of our extraordinary success over the past twenty years. Topics which we initially introduced as outsiders have long since taken centre stage in society. Ecological responsibility has been widely recognized as the corner stone of any forward-looking policy, even if it hasn't yet been thoroughly implemented. Expanded democratic stake-holding for all, gender equality, acceptance of minorities, openness

heightened tensions in the region. On 17 October 1973 member countries from the Organization of Arab Petroleum Exporting Countries placed an oil embargo on all nations which had supported Israel during the Yom Kippur War with Egypt, Syria, and other Arab coalition states. The crisis resulted in formidable economic depression in the United States along with numerous non-Communist Western European countries, including Germany. For a thorough historical discussion see Francisco R. Parra, *Oil Politics: A Modern History of Petroleum* (London: I.B. Tauris, 2004).

⁸ Gayil Talshir, *The Political Ideology of Green Parties* (New York: Palgrave, 2002), 33 (hereafter cited in text as *Political Ideology*).

towards cultural diversity – these are only some of the perspectives we, together with societal players, have anchored in our society.⁹

Notably, the Germany of 1980 was considerably different from the Germany of 2002; during the twenty two years the re-unified nation struggled to negotiate its political and social values between capitalist enterprise and communist philosophy. Understandably, the Greens, along with German politics in general, were forced to re-examine their party's platform.

Gayle Talshir, arguably one of the leading scholars on the Greens, chronicled the evolution of the party's political ideological development. In his comparative examination of the British and German Green parties, he concluded that the latter has "indeed, endorsed from the beginning a plurality of actors, thereby encouraging ideological activity among the various independent currents."¹⁰ In an interview, current co-leader of the party, Reinhard Bütikofer, described the plethora of his party's roots, which had to be united and duly represented:

The Greens were a very multi-coloured group of people; from the far deep-red radicals, to conservatives, or rather deeply conservatives, and even just lovers-of-nature. This particular blend made it extremely difficult to come together, but when we were successful at making a party out of this very fractured movement, we also developed the ability to communicate with different, and often opposing, parts of society.

⁹ Alliance 90/The Greens, *The Future is Green* (Leck: Clausen & Bosse, 2002), 16 (hereafter cited in text as *The Future*).

¹⁰ Talshir, *Political Ideology*, xxiii.

He provided his state constituency of Baden-Württemberg as a microcosmic example, which "was never an exclusively left-wing party," but also had "*wertkonservative*," value-conservatives,¹¹ who "defended traditional values like protecting nature and human rights." As such they were able to communicate in the language of a heterogeneous *weltanschauung*, and in doing so, in the words of Bütikofer, the *Grünen* were able to garner more electoral success than had they been "an exclusively left-wing political sect."

Within the party's multi-faceted ideological background Christian members frequently clashed with the "new spirituality"¹² and anti-religious tendencies of their colleagues. Talshir traced the existence of new religious movements in the political visions of Greens including the infamous Rudolf Bahro and Petra Kelly. Bahro, along with other 'Fundis,' resigned from the Greens in June 1985 because of the party's increasingly realist, 'Realos' orientation.¹³ Many of Bahro's publications are infused with religious rhetoric and analogies from Christianity, Buddhism, Hinduism, Taoism, and new religious movements. One of his most famous phrases, "the politics of salvation," draws heavily upon Christian millenarian theology, affirming "the spiritualization of politics" for the betterment of society.¹⁴ He also repeatedly expressed his frustration over

how even a new *political* party like the Greens has from the start – usually shamefacedly denied – a spiritual component, conspicuous enough

¹¹ The significance of "value conservatives" will be discussed in the following chapter.

¹² Talshir's term for describing the Greens' ideological movement from the political "new Left" to "new (forms) of Spirituality." Talshir, *Political Ideology*, 89-107.

See his chapter "Discourse: New Spirituality and Ideological Conversion" for a comprehensive discussion.

¹³ In the mid 1980s the West German *Grünen* underwent ideological and strategic debates between the "Fundis" and "Realos," fundamentalist and realist groups respectively. Numerous studies have examined this controversy; for a brief and concise discussion, see Talshir, *Political Ideology*, 109-110. Interestingly, Christians such as Christa Nickels and Antje Vollmer (with others) became known as the *Aufbruchs*, "Departure" faction, who established themselves as a middle position between the two streams.

¹⁴ Rudolf Bahro, *Building the Green Movement* (Philadelphia: New Society, 1986), 108.

in a personality like Petra Kelly. The Greens are clearly a grouping beyond the anti-religious Enlightenment, even if this feature, *the most dangerous for the establishment* and the load bearing base of the fundamentalist tendency, is for the moment being concealed.¹⁵

Unquestionably, Petra Kelly, whose presence looms largely over the party's history, heightened by her tragic death, also implored religious sentiments in her view of the environmental movement.¹⁶ In her essay "*Religiöse Erfahrung und politisches Engagement*," Kelly explained that her initial commitment to the *Grünen* emanated from her "supremely religious-spiritual orientations," professing her belief that the "authentic International Green Movement is not merely a political, but rather a *political-spiritual movement*."¹⁷ Her 1983 book, *Fighting for Hope*, received worldwide success and helped her to become a leading international environmentalist, feminist, and human rights activist.¹⁸

Additionally, Talshir traced a small anthropocentric movement within the party,¹⁹ arguing that

features, which are seemingly distinctive of contemporary ecological discourse – interconnectedness, holism, reciprocity of processes, evolutionary development (biodiversity), an intact environment to enable

¹⁵ Ibid., 174.

¹⁶ In 1992 Kelly was found dead in her apartment in what appears to have been a murder-suicide committed by her partner, and fellow Green, Gert Bastian.

¹⁷ Petra K. Kelly, "Religiöse Erfahrung und politisches Engagement" in *Die Grünen und die Religion*, ed. Gunter Hesse and Hans-Hermann Wiebe (Frankfurt am Main: Athenäum, 1989), 53 (all quotations from the collection *Die Grünen und die Religion* are the author's original translations).

¹⁸ The book includes chapters on "Tantra-Taoism-Liberation" and her theory "For an Erotic Society." Petra Kelly, *Fighting for Hope*, trans. Marianne Howarth (London: Chatto & Windus The Hogarth Press, 1984).

¹⁹ For an examination of anthroposophy, particularly in Germany, see Reinhard Hempelmann and others, eds. *Panorama der neuen Religiosität: Sinn und Heilsversprechen zu Beginn des 21. Jahrhunderts*,

each organism (biological or social) self-fulfillment and the emphasis on awareness

were influenced by anthroposophist Greens such as Wilfried Heidt, whose *vision* of the Earth as a "live, organic, limited system rather than unlimited accumulation of pure-physical-chemical facts,"²⁰ became the archetype for radical ecologists.²¹

Talshir succinctly noted that "the bond between New Age and spiritual movements, and the New Left and ecological movements, is less clear than writers such as Capra and Spretnak and others have advocated."²² During interviews conducted in October and November 2006, questions regarding the tenacity of new religious movements in the party, as well as publications by Capra and Spretnak, were met with frustration and flippancy,²³ for example, in an interview, Bütikofer, a self-professed atheist responded:

(Gütersloh: Gütersloher, 2001); and Oswald Eggenberger, *Die Kirchen, Sondergruppen und religiösen Vereinigungen* (Tübingen: Theologischer Verlag Zürich, 1994).

²⁰ Talshir, *Political Ideology*, 92.

²¹ In *Die Grünen und die Religion*, Rolf Schwendter also identifies Heidt, along with Joseph Beuys, as prominent anthroposophists in the *Grünen* ("Grüne und Religion," 217). Jürgen Lott's essay "Schöpfungstheologie, 'weibliche' Spiritualität, Naturmystik: Religiöse Strömungen bei den Grünen" in the same collection, provides a brief discussion of the anthroposophy movement (193-194).

²² Talshir, *Political Ideology*, 91.

²³ Charlene Spretnak and Fritjof Capra published *Green Politics: The Global Promise* (Santa Fe: Bear & Company, 1986); and Spretnak wrote *The Spiritual Dimension of Green Politics* (Santa Fe: Bear & Company, 1986). In the latter publication Spretnak focused on the divergent political and religious rhetoric of divided East and West Germanys, concluding "that the spiritual dimension of Green party politics is unlikely to come out of West Germany, even though it provides motivation for many German Greens" (22). Many Greens and scholars reacted to the conclusions made by Capra and Spretnak, for examples in *Die Grünen und die Religion*, see the interview with Thomas Ebermann (130-145); Gottfried Küenzlen's essay "New Age und Grünen Bewegung" (244-259); and Henning Schierholz' article Politische Sozialisation, christlicher Glaube und Grüne Politik: Autobiographische Skizzen" (82-105). Schierholz provided the commentary of influential Protestant theologian Jürgen Moltmann, who concluded: "Heutige Theologie ist von Capra herausgefordert, eine pneumatologische Schöpfungslehre zu entwickeln, die die Präsenz des Geistes Gottes in jedem Geschöpf und, was noch wichtiger ist, in der Schöpfungsgemeinschaft betont. Eine monotheistisch ausgerichtet Schöpfungslehre hat nur die Distanz Gottes gegenüber seiner Schöpfung betont. Neuere christologische Schöpfungslehren haben die Voraussetzung Christi vor der Schöpfung (quoted in Schierholz, 104).

Well I would not accept that proposition at all, I am quite convinced that there are now very few, if any, 'New Agers' in the Green party, at least none of prominence. I do hold that the Green Party is a secular party and should remain that way. We should respect the beliefs of our members and should also respect those who have no beliefs.

Similarly, another Green politician implored that scholars need to realize that "such times have passed," as the "majority of New Agers have left the party because their outlandish ideologies clashed with the increasing sophistication of the party," concluding that "they need to get over the fact that we are not some sort of irrational, ecological cult."²⁴

There was also a considerable faction within the party that sought the privatization of religion, or its complete removal from the political sphere. Positions ranged from blatantly anti-Christian sentiments to the belief that religion should play no role in the party's politics. In an interview Bettina Jarasch, a senior policy advisor, remarked that many of the original atheists in the party came "from leftist communist groups" who perceived religion to be a morally suppressive and authoritarian force.²⁵ Similarly, current Green Party speaker for Church Politics, Josef Winkler, commented that from the party's founding they were an "inhomogeneous party" where Christians worked alongside *kirchenfeindliche Leute*, antagonists towards the churches.²⁶

For example, in a 1987 interview, former Green politician Thomas Ebermann, a self identified "religion critic," articulated that in regards to the existence or development of *Grünen* religiosity, he adamantly abhors the "over-ideological" emphasis "of anything

²⁴ Interview with Green policy advisor, November 6, 2006 (the name of interviewee is withheld by mutual agreement).

²⁵ Bettina Jarasch, interview with author, October 25, 2006, Jakob-Kaiser-Haus, Dorotheenstr. 101, Berlin.

²⁶ Josef Winkler, interview with author, October 26, 2006, Jakob-Kaiser-Haus, Dorotheenstr. 101, Berlin.

that has nothing to do with real life, and the real needs of the people" – which entails religiousness.²⁷ He isolated the *Bundesarbeitsgemeinschaft Christinnen und Christen bei Bündnis 90/Die Grünen* (a federal interest group of Christians in the Greens²⁸) as the primary perpetrators of such "frequently appearing formulas" in Green publications as the Christian expression "*Schöpfung bewahren*," which encapsulates the need to sustain God's Creation.²⁹ Ebermann expressed his annoyance with the BAGChr's recurring method of linking Christian social teaching with the party's political goals, by consistently following their declaration that even though the "Greens are not a Christian party, they nevertheless stand for Christian objectives."³⁰

²⁷ Along with his political ally, Rainer Trampert, Ebermann published *Die Zukunft der Grünen: Ein realistisches Konzept für eine radikale Partei* (1984), in which they proposed that the Greens become more ideologically fundamentalist and radical in their policies. The interview with Ebermann, is included in *Die Grünen und die Religion* (135-7).

²⁸ Hereafter denoted as BAGChr, a common abbreviation in official publications. Established on 14 April 1984, the BAGChr identify themselves as a Christian-based group functioning within the Green Party. They receive considerable financial subsidies from the party, and are at the moment, the only religious body within the party to do so (at least at the federal level). Membership within the BAGChr is not determined by official Church association (the concept of church membership will be discussed in the succeeding two chapters), which ensures that the group is not influenced by a particular denominational dogma or theology. The BAGChr develops and publishes their positions on relevant social topics, emphasizing Christian teaching and opinion. BAGChr, *Positionspapier zum christlichen Selbstverständnis* (Düsseldorf: TIAMATdruck GmbH, 2005).

²⁹ Besides the BAGChr, various Christians within the Greens have written explicitly on the concept of *Bewahrung der Schöpfung*. For example, Catholic Greens Franz Alt and Winfried Kretschmann wrote essays for the 2000 *Katholikentag* in Hamburg, which were published in *Der du die Zeit in Händen hältst: Reden über eine Zukunft mit Gott* (2000). Alt located environmentalism within Christian teaching through his discussion of the "ökologischen Jesus," the environmental Jesus (he also published *Der ökologische Jesus. Vertrauen in die Schöpfung* in 1999). In an interview Winfried Kretschmann explained that *Bewahrung der Schöpfung* "entails the notion that since God created the world for human use, it should be utilized responsibly and preserved for future generations."

³⁰ The relevance of this statement must be viewed in the context of the German parliamentary system, which has two explicitly Christian parties, known as the "c-parties:" the Christian Democratic Union and the Bavarian Christian Socialist Union. In an interview, Green parliamentarian Katrin Göring-Eckardt explained that these parties have a "*Christian Menschenbild*," and while many Greens are Christians, they deny that the party is decidedly 'Christian.' Katrin Göring-Eckardt interview with author 25 October 2006, Jakob-Kaiser-Haus, 100 Dorotheen St., Berlin; for more on the rise of these Christian democratic parties, see Michael P. Fogarty, *Christian Democracy in Western Europe: 1820-1953* (Notre Dame: University of Notre Dame Press, 1957).

When asked about academics like Capra and Greens who insist that the party is a new religious movement and "heralders of a new time," he rationally answered that any new group or political party regards itself as "a new and unique historical event" in order to legitimize their formation and innovation.³¹ And although it can be argued that Christianity and the churches have traditionally been important to the Greens, as Winkler noted in an interview, there "has always [been] a contradictory movement in the party, so one *cannot* say that the party is innately, or even marginally, religious."

There are six main books dealing with the Greens and religion. The first by Charlene Spretnak, co-authored with Fritjof Capra, *Green Politics* (1984), which was followed by *The Spiritual Dimensions of Green Politics* (1986), also by Spretnak. Both books focus on what they claim were the historical and ideological development of the German Green Party. In the latter publication she argues that when she interviewed the newly elected *Grünen* members of parliament in 1983, "nearly all" acknowledged the presence of a "spiritual dimension to Green politics."³² This, she concludes, was not emphasized because the "Nazis manipulated religion, especially a pre-Christian, Nature-based religion (the Nordic myths and 'sacred' soil of Germany), it is practically *verboten* to bring religious impulses into German politics today."³³ Therefore, she concludes that the "spiritual dimension of Green party politics is unlikely to come out of West Germany."³⁴ Consequently, she looks to American environmental politics for future fostering of "spiritual development through inner growth, ecological wisdom, gender

³¹ Ebermann interview, 140-141.

³² *Spiritual Dimension*, 22.

³³ *Spiritual Dimension*, 22.

³⁴ *Ibid.*

equality, and social responsibility.”³⁵ This thesis argues that her judgments were premature and ultimately inaccurate.

The third work, *The political Ideology of Green Parties* (2002) by Gayle Talshir, is a comparative study of the foundation and transformation of the German and British Greens' political ideology which he describes as "a case study for the theory of ideologies.”³⁶ In an endnote he questions Capra and Spretnak's claim that "spiritualism was a Green pillar," arguing instead that "spirituality was a conceptual tool which every Green current interpreted to its own satisfaction.”³⁷ Talshir chronicles the influence of Rudolf Bahro, Petra Kelly, anthropocentrism, ecological humanism, and Christianity on the emerging party and its members. His work is, however, restricted to the party's beginnings.³⁸ Furthermore, while many of his arguments are based on primary sources he relies heavily on essays included in the edited collection *Die Grünen und die Religion* (1988) edited by Gunter Hesse and Hans-Herman Wiebe.

In one chapter of this latter work Hans-Hermann Wiebe describes the Christian connotations and overtones found in the 1980 platform and the 1987 election campaign. Another by Jürgen Lott, arguably the most cited from the collection, identifies the "feminine spirituality and nature-mysticism" within the party.³⁹ Like Talshir, he discusses various subaltern groups and movements in the *Grünen*, especially those impacted by Bahro, BAGChr, anthroposophy, Maren-Grisebach, Kelly, and general theories of religion, including those of Freud, Popper, and Marx.

³⁵ Ibid., 71.

³⁶ *Political Ideology*, xi.

³⁷ Ibid., 279 nn. 1.

³⁸ Ibid., xi.

³⁹ Lott's essay is titled "Schöpfungstheologie, 'weibliche' Spiritualität, Naturmystik: Religiöse Strömungen bei den Grünen"

Finally, *Begründete Hoffnungen...Bündnisgrüne Politik und christlicher Glaube*

(1998), edited by Christa Nickels examines the interaction between religion and the Greens. Before closing this short literature review, Jonas Höpken's 2002 book "*Die Verhältnisse zum Tanzen bringen?*" which presents a programmatic development of the Green Party in regards to Christian social ethical teaching, needs noting.⁴⁰ Höpken does not set out to describe the relationship between the Greens and the Christian churches, or the impact of Christian members in the party, but rather, he reinterprets the *Grünen's* 1980 platform in light of Christian social theology. His analysis of Green policy emphasized the concepts of *Solidaritätsprinzip* and *Subsidiaritätsprinzip*, translated solidarity and subsidiary principles, respectively.⁴¹

Surveying these earlier publications makes it clear that there is a void in academic studies of the German Green Party with respect to religion and spirituality. Further, there is virtually no contemporary research or discussion of the role of religion within the party or amongst its members today. Perhaps even more important than the lack of scholarship in this area is the way in which existing studies have created the impression that the party was profoundly influenced by alternative, or new religious movements, from its inception and that this influence continues today. As will be seen, this conclusion is based upon the lack of contemporary studies. This thesis therefore reveals serious flaws in earlier scholarship and popular views of the Greens based on anthropological fieldwork and the careful study of documents produced by the Green party in recent years.

⁴⁰ Höpken also provided the author with an unpublished speech he made to the BAGChr in 2003, in which he evaluated the 2002 platform using Christian social theology and teaching.

⁴¹ Jonas Höpken, *Die Verhältnisse zum Tanzen bringen?* "Die Programmentwicklung der Grünen aus Sicht christlicher Sozialethik" (Münster: Waldbold, 2001).

Originally this thesis intended to examine the motivating factors behind religiously oriented members of the German Green Party, particularly Christians engaged in environmental political movements.⁴² It was incorrectly assumed that while the predominant religious views expressed by the members of the leftist party are Christian, they are undoubtedly not those of traditional Christianity, but are strongly influenced by new religious movements. However, after the author conducted life-history interviews of various Green politicians it became obvious that each individual's impetus for joining the party was as varied and colourful as the party itself. While a plethora of justifications were given, all of them generally fell under the umbrella of the party's "four pillars:" ecological and social policies, grass roots democracy, and nonviolence.

Preliminary research into the potential religious dimensions of the party, based on the publications of Spretnak, Bahro, and Kelly, suggested that various religious traditions, such as Buddhism, Deep Ecology movements,⁴³ anthroposophy, and Christianity, exist within the party, or, that the party itself forms a new religious movement. Conflicting evidence from standard anthropological fieldwork, such as participant observation, life-history and topic-specific interviews, conducted throughout Germany in October and November 2007, cast doubt on the validity of such claims, especially in the current party. Rather, many Greens interviewed expressed belief in

⁴² For a Christian theological examination, see Jonas Höpken (2001), in which he presented a programmatic development of the Green Party in regards to Christian social ethical teaching. The book is not a description of the relationship between the Greens and the Christian churches, or the impact of Christian members in the party. Höpken's interpretation of Green policy is heavily dependent on the concepts of *Solidaritätsprinzip* and *Subsidiaritätsprinzip*, translated solidarity and subsidiary principles, respectively. Höpken uses these two terms in *Die Verhältnisse zum Tanzen bringen?": Die Programmentwicklung der Grünen aus Sicht christlicher Sozialethik* (Münster: Waldbold, 2001).

⁴³ Derr argues that Arne Naess, whom he identified as the founder of Deep Ecology school, envisioned "a form of biocentrism tending to argue the equal worth of all natural entities." Thomas Sieger Derr, "The

mainstream, institutionalized religion, while several hold degrees in Christian theology and are members of prestigious religious governing bodies, such as the Central Committee of German Catholics and the Central Committee of German Jews. The author carried out seventeen official interviews and corresponded with a number of authorities within the Green Party. Eleven of these interviews stood out as exemplary and articulate sources, namely, Katrin Göring-Eckardt, Reinhard Bütikofer, Christa Nickels, Josef Winkler, Omid Nouripour, Winfried Kretschmann, Friedrich Battenberg, Bettina Jarasch, Jonas Höpken, and the offices of Renate Künast and the Greens in Baden-Württemberg.

Thus the current study seeks to examine both the Green Party's dealings with Germany's leading religious communities, primarily Islam and the Evangelical and Catholic churches, while incorporating the religious opinions of prominent Greens. As such, it will implement historical and anthropological methodologies, as well as textual analyses of Green publications, speeches, platforms, essays and election campaigns. Unless otherwise mentioned, all translations from German primary sources are the author's own, particularly those from edited collections, articles, and unpublished documents from the *Archiv Grünes Gedächtnis*, the Green Party's official archive in Berlin. Furthermore, with the exception of previously published accounts, all interviews discussed refer to those conducted by the author.

Personal life-history interviews revealed numerous contradictory policies within the Greens, including their desire for the separation of religion and state, yet entreaty that the latter integrate Islam into German society; and persistent support of abortion, yet adamant rejection of stem cell research. The fluctuating relationship between the Greens

and the two German churches is dependent upon such key issues, which are apparently in opposition with one another.

This thesis is generally divided into two sections: 1.) an examination of the Green Party's dealings with established and establishing religious institutions, such as the Evangelical and Catholic churches and Islam, and 2.) an investigation into the Greens' controversial and seemingly incongruous views on the bioethical issues surrounding abortion and embryonic stem cell research. Throughout the entire study, the Green Party's official policies, along with speeches, unpublished archival sources and life-history interviews conducted with some of the leading Green Party politicians will be juxtaposed with reactions *to* and *from* Germany's two major churches.

Chapter One:

"An Ideological Fight" between the German Green Party and the Catholic and
Evangelical Churches

Socialists can be Christians, Christians must be socialists.

Adolf Grimme⁴⁴

Im Glauben unternimmt die christliche Gemeinde den abenteuerlichen Versuch der Vorwegnahme des neuen Lebens: Brüderliches Leben der Familia Christi, anti-autoritär, ohne Herrschaft und Hierarchie, gesellschaftliche und sonstige Privilegien zum Nutzen aller, insbesondere der Unterprivilegierten, zur Verfügung stellend.

Helmut Gollwitzer⁴⁵

During the formative years of the *Grünen* tensions arose between Christian and non-Christian members within the party. A Green policy advisor described this period as "an ideological fight" between Christians and atheists, in which the latter believed that it was an inherent "contradiction to be both a Green and a Christian."⁴⁶ Some members viewed the church and the Greens as diametrically opposed to one another and argued that they should form two mutually explicit institutions. Yet, numerous leading figures from both the Evangelical⁴⁷ and Catholic churches entered the environmental movement

⁴⁴ Grimme quoted by Schierholz in *Die Grünen und die Religion*, 91.

⁴⁵ Ibid., 90.

⁴⁶ Interview with Bettina Jarasch, former advisor to Christa Nickels, and current advisor to Renate Künast.

⁴⁷ It should be noted that the Protestant Church in Germany is most commonly referred to as the Evangelical Church, *Evangelischen Kirche in Deutschland* (EKD). As such, throughout this study the terms 'Evangelical' and 'Evangelical Church' will refer to the official body of the EKD, an umbrella organization including Lutheran and Reformed (Calvinist) denominations. Therefore, it is imperative that the theology

in western and eastern Germany, helping to establish their respective Green parties.⁴⁸ ¹⁸

This chapter seeks to examine the ideological and developmental influence of Christians in the party, while exploring their support for the Greens' calls for the separation of church and state.

The ascendancy of prominent Christians within the Greens, as well as the historical and prevailing cooperation between the party and the two major churches, is undeniable. In the "Introduction" to the 1980 platform, the Greens boldly declared their solidarity with "all those who have become active in the new democratic movement," significantly including "Christian initiative organizations."⁴⁹ In numerous interviews with founding Greens, this single sentence was consistently cited as acknowledging early Christian influences in the Greens' genesis. Talshir noted that the inclusion of Christian initiatives amidst the gradation of 'new' social movements manifested in the party is "the most curious," since "their participation in the Greens was certainly not a foregone conclusion."⁵⁰ Some of the Greens interviewed suggested that the party's use of 'Christian' did not necessarily refer to the institutionalized Catholic and Evangelical

and doctrine of 'American Evangelism' not be confused with the German Evangelical Church. Hadden and Shupe claim that Protestants in America, who consider themselves to be evangelicals, hold four major beliefs: "They (1) believe in the inerrancy of Holy Scripture; (2) accepted a creationist (rather than evolutionary) explanation of the origins of the universe, earth, and mankind; (3) put their faith in Christ's crucifixion, atonement, and resurrection for salvation; and (4) believed they had a mandate – the so-called Great Commission – to take the redeeming message of Christ to all the peoples of the world." Jeffery K. Hadden and Anson Shupe, *Televangelism: Power and Politics on God's Frontier* (New York: Henry Hold and Company, 1988), 79.

⁴⁸ For instance, in the West Germany, Antje Vollmer, who later became the Vice-President of the Bundestag, and Katrin Göring-Eckardt, who helped to found *Bündnis 90*, are both trained Evangelical theologians.

⁴⁹ *Federal Program*, 4.

⁵⁰ *Political Ideology*, 97.

Churches, but rather as a general term to identify Christian "basisdemocratic" groups,⁵¹¹⁹ committed to similar topics and goals as the Greens' social, environmental, economic and political policies.

While the 1980 election campaign rearticulated much of the *Federal Program*, it included an appendix in which they explained that their "ecological politics" arose from the "ecological, scientific, and social interrelations of life."⁵² Even though they forthrightly rejected the "politics of the Politburo of the so-called communist states," they also discouraged "thoughtless anticommunist propaganda" in favour of certain "forms of communism," of which they included "*Ur-Christentum*."⁵³ This appended idealization of *authentic*, original Christianity, as the idyllic form of social organization, seems incongruent with the rest of the document.⁵⁴ Strikingly, in *Fighting for Hope*, Petra Kelly, a self professed "Catholic in exile," included a letter she wrote to the late pontiff, John Paul II, in honour of his visit to Germany, in which she also celebrated 'original Christianity':

⁵¹ Although *basisdemokratisch* is usually translated as 'grassroots,' this paper will use Gayle Talshir's translation 'basisdemocracy,' which he convincingly justified as a matter of Green self-perception, originating from the two concepts of 'base' and 'democracy': "Base is fundamental to the way the Greens conceptualized their difference from other political parties, in terms of their base of support. It also has a distinctive appeal to the New Left groups coalescing in the Greens, due to the connotation of base-superstructure in Marxism. The name further discloses their critique of representative democracy, advocating democratization of the base, applying the subsidiarity principle" (275 n. 2).

⁵² Die Grünen, *Wahlplattform zur Bundestagswahl* (1980), 15. Hereafter, unless otherwise noted, all quotations from election campaigns of the *Grünen* or *Bündnis 90/Die Grünen* are the author's originals.

⁵³ *Ibid.*, 15.

⁵⁴ Notably, Rudolf Bahro, one of the most controversial Green figures, advocated communes, based on monastic orders, as his idyllic social structure, claiming: "We need a new Benedictine order. It can only flourish in a socially effective way within a commune-type framework. At the moment, those who must come together in it are still divided up into religious (and sometimes pseudo-religious) sectarianism on the one hand and political sectarianism on the other, and one of the most important reasons might be that between these two poles the load-bearing social centre, the real context of life, is lacking." Rudolf Bahro, *Building the Green Movement*, trans. Mary Tyler (London: GMP, 1986), 90.

When Christ was alive, there was no Christian Church. Jesus gave His mission to Christians, not to the Church. Christianity in its early stages became a religion of the oppressed because of His mission. ('Love is the fulfillment, all laws are contained in this.') Christianity was radical then. Christians lived in communes and sought to abolish private ownership, but this radical Christianity was destroyed. 'Radical' means 'going back to the roots', and the radical elements of Christ's message still remains a danger to those in power. What was a religion of the oppressed, the Church has made into a system that oppresses them further.⁵⁵

Similarly, the following election campaign of 1983 had another malapropos Christian allusion in the *Grünen's* discussion of foreign-and-peace politics, in which they voiced their opposition to nuclear weapons:

For us, every missile which either side keeps at ready is one too many. Anyone who like us considers the very possession of atomic weapons to be a crime, and their use – in the words of a North American bishop – to be the final crucifixion of Christ, should vote for us.⁵⁶

Disregarding the theological indiscretion of this questionable religious illustration, the suffering of Christ remains an odd image to adopt in an election campaign, peculiarly since it is the only reference to religion in the entire document.⁵⁷ Again, the language

⁵⁵ Kelly's letter was a feminist response to the late Pope, who in front of an audience of 120,000 people declared: "The one who has knowledge is the man, the one we have knowledge of is the woman." The entire letter is published in *Fighting for Hope*, 66-76.

⁵⁶ This translation from the 1983 campaign, *This Time the Greens – Why?*, included in Bahro, *Building the Green Movement*, 32.

⁵⁷ There is however an allusion to Catholic Latin liturgy in the concluding section, "Green is in '83 the only colour of hope," in which the *Grünen* claim: "We are the party of peace. For us *dona nobis pacem* (grant us

used in the party's election campaign echoes Petra Kelly's rhetoric in *Fighting for Hope*, in which she condemned the "destruction of mankind" through "weapons of mass destruction" as "the most heinous crime against humanity imaginable."⁵⁸ More significantly, however, she equated non-violent protest with the life and death of Christ:

Non-violent groups and movements all over the world are faced with a dual problem. On the one hand, they are confronted by enormous military and structural violence. On the other, they discover that most people believe that using force is the surest way of getting what you want. But there has been a radical opposition to the logic of violence since the time of Jesus Christ.⁵⁹

General references to Christian initiative organizations, along with Christian pacifist sentiments, regardless how moot, are materialized and interwoven into the Greens early publications.

When the West and East German Green parties joined together to create *Bündnis 90/Die Grünen* in May 1993, they wrote a new Political Platform to document the occasion. It detailed the political histories of each movement and the process of creating a new, unified party within reunified Germany. Interestingly, this revision to the 1980 platform included numerous references to partnerships with Christian churches. In their history of the *Grünen*, they narrated that the party originated from "peace and

peace) is not only a plea for external peace. We seek a culture of peace inside the country too and we know that peace begins with non-violence in one's own conduct" (translation from Bahro, 43-44).

⁵⁸ Kelly *Fighting for Hope*, 20.

⁵⁹ *Ibid.*, 31.

environmental groups of the Evangelical Church, such as the green Network Ark - and nature protection groups." ⁶⁰

Alice Holmes Cooper followed the historical relationship between the West German peace movement and the Christian churches, noting that the peace protests were "intimately connected with the parallel rise of the Green party, which crystallized the ecology, feminist, countercultural and youth movements." Many of the Christian peace movements in the Federal German Republic helped to establish similar groups in the former German Democratic Republic. ⁶¹

The historical links between Christian groups and environmental activists cannot be understated in the eventual formation of *Bündnis 90*. For instance, in 1988 *Arche* was founded, which regarded itself as "the green network in the Evangelical Church of the German Democratic Republic." ⁶² *Arche* was primarily concerned with securing strong connections with international environmental movements and the *Grünen*.

Thus, the extensive history of ecological awareness in eastern Germany is inextricably linked with the Evangelical Church. The DDR's "catastrophic environmental

⁶⁰ Bündnis90/Die Grünen, *Politische Grundsätze* (Köln, Farbo, 1993), 5.

⁶¹ Postwar Germany necessitated the examination of the churches' role in the crimes perpetrated during the Third Reich. The churches' complacency and passivity towards Hitler's fascist regime further highlighted the problematical relationship between religious institutions and the state. Cooper noted that after the war, the EKD, which was only established in 1933, released the *Stuttgarter Schuldbekenntnis* ("Stuttgart confession of guilt"), thereby acknowledging its lack of resistance to Hitler (of course the *Bekennende Kirche*, including Dietrich Bonhoeffer is an exception). Compellingly, Cooper argued that this institutional public recognition of guilt "laid the foundations for a doctrinal rethinking, namely the innovative admission that the church had a *political*, as well as spiritual, responsibility" (77-8). Comparably, up until Vatican II, Catholic peace movements were not as significant as their Evangelical counterparts. The 1933 Concordat signed between Hitler and the Vatican also underscored the precarious nature of the church-state relationship and "reflected Catholic willingness to compromise in exchange for protection of Catholic interests," (85). Alice Holmes Cooper, "The West German Peace Movement and the Christian Churches: An Institutional Approach," *The Review of Politics* 50, no. 1, Special Issue on German Politics (Winter 1988), 71-98.

⁶² Merrill E. Jones, "Origins of the East German Environmental Movement," *German Studies Review* 16, no. 2 (May 1993), 249.

problems" heightened by the Chernobyl disaster of 26 April 1986 came to symbolize the ecological and social devastation caused by nuclear power and unrestrained development.⁶³ The emerging protest movements found in the Evangelical Church an active partner against state oppression; ironically, because of the church's unique dissociation from the communist government, the environmental movement was not only able to exist, but to flourish.⁶⁴ Protestors could freely congregate within the churches to discuss their ecological and social concerns and use church publications to disseminate their ideas.

In order to understand the Greens' relationship with religious institutions, particularly the Christian churches, it is essential to contextualize the latter's interaction with the state in Germany's history. Prior to the Weimar Republic's Constitution of 1919, religious organizations in Germany were divided into two general groups: "free" churches consisting of small denominations, and, more importantly, religious bodies recognized by the state as "*Körperschaften des öffentlichen Rechts*," corporations of the public law, restricted to the Evangelical and Roman Catholic Churches.⁶⁵ While the Constitution did not explicitly profess that the church and the state were mutually exclusive entities, it did

⁶³ Ibid., 235.

⁶⁴ Jones (1992, 239) noted that the Evangelical church was the only large sphere of society not directly controlled by the Socialist Unity Party of Germany (SED). When the government forced the *Kirchenbund* (the Federation of Evangelical Churches in the German Democratic Republic) to "relinquish their membership" in the West German EKD, the *Kirchenbund* joined several international organizations. Paradoxically, these new partnerships led to international scrutiny of the SED's church-polices, and on 6 March 1978, the *Kirchenbund* received state recognition as an institution, and were permitted "to exist outside the framework of 'democratic centralism.'" This agreement affirmed the church's autonomic right to decide "inner-church activities, internal organization, the employment of officials and other support staff, and, if it applied discretion, to choose its representatives to the outside." Also, the church was given the freedom to control its independent media and disperse its publications.

⁶⁵ Roger H. Wells included "Old Lutherans and Mennonites" in this group. Wells, "The Financial Relations of church and state in Germany, 1919-1937," *Political Science Quarterly* 53, no. 1 (Mar. 1938): 37.

proclaim that "there is no state church," which Wells argues intended to imitate the American system.⁶⁶ Even though the Weimar Constitution was suspended during National Socialism,⁶⁷ the West German Constitution of 1949 faithfully reproduced articles 137 through 140 from the original 1919 document, and compiled them into Article 140, "the Law of Religious Bodies," of the *Grundgesetz (Basic Law)*.⁶⁸ The German churches' continued status as corporations permits them to levy *Kirchensteuer* (church tax), provide Christian instruction in public schools, run subsidized theological facilities, and discriminate against hiring non-Christian employees; these constitutionally ensured rights of the churches, and the Greens' aversion to them, will be discussed throughout this chapter.

After WWII the divided West-and-East Germanys took divergent approaches to politics, religion, and education. While the West German government maintained an affinity for Christian organizations, the communist German Democratic Republic (GDR) dissolved all ties with institutionalized religious groups. By 1958 East Germany removed religious instruction from its public school system and inhibited the collection of church tax.⁶⁹

⁶⁶ Ibid., 36.

⁶⁷ Wells' essay, published before the Second World War, recorded the changing dynamics between the churches and German government, beginning with the Weimar Republic, and ending prior to the Vatican's denouncement of Hitler and the Concordats in 1938. He closed his essay with a poignant warning of the Third Reich's intensifying discrimination against the German Churches: "In the Reich government and in the National Socialist Party, there is no agreement as to policy. Himmler, the SS (*Schutzstaffel*), and the secret police would like to break the ties between church and state. The churches would then sink into insignificance and disappear, leaving the way clear for the new generation with its new religious ideology, the 'gospel according to Alfred Rosenberg.' But this is distasteful to the German Christians, particularly those of Thuringia where the National Church Movement is strong. They prefer to conquer the existing churches from within and thereby reach the goal of a single, national, publicly recognized church which will be neither Catholic nor Protestant, but German and Christian" (59).

⁶⁸ See Appendix A for the complete law.

⁶⁹ Barker, "Church and State: Lessons from Germany?" *Political Quarterly* 75, no. 2 (April-June 2004): 168

In her article "Church and State: Lessons of Germany?," Christine R. Barker quoted a survey by the EKD which found that only twenty eight per cent of Germans living in the former East are members of either the Evangelical or Catholic Churches, compared with seventy six per cent in western Germany.⁷⁰ The West German churches became increasingly entrenched in democratic government, which upheld the tradition of granting them significant rights and privileges.

Astonishingly, it was not until the 1994 campaign *Nur mit uns*, under the heading "separation of state and church," that the Greens first presented their intention during a national election. They depicted Germany's current relationship to Evangelical and Catholic institutions as antiquated and ineffectual:

The freedom of conscience and faith belongs just as well to the core existence of a liberal order, as the right to publicly profess a religion or a worldview. The task of the state is the protection of this freedom, not however the continuation of the involvement of church and national duties originating from pre-democratic times.⁷¹

The realization of the Greens' appeal for severing of church and state affiliations would require constitutional amendments made by the Bundestag and constitutional courts.⁷²

⁷⁰ Ibid., 170.

⁷¹ *Nur mit uns. Programm zur Bundestagswahl 1994*, 45.

⁷² They also proposed that denominational religious instruction should be replaced with general religion and guidance counseling courses, which take cultural changes and diversity into account. Additionally they argued that employees of the church and religious communities must "finally be granted the freedom to unionize and to apply labour and social laws" (45-46). Significantly, they recommended that church tax should be "gradually abolished," as "religions and philosophical communities can take responsibility to raise their own contributions" (46).

The Greens' position quickly became a contentious issue between themselves and the churches, accentuated by the party's support for the legalization of abortion, which will be discussed in the penultimate chapter. Between the 1994 and 1998 election campaigns the Greens subtly, but significantly altered their language, endorsing the "*neu bestimmen*," rather than strict separation of church and state, explaining:

In a secular and pluralist society, church and state must be separate. The churches and many Christian-basis initiatives have often been valuable allies, for example, in the fight against a dog-eat-dog society and for humane domestic and social politics for foreigners.⁷³

This rhetorical adjustment was noted by members of various religious communities and news agencies. For example, Hans Joachim Meyer, CDU politician and president of the Central Committee of German Catholics, commented that although the central demands from 1994 remained unchanged, they were "embedded in the context of a positive perspective."⁷⁴ He remarked that the "apparent change which happened in the last years" showed that they no longer sought "to oust the Christian churches from society, or remove them from the public realm".⁷⁵

One of the most interesting responses to the 1998 campaign came from Hans Langendörfer, General Secretary of the German Bishops' Conference (DbK) and managing director of the Association of German Dioceses. He argued that the Greens'

⁷³ Ibid. 115

⁷⁴ Hans Joachim Meyer "Ist das Tischtuch noch zerschnitten?" in *Begründete Hoffnungen: Bündnisgrüne Politik und christlicher Glaube*, ed. Christa Nickels (Frankfurt am Main: Josef Knecht, 1998), 144 (the edited collection is hereafter cited in text as *Begründete Hoffnungen*, and all translations are the author's).

⁷⁵ Ibid., 144. Other theologians and Church officials, who noted the positive development of the Greens' cooperative approach in *Begründete Hoffnungen*, include Margot Kässmann, General secretary of the EKD Church-days, in her essay "Kirchentag und Bündnisgrüne," and Hans Langendörfer, the Secretary General of the German Bishops' Conference in his contribution "Stillstand oder Bewegung."

position hinged on "the distinction between negative and positive freedom of religion," and directly challenging Christa Nickels, he reflected:

No one can be forced into a faith, but everyone has the right to practice his faith (within certain limits), and certainly also in a community with others, hence (in Christian locution:) in a church. The speaker for Church politics pleads to create a new balance between positive and negative freedom of religion in Germany, in consideration of an altered religious situation. In my opinion it would be more important to first awaken in the party more understanding for the positive freedom of religion instead of – not infrequently played down – being pleased about a multi-cultural and multi-religious society.⁷⁶

Langendörfer saw an apparent irony between the fact that the Greens wanted "to repress the institutional church presence," yet simultaneously desired "the church to be a strong partisan," an endeavor, which he concluded, is "logically and practically impossible."⁷⁷ He attributed the Greens' antithetical posture to their "pessimism in regards to everything institutional and their questionable optimism in regards to the moral strength of the individual."⁷⁸

This idealization of individuality, which is encroached upon by religious corporations, specifically the churches, was a dominant theme in Green publications. For instance, in an article playing on the 1998 rhetorical shift, "*Balancierte Trennung von Staat und Kirche: Ein gelungenes Model*," Winfried Kretschmann, a Catholic Green,

⁷⁶ Hans Langendörfer, "Stillstand oder Bewegung" in *Begründete Hoffnungen*, 165.

⁷⁷ Ibid., 165.

⁷⁸ Ibid., 168.

explained that a modern, democratic society is one in which the individual is given the freedom to "believe, say and go" where he desires.⁷⁹ And Kretschmann noted that these personal freedoms sweepingly belong to the concept of 'Individuality,' and that such an individualistic culture is ideologically, and religiously, pluralistic.

Notably, however, Kretschmann claimed, even though "religion is a private matter in the sense that the freedom of religion is an individual right," it should not "be restricted to the private sphere."⁸⁰ Instead, he appealed for the state to recognize "the sociality of religions and thus, the social requirements of the churches," – thereby establishing a "balanced" segregation of church and state.

Even though the Greens refuted the existence of such a harmonious rapport, after 1998 they made no further references to the dissolution of church and state dependency in later election campaigns. The 2002 platform, which replaced the 1980 and 1993 texts, acknowledged that in both "eastern and western Germany, committed Christians were actively involved in the development of ALLIANCE90/THEGREENS."⁸¹ Compared with previous platforms, it highlighted the beneficial socializing function of religion in society; for example, it recognized the churches' increased commitment to ecological justice and church-run child care facilities.⁸²

⁷⁹ Winfried Kretschmann, "Balancierte Trennung von Staat und Kirche: Ein gelungenes Modell," October 1997, http://www.winfried-kretschmann.de/Texte/ehrenamt_kirche/STAATU1.pdf, (accessed May 7, 2007). (Subsequent translations are the author's).

⁸⁰ Even apart from discussions of religiosity, this sense of urgency against privatizing personal commitments or belief systems is common within the publications of various Greens. For example in 2006 Claudia Roth the current, co-leader of the Greens recently published her autobiography *Das Politische ist privat: Erinnerungen für die Zukunft* (Berlin: Aufbau, 2006), a play on the protest slogan from the 68er protest movement "The private is political." Throughout the book she admits that much of her political agenda originates from her personal motivations and weltanschauung.

⁸¹ *The Future is Green*, 7.

⁸² *Ibid.*, 18, 59.

It included a lengthy analysis of religious freedoms, determined independently from state control, which "respects and protects the right of members of a religious community to follow their beliefs and to decide alone on their religious practices."⁸³ It asserted:

The degree of separation *already* achieved is crucial to the positive role of church and other religious communities as important forces in civil society. This is true not only of the Christian churches, but also of the Jewish religious community and other religious groups. On many issues, Alliance 90/The Greens have found the churches to be valuable allies. That includes, in particular, the ecumenical processes for peace, justice and the preservation of creation. It also includes action against racism and for international justice and, not least, the ethical commitment to issues around modern genetic technology.⁸⁴

Once again the policy modification is evident – it is not the strict partition of church and state that it proposed, but rather, it expressed their satisfaction with the current situation, on the condition that similar relationships be established with other religious traditions.⁸⁵

This textual overview of the Greens' election campaigns and platforms shows that after 1994, there was a pronounced repose from the party's demands for the separation of church and state. The major impetus behind the progressing relationship was undoubtedly

⁸³ Ibid., 96.

⁸⁴ Ibid., 96 (emphasis added).

⁸⁵ In their 2002 election campaign they supported parents' rights to choose whether their children receive a religious education, and, they officially champion the Catholic church's view on immigration as presented in their paper *Akt Illegale* ("sans papiers"). Bündnis 90/Die Grünen, *Grün wirkt! Unser Wahlprogramm 2002 – 2006* (Berlin: Kompakt-Medien, 2002), 47, 63. In 2005 they called for Islam to be legally and politically recognized as a religion with equal rights as the Christian and Jewish traditions. However, no

the work of Evangelical and Catholic Greens such as Winfried Kretschmann, Antje Vollmer, Katrin Göring-Eckardt, and Christa Nickels. Disputably, Nickels remains the most resonant Christian voice in the party's history; in 1979 she helped to found the *Grünen* in North Rhine-Westphalia and was integral in establishing the national party in the following year. Nickels was also included amongst the first Green politicians elected to the Bundestag⁸⁶ in 1983, serving subsequent terms from 1983-1985, 1987-1990, and 1994-2005. Beginning in 1994, until she left politics in 2005, she endured as a fixture in the German government, sitting as the Green parliamentary speaker for *Kirchenpolitik*.⁸⁷ In 2001 she was the first Green elected to the Central Committee of German Catholics (ZdK) and from 2003 to 2005 she served as a member of the Bundestag's Study Commission on Law and Ethics in Modern Medicine.

In her eleven-year position as the Church political speaker, she defined and articulated the Greens' stance on key issues such as abortion, stem cell research and the role of religion in society. While the first two topics will be discussed in later chapters, the Greens' contestation of the churches' current entitlements is only conceivable through an examination of Nickel's publications and commentaries.

Between 1994 and 1998, the Greens released a deluge of essays, press statements and interviews on the subject, including *Begründete Hoffnungen. . Bündnisgrüne Politik*

suggestions were made regarding the separation or new definition of church and state associations. Bündnis 90/Die Grünen, *Eines für alle: Das Grüne Wahlprogramm* (Leck: Clausen & Bosse GmbH, 2005), 89.

⁸⁶ The *Bundestag* is the Parliament of Germany.

⁸⁷ Prior to entering regional politics Nickels worked as an intensive care nurse. She served as the first and only Green chairperson of the Parliamentary Committee on Petitions from 1994-1998, which acts as an interface between the government and the general population, particularly with those citizens who have claim to have been unfairly treated by federal authorities. From 7 October 1998 to January 2001 she was the parliamentary secretary for the Federal Ministry of Health in the Green-SPD coalition. And from March 2001 to 2005, she acted as the chairperson of its Parliamentary Committee on Human Rights and Humanitarian Aid.

und christlicher Glaube, a collection of essays from Catholic and Evangelical Greens, newspaper reporters, and members of Germany's foremost Christian organizations. The anthology, instigated and edited by Christa Nickels, marked the party's eighteenth anniversary; it is divided into two sections, the first of which includes autobiographies of Christians within the party, while the second half consists of commissioned essays written by church representatives and academics on the topic of the Green Party and the churches.

In a 1997 interview, Christa Nickels detailed the challenges she faced as a Catholic Green in the initial stages of the party's development.⁸⁸ Nickels described herself as being a member of the "Christian value-conservative" group within the party, who were integral in helping the party reach the necessary five-percent election hurdle.⁸⁹ This distinct assemblage focused on issues such as *Bewahrung der Schöpfung*, the escalation of arms programs, and questions of social justice. She juxtaposed the "value conservatives" with those from the "decidedly" leftist traditions, who originally were "more successful at integrating" their views into the party. Nickels noted that even though many value-conservatives were active in the preliminary stages of the party, most left

⁸⁸ Christa Nickels interview "Alles andere als Kirchenstürmerei," in *HK* (4/1997), 189-191, A-Nickels: 269, Archiv Grünes Gedächtnis (Green Party's official archive, located in Berlin, hereafter *Kirchenstürmerei*).

⁸⁹ The German electoral system is based on proportional representation; the "5 percent hurdle" is the minimum threshold of votes a party must receive to gain representation in the Bundestag. Whatever percentage of votes a party receives, as long as it is more than five percent, translates into the same number of available parliamentary seats. For example, in the 2005 election, the Greens received 8.3 percent of the national vote, which equated to fifty one seats in the Bundestag. In an interview Bütikofer explained that the system's "peculiarities" forced the *Grünen* to work together, remarking: "I am quite convinced that the *Grünen* would have split a thousand times if not for the fact that everyone knew that unless we stick together to create something new, and manage to keep everyone on-board, we would fail. So the system, by first refusing to accept us, forced us to look for new opportunities. And then by confronting us with this limitation, it was imperative for us *not* to split, which many new groups tend to do. And so we developed the ability to include different traditions and lines of thinking. So, in a sense, it did us a great service."

during the tiresome and strenuous foundational meetings.⁹⁰ She admitted that for her, the Greens were never a party that solely ascribed to the "leftist milieu," insisting that they continue to bridge ideological particularities. Although many of these so-called "conservatives" vacated the party in the early eighties, the Greens' 1990 national election failure (the first since 1983), caused members from the far left, which Nickels claimed always had breakaway and anti-religious tendencies, to leave the party. Correspondingly, in April 1990 after the botched election, forty three "eco-socialists," including "religion critics" Thomas Ebermann and Rainer Trampert, left the party, followed by members from the "radical ecologists" led by the infamous Jutta Ditfurth, who eventually founded the "Ecological Left" party in 1991.⁹¹

Their departure and the unification with *Bündnis 90*, including Evangelical theologian Katrin-Göring Eckardt, strengthened and rejuvenated the value-conservative stream within the party. As such, Nickels concluded that "in the meantime the various milieus within the party have considerably grown together" and united to create a *relatively* cohesive political entity.⁹² Thus, unification not only drastically altered the political, social and religious landscape of Germany, but it also brought with it inner-party regeneration. This conscious ideological shift, or rather cementing of less radical streams, coincided with a rise of Christian rhetoric and interest in religious concerns.

⁹⁰ Markovits and Silvia (1997, 124) concluded that "with respect to certain conservative values [*Wertkonservatismus*] (such as preserving the traditional, rustic elements of German culture) the Greens' world is much closer to Christian than it is to Social Democracy." Likewise, Blühdorn (2004, 580) identified "ultra-pragmatists" in the party, who are heightening conservative values, including Katrin Göring-Eckardt, Christa Sager, Fritz Kuhn, Reinhard Loske, Christa Nickels and Winfried Kretschmann. In fact, Blühdorn examined the "(in)conceivability" of a CDU and Green alliance, suggested by Greens such as Oswald Metzger, who construct "a common basis between Greens and Conservatives by pointing out shared-value conservatism, Christian ethics and respect vis-à-vis God's creation."

The Catholic Church's public condemnation of the Greens' pro-choice position on abortion not only heightened tensions between the two bodies, but also prompted the party to criticize the churches' legal status. As such, the Greens intensified their appeals for modernization and greater transparency within the two major churches.

In a 1996 interview with the Catholic News Agency, (KNA) Christa Nickels argued that the churches failed to reevaluate their place in society after Germany's unification, poignantly stating:

The Church in Germany is no longer a *Volkskirche*, and that must have consequences for the relationship between Church and State. Because much of what remains, the case came from the 1949 premise, which was correct at the time, that more than 90 percent of Germans are Christian. I have the impression that the churches and many politicians refuse to acknowledge this change.⁹³

The theory and practice of a *Volkskirche* is noteworthy in Germany's history of church and state interaction. Daniel Borg conceded that the term "is rather elusive and carries a number of connotations" within German culture.⁹⁴ Historically, he noted that, although 1920's Evangelical Liberals conceived of it "as a popular church of the people," it came to denote "a sort of involuntary association that one joins by virtue of one's birth and the belief of one's parents."⁹⁵ Borg claimed that with the Weimar Constitution, the churches were no longer under the protection of the monarchy of imperial Germany, which meant

⁹¹ See the Green Party's *25 Jahre Grüne Geschichte* for more historical information.

⁹² Nickels, *Kirchenstürmerei*.

⁹³ Christa Nickels, "Für eine 'freundliche Trennung' von Kirche und Staat," 2/4. January 1996, A-Nickels: 255, Archiv Grünes Gedächtnis (hereafter *Freundliche Trennung*).

⁹⁴ Daniel Borg, "Volkskirche, 'Christian State,' and the Weimar Republic," *Church History*, 35, no. 2. (Jun., 1966), 187.

that the *Volkskirche* had "to play an unprecedented role – that of preserving the marks of a Christian society in the regrettable absence of a 'Christian state.'" ⁹⁶ And consequently:

What brought German Evangelical churches indirectly into politics were the further implications derived by Evangelical churchmen from the *Volkskirche* concept. They assumed that the public morality generated by the Gospel through the all-embracing *Volkskirche* not only benefits state and society but also aids the church in its primarily spiritual role. Accordingly, the *Volkskirche*, if it was to thrive, had to concern itself with public morality and the actions of government as these intrude upon the moral environment.⁹⁷

Additionally, the idea of the *Volkskirche* was also firmly anchored in German national identity, because, as Borg explained, church leaders assumed that *all* Germans were "essentially Christian in the sense that traditional values had been determined by the impact of Christianity on the folk historically."⁹⁸ Therefore, it also "sought to project Christian principles into German society," while attempting to "safeguard 'Germanness' from alien corrosive forces," i.e. other religious, and non-religious traditions.⁹⁹

Along with Nickels, the Greens' rejection of the *Volkskirche* concept was simultaneously also a denial of the moral, authoritarian, and suppressive power of

⁹⁵ Ibid., 187.

⁹⁶ Ibid., 186.

⁹⁷ Ibid., 189.

⁹⁸ Ibid.

⁹⁹ Ibid. 190.

religious institutions.¹⁰⁰ For example, in an interview, Bettina Jarasch, Nickel's former advisor, noted that those Greens who were, and continue to be less favourable towards the churches' privileges, were adversely impacted by the *Volkskirche* of the previous generation. However, Germany's increasing pluralism and secularism suggests that the notion of an inclusive church, speaking for the people, is no longer as effectual as it once was.

As the speaker for Church politics, Nickels wrote a position paper on the present church-state dynamic in 1996, and although it was not widely circulated or publicized, it is the essential and only document of its kind. In a discussion Friedrich Battenberg, co-president of BAGChr, alluded to Nickel's paper, noting that after it was released, Nickels "decided to back down for tactical reasons," fearing the hindrance of the party's positive momentum.¹⁰¹

In the essay she declared that even though the Greens are neither an anti-Christian nor anti-clerical party, they are, however, an "anti-party party" fighting against every form of corruption, while struggling for more democracy in all aspects of politics and society – including the "inner-church reform movement."¹⁰² She located the Greens' call for modernization in the church as part of an existing and on-going movement, which they hope to facilitate.

¹⁰⁰ Refer to note 57 above, which contains a lengthy quotation from Wells, who in 1938 warned against the Nazi's increasing emphasis upon the interrelationship between the "Volk" and "church;" particularly in their attempts to create a single, authoritarian religious body to minister to all Germans. For a further discussion of National Socialism's abuse of the concept of "*Volkskirche*," see Kurt Meier, *Volkskirche 1918-1945: Ekklesiologie und Zeitgeschichte* (Vienna: Kaiser, 1982). And for a relevant examination of "*Volkskirche*" post WWII, see Andreas Leipold, *Volkskirche: Die Funktionalität einer spezifischen Ekklesiologie in Deutschland nach 1945* (Göttingen: Vandenhoeck & Ruprecht, 1997).

¹⁰¹ Friedrich Battenberg, interview with the author, November 14, 2006 in Hessen State Archives in Darmstadt.

¹⁰² Christa Nickels, *Freundliche Trennung*.

Like Kretschmann, Nickels idealistically identified the churches as indispensable, socializing institutions, because

they collect the troubles, work, successes and defeats, the highlights and iniquities of the many separate individuals of a society, bundle them, enable the collective compilation and carry them through the age.¹⁰³

And because of the social significance of the churches, Nickels rejected the claims of Christians within her party, that they "should shut up about contentious themes," which threaten a potentially constructive partnership between the Greens and churches.¹⁰⁴ Instead, she offered four reasons as to why the Greens need to encourage the development of a new church-state relationship, claiming the party's inaction would: 1.) irresponsibly trivialize the political and social predominance of the churches, 2.) abandon the church during its reform process, 3.) conform to other parties' reluctance to discuss the issue, and 4.) be a disservice to the churches, because "in reality those who support the current rigid relationship actually erode rather than strengthen" the present situation.¹⁰⁵

Her third point included a discussion of the rights and privileges afforded to the churches according to the Constitution, including provisions for religious instruction, state financed theological faculties, the churches' *Arbeitsrecht* and church tax. The last two controversial, economically-based topics, provide excellent examples of the Greens' position on Germany's perceived undemocratic and archaic favoritism of the two major Christian churches.

¹⁰³ This quote was directly reproduced in her essay "Nachfolge im Spagat" in *Begründete Hoffnungen*, " 60.

¹⁰⁴ Ibid.

¹⁰⁵ Christa Nickels, *Freundliche Trennung*.

Even though there is no official state church, as corporations of the public law, the Catholic and Evangelical are heavily subsidized by the government, primarily through *Kirchensteuer*, which is collected on behalf of the churches from their members.¹⁰⁶ The church tax ranges from eight to ten percent of income taxes owed to the federal government; in 2006 it amounted to more than eight billion euros: the Evangelical Church received 3.883,5 billion euros, while the Catholic Church claimed 4.252 billion euros.¹⁰⁷

Befittingly, Battenberg is part of an initiative of the Dietrich Bonhoeffer Association, working for the reorganization of church tax reform.¹⁰⁸ Along with the Greens, he advocated that citizens should pay a "culture tax," rather than a mandatory church tax, commending countries such as Italy and Spain, where every citizen automatically deducts five to eight percent of their income tax (respectively) to an institution of their choice (from a government-determined list). In an interview he argued that *Kirchensteuer* subordinates the churches through their financial dependence upon the state, which he claimed spurs many Germans to leave the churches because they do not want to pay the tax.

Another point of contention between the Greens and the Catholic and the Evangelical churches is the *kirchliches Arbeitsrecht*, the church Work-Right, which

¹⁰⁶ The church tax is officially part of Germany's *Lohnsteuer* (wage tax), which is paid in federal income tax. German employers automatically deduct the tax from the salaries of their employees; the percentage varies regionally, between eight to nine percent. For more, see Wells (1938).

¹⁰⁷ Statistics taken from EKD, "Kirchensteuer" (2006), <http://www.ekd.de/statistik/kirchensteuer.html> (accessed May 17, 2006); and German Bishops' Conference "Katholische Kirchensteuer 1991 bis 2006," (2006), http://www.dbk.de/imperia/md/content/kirchlichestatistik/kirchensteuer/kirchensteuer_1991_2006.pdf (accessed May 17, 2006)

¹⁰⁸ Interestingly, in 1938 Wells questioned the future financial relationship between the church and state, acknowledging that the Confessional Church leaders (including Dietrich Bonhoeffer), "are convinced that the church must be freed from state support," including church tax (59).

permits the *körperschaften* special exemptions from state labour regulations. In their 2005 campaign the Greens tackled this issue, declaring:

We want to continue to lead a dialogue with the churches on the validity of the work-and-tariff-right in church social institutions. The right of the churches to favour their own members through the churches' social institutions remains unaffected.¹⁰⁹

Again, Dr. Battenberg related the implications of the *kirchliches Arbeitsrecht*, explaining that although the Constitution prohibits employers from discriminating against their employees on religious grounds, as corporations of the public law, they are granted relative self-determination and autonomy from governmental administration.

Therefore, the Evangelical and Catholic Churches are excused from having to hire without taking church affiliations into account, and they may also dismiss any one who contravenes official church practices, moral teachings, or gives up their membership. The matter becomes increasingly problematic given the fact that the Catholic and Evangelical Churches together are Germany's second largest employer after the public sector, running hospitals, schools, daycares, and social welfare programs. The *kirchliches Arbeitsrecht*, which was upheld by the German Federal Constitutional Court in 1985, persists today despite the fact that the European Union has judged it to be a form of discrimination. On 27 November 2000 the EU passed its "directive establishing a general framework for equal treatment in employment and occupation," which aimed to:

lay down a general framework for combating discrimination on the grounds of religion or belief, disability, age or sexual orientation as

¹⁰⁹ *Eines für alle*, 89.

regards employment and occupation, with a view to putting into effect in the Member States the principle of equal treatment.¹¹⁰

In 2006, the EU Court of Justice singled out Germany, along with Austria, Finland and Luxembourg, for failing to comply with their anti-discrimination employment policies.

Battenberg referenced a recent German court verdict, which ruled in favour of a doctor who was fired from a Catholic-sponsored hospital for signing a public petition in support of abortion.¹¹¹ The churches' right to release employees on the basis of church membership, or for disagreeing with church teaching, is regarded by the party, and the European Union, as unconstitutional prejudice. In jest Battenberg concluded: "Of course a pastor should be a church member, but does the pastor's doctor or secretary really need to be as well?"

Interestingly, interviews with Göring-Eckardt and Jarasch disclosed that within the Greens many Christians from *Bündnis 90* and atheists from the *Grünen* pursue the separation of church and state, for seemingly irreconcilable reasons; the former seeks to abolish the churches' privileges by relegating religion to the private sphere, while the latter aims to protect the church *from* state control and influence.

This introduction to the Green Party's appraisal of the relationship between the Christian churches and the German government concludes by borrowing Nickel's literary

¹¹⁰ Council of the European Union, "Council Directive 2000/78/EC of 27 November 2000: establishing a general framework for equal treatment in employment and occupation," *Official Journal of the European Communities*, http://www.eular.org/myUploadData/files/Council_Directive_Equal_Treatment_Employment_27.11.00.pdf (accessed June 3, 2007).

¹¹¹ Battenberg interview

allusion to *The Emperor's New Clothes* from her 1996 position paper.¹¹² By comparing the deluded unrobed ruler of the story to the churches, she postulated that unless they evolve within Germany's pluralistic society, the child in the fairytale will point "to a splendid garment" that is empty and "in vain." According to the Greens, the Evangelical and Catholic Churches must adapt to the changing social realities of its members in order to avoid becoming an elaborate construction, housing an out-dated and irrelevant institution.

¹¹² Christa Nickels, "*Freundliche Trennung*."

Chapter Two:

The Green Party's "Abrupt Turnaround" on its Immigration Policy and Efforts to
Integrate Islam into German Society

Germany is not a country of immigration.

German Chancellor Helmut Kohl¹¹³

You know, in former times (allow me to be a little bit cynical) you could say that for us Greens, every foreigner was a better person than the typical German. We are now more realistic.

Bettina Jarasch, Green policy advisor in an interview.

Although Islam has been a part of Germany's religious heritage for over three hundred years,¹¹⁴ it was not until the large-scale immigration of Muslim workers in the 1960s that it impacted the country's social and political landscape. In order to facilitate West Germany's *Wirtschaftswunder*, its "economic miracle," foreign *Gastarbeiter*, "guest

¹¹³ "U.S. Envoy Rebukes Germans and Kohl on Foreigner Issue," *International Herald Tribune*, 16/17 April 1994, 2.

¹¹⁴ Numerous academicians including Fetzer and Soper (2005, 99), claimed that as early as 1732, Prussian King Friedrich Wilhelm I designated "an Islamic prayer room in Potsdam for twenty Turkish mercenaries in his employ," citing Muhammad Salim Abdullah (1981) as their source. However, in his remarkable work *Muslime in Deutschland*, Thomas Lemmen, who has published extensively on the history and development of Islamic communities in Germany, argued that such claims are historically inaccurate. Lemman noted that Abdullah originally took excerpts from Jochen Klepper's 1937 novel *Der Vater – Roman eines Königs*, a fictionalized biography of the Prussian King, to support his own 1981 survey of the *Geschichte des Islams in Deutschland*. Additionally, Lemmen discussed the research of historian Hassan Haackes, who proved that in 1739, twenty-two Turkish prisoners of war were temporarily held in Potsdam, where a room was at their disposal for prayer. They were released and permitted to return home to their native countries (taking an extensive amount of gifts with them). For more on the history of Muslims in Germany, see Thomas Lemmen, *Muslime in Deutschland* (Baden-Baden: Nomos Verlag, 2001).

workers," were invited by the government to fulfill contracted jobs. As early as 1955 Germany and Italy signed its first bilateral agreement on labour recruitment (*Anwerbverträge*), after which it reached similar agreements with Spain and Greece in 1960.¹¹⁵ In 1961, the same year the Berlin Wall was erected in the GDR, the FRG opened its border to foreign workers from Turkey, followed by Morocco in 1963 and Tunisia in 1965.¹¹⁶ Both legislation and public opinion made it clear that these immigrant "guests" were, and were to remain, transitory residents of Germany, rather than become citizens. The legacy of these guest workers has significantly impacted Germany's population as approximately 14.5 million people living in the country today come from immigrant backgrounds.¹¹⁷ This means that one out of every four children born in the country has at least one parent of non-German heritage, while each third teenager in western Germany is a non-native German.¹¹⁸

Despite Germany's longstanding diplomatic relations with Turkey,¹¹⁹ the country's primary encounter with Islam was not through colonization like other Western European

¹¹⁵ All statistics are taken from the website of Germany's Federal Ministry of the Interior's website, http://www.zuwanderung.de/english/1_zeitstrahl.html (accessed May 14, 2007).

¹¹⁶ Notably, the labour shortages were not as severe in the German Democratic Republic, since other communist countries provided an easily accessible labour pool. Both Portugal and Yugoslavia also reached labour agreements with the FRG in 1964 and 1948 respectively.

¹¹⁷ German has two different words for immigration: *Einwanderung* and *Zuwanderung*. The former "refers to the lawful entry and residence of foreigners intending from the outset to settle permanently in Germany, i.e. legal immigration;" while the latter "has become the accepted term to describe all forms of migration (long- and short-term) across national borders." These definitions are taken from Germany's Federal Ministry of the Interior's website, http://www.zuwanderung.de/english/2_neues-gesetz-a-z/einwanderung.html (accessed May 14, 2007). Throughout this chapter the terms 'foreigner' and 'immigrant' will be used interchangeably as is common in German government publications. Citations or allusions to official Laws will remain faithful to the original German word usage.

¹¹⁸ Bündnis 90/Die Grünen im Bundestag, *Perspektive Staatsbürgerin und Staatsbürger "Für einen gesellschaftlichen Integrationsvertrag*, Fraktionsbeschluss of 30 May 2006, 2. (hereafter cited in text as *Integrationsvertrag*).

¹¹⁹ For historical examples of the political relationship between German and Turkish leaders from 1870 to 1880, see Maximilian Fliegenschmidt, *Deutschlands Orientpolitik im ersten Reichsjahrzehnt, 1870-1880* (Berlin: Puttkammer & Mühlbrecht, 1912). And, for an exemplary peace treaty signed between the German

countries such as Belgium, France and the United Kingdom, but through immigration.¹²⁰ Since the majority of Muslim guest workers viewed their time in Germany as temporary, and the German state did not recognize itself as a country of immigration, little was done to placate the religious and educational needs of the predominantly Turkish male Muslim population. As the wives and children of these guest workers reunited with their male relatives, the social atmosphere began to change considerably. German politicians were faced with the challenge of accommodating, or in some cases, impeding the integration of Muslims into what was thought to be a Christian society. While large numbers of Germans are exiting the Christian churches annually, the Muslim community is rapidly increasing, altering Germany's religious climate.¹²¹ Today, there are an estimated 3.4 million Muslims in Germany, making it the largest religious body after the Evangelical and Catholic churches.¹²²

and Ottoman emperors from the 18th century, refer to the Holy Roman Empire *Separate convention between the Emperor of Germany and the Ottoman Porte, signed at Sistovo, August 4, 1791.*

¹²⁰ Crisis Group, *Europe Report N°181*, 14 March 2007, 4. (hereafter cited in text as *Europe Report*).

¹²¹ In 2007 *Deutsche Welle* Kate Hairsine, "Economic Boom, Not Pope, Helps Catholic Church in Germany," *Deutsche Welle* 16.04.2007. concluded that between 2000 and 2005 more than 680,000 Catholics officially registered to leave the Catholic Church. And the German Bishops' Conference reported that since 1995 membership in the German Roman Catholic Church has declined by nearly 2 million (1,845,000) people. However, the percentage of Christians in Germany remains proportionally higher than all other religious traditions combined. In 2006, the *Spiegel International* (61) published statistics from 2005 showing that of the more than 82 million people living in Germany, approximately 62 million (over 75 percent) are Christians.

¹²² It should also be noted that Germany has the fastest growing Jewish population in Europe, and, like the Islamic community, the increasing numbers are primarily due to large-scale immigration. The *Spiegel International* reported that in 1955 after WWII, less than sixteen thousand Jews lived in Germany, compared with approximately one hundred and eight thousand in 2005 (62). In 1991 German legislation promoted the immigration of Jews from the former Soviet Union, resulting in more than eighty-five thousand Russian Jews entering Germany (These figures are taken from the German Embassy in Washington D.C.'s website, "Facts on Immigration and Integration in Germany." <http://www.germany.info/relaunch/politics/domestic/Immigration/Immigration.html>). Significantly, the *Spiegel International* reported that in 2005 only ten thousand members of Germany's Jewish population, slightly more than ten percent, are native Germans. It was not until 27 January 2003, during the SPD/Green coalition government, that the Central Council of German Jews was designated as a corporation of the public law, thus granted the same legal status of the Evangelical and Catholic churches.

An investigation of the current state of Islam in Germany is thus intertwined with discussions of immigration, multiculturalism, and the integration of foreigners and their observed religions into society. This chapter seeks to examine the Green Party's interaction with Islam as a religion and Muslims as a predominantly immigrant community in Germany.

Even though the epithet 'Muslim' belies an internally diversified religious tradition, over seventy five per cent of Muslims living in Germany today, roughly 2.5 million, come from a Turkish background.¹²³ Such figures are astounding, since in 1961, prior to the labour agreements, less than seven thousand people of Turkish origin resided in the entire country.¹²⁴ Eighty per cent of the aggregate Muslim population in Germany, more than 2.5 million people, belongs to the Sunni tradition, which is practiced by the majority of Turkish immigrants. The remaining Muslims generally fall under the Shiite umbrella, including 500,000 Alevis¹²⁵ and anywhere from 150,000 to 200,000 Iranian and Turkish Shiites. Germany has approximately 2,600 Muslim places of prayer and 150 mosques (with a dome and minaret).¹²⁶ However, the most crucial statistic facing German

¹²³ After Turkey, the next largest Muslim populations living in Germany are: Bosnia-Herzegovina (283,000), Morocco (109,000), Iran/Iraq (125,000), Afghanistan (86,000), Pakistan (60,000), "other Arabic countries" (90,000) and Africa (140,000, including 24,500 from Tunisia). All statistics are taken from *Europe Report*, 4.

¹²⁴ Ibid.

¹²⁵ Many Muslims deny that Alevis are a separate denomination within Islam, let alone part of the Sunni tradition. Alevis are a distinct religious tradition, whose followers primarily live in Turkey. They are considerably more liberal towards the role of women and religion in society. The EKD claims that between 400,000 and 600,000 Alevis from Turkey currently reside in Germany. Evangelical Church in Germany, *Clarity and Good Neighborly Relations: Christians and Muslims in Germany: An Evangelical Church in Germany Guidepost* (2006), 49 (hereafter cited in text as *Neighborly Relations*).

¹²⁶ Statistics taken from *Drucksache 16/5033: Antwort der Bundesregierung auf die Große Anfrage der Abgeordneten Josef Philip Winkler, Volker Beck (Köln), Renate Künast, Monika Lazar und der Fraktion BÜNDNIS 90/DIE GRÜNEN – Drucksache 16/2085 – Stand der rechtlichen Gleichstellung des Islam in Deutschland*, (Bundesministeriums des Innern, 19 April 2007), 7 (hereafter cited in text as *Drucksache 16/5033*).

politicians is the fact that in 2005, of the nearly 3.4 million Muslims residing in Germany, slightly more than 1 million are naturalized German citizens.¹²⁷

Immigrants attempting to become naturalized Germans were confronted with restrictive laws dating back to imperial Germany's 1913 *Reichs und Staatsangehörigkeitsgesetz* ("imperial and state citizenship law"), Germany's first nationally codified law on citizenship.¹²⁸ It conferred German citizenship via descent (*jus sanguinis*) rather than place of birth (*jus soli*), and was acquired via ancestry rather than place of birth or permanent residency; and therefore, by definition, second and third generations born to immigrants were legally and socially regarded as foreigners.

In their foundational 1980 platform, the *Grünen* boldly presented themselves as defenders of the rights of foreign workers and their families who are an "important and established part of the German population."¹²⁹ But more notably, they opposed German citizenship laws by promoting that their "foreign co-partners" be "granted the full rights of citizenship, if they so desire (freedom of movement, free choice of work, freedom to engage in political activity), proposing laxer legislation."¹³⁰

However, it was only after the unification of Germany in 1990 that the *Grünen* began presenting their national vision of a "multicultural democracy," which included

¹²⁷ Statistics reflect naturalization between 1988 and 2005. *Drucksache 16/5033*, 6. Furthermore, the government claims that only 673,024 of the 2,437,065 Turkish immigrants have been naturalized. See Appendix B for a further break down of immigration statistics

¹²⁸ For a brief summary of Germany's citizenship laws until 2001, see Christiane Lemke, "Citizenship Law in Germany: Traditional Concepts and Pressures to Modernize in the Context of European Integration" *Harvard Focus Europe*, (Spring 2001).

¹²⁹ *Federal Program*, 38.

¹³⁰ *Ibid.*

integrated immigrants.¹³¹ Christian Joppke argued that "multiculturalism in Germany is only secondarily about immigrants; primarily it is about the Germans themselves," concluding that the "debate over the foreigners in their midst has from the start been polarized and distorted by guilt-driven projections, neurotic fears, and false accusations," originating from its national socialist past.¹³² He labeled the "multicultural Greens" as *Ausländerfreunde* (friends of foreigners), who defend the cause of an idealized "good foreigner," whose fate they compare to the injustice endured by Jews during the Nazi regime.¹³³ In doing so, Joppke argued the Greens attempted to escape their 'Germanness,' "which was tainted by Nazism."¹³⁴

This adamant rejection of "völkisch monoculturalism"¹³⁵ is imbedded in the *Grünen's* 1990 election campaign. Under the heading "Multicultural Democracy," they explicitly equated any group persecuting immigrants with fascist regimes, implying that the official FRG policy regarding foreigners was permeated by hostility, concluding that not "only right-wing extremists and neofascist groups spread xenophobia, misogyny and an authoritarian convictions."¹³⁶ They proceeded to implicitly identify their immigration policy as actively avoiding the historical atrocities of Germany's National Socialist past:

Green immigration policy means neither to differentiate according to ethnic criteria nor to disadvantage people. We know from our

¹³¹ In 1990 they published *Die Multikulturelle Gesellschaft*. (Bonn: Die Grünen im Bundestag, April 1990)

¹³² Christian Joppke, "Multiculturalism and Immigration: A Comparison of the United States, Germany, and Great Britain," *Theory and Society* 25, no. 2 (1996): 466, 470.

¹³³ *Ibid.*, 470.

¹³⁴ *Ibid.*

¹³⁵ Joppke explains that the "völkisch conception of nation as a community of descent, which one cannot become a member of unless one already is one, is anachronistic in the multiethnic immigrant societies of today" (*Ibid.* 468). For a further discussion of "völkisch," see Karla Poewe, *New Religions and the Nazis* (New York: Routledge, 2006), 2-3.

¹³⁶ Die Grünen, *Das Programm zur 1. gesamtdeutschen Wahl 1990*, 40.

historical experience how important protection from persecution on political, racist or religious grounds is.¹³⁷

By regarding immigrant communities as potential victims, thereby requiring special political protection, the Greens incorporated them within their minority rights policies.

The election of the Social Democratic Party and their subsequent coalition with the Greens in 1998 prompted a renewed discussion of the need to liberalize naturalization laws.¹³⁸ The Nationality Act, (*Staatsangehörigkeitsgesetz*) which came into force on 1 January 2000, instituted "birthright citizenship," which ensured that any child born in Germany is automatically given German citizenship after meeting minimal requirements.¹³⁹ The new law inaugurated "the principle of *jus soli*, a legal and territorial concept," in addition to that of citizenship based on descent.¹⁴⁰ The CDU were adamantly against reducing the minimum residency requirement from ten to eight years, and the Bavarian CSU published an independent position paper, concluding that foreigners in Germany should embrace "values rooted in Christianity, the Enlightenment, and humanism."¹⁴¹ By the end of 2003, approximately 660,000 foreigners became naturalized German citizens as a direct result of the new law.¹⁴²

¹³⁷ Ibid.

¹³⁸ Joppke notes that in the late eighties, a broad extra-party coalition of churches, unions, charity organizations, and employers' associations had emerged that pushed for liberalization (471).

¹³⁹ These stipulations are that at least one parent has lawfully resided in Germany for eight years and has held an unlimited residency permit (*unbefristete Aufenthaltserlaubnis*) for three years, or, holds a residence entitlement (*Aufenthaltsberechtigung*). For more, see Lemke "Citizenship Law in Germany," 4; and Merih Anil, "No More Foreigners? The Remaking of German Naturalization and Citizenship Law, 1990-2000." *Dialectical Anthropology* 29 (2005): 462.

¹⁴⁰ Merih Anil, 454.

¹⁴¹ Roger Cohen, "How Open to Immigrants Should Germany Be?" *New York Times*, 13 May 2001, 11.

¹⁴² Statistic from German Embassy in Washington D.C. "Facts on German Immigration," <http://www.germany.info/relaunch/politics/domestic/Immigration/Immigration.html> (accessed June 16, 2007).

The Greens' focus on Muslims as a separate group within Germany's immigrant community was first evident at the national level in 2002, when they declared:

We oppose all attempts to discriminate against religious communities or to define them out of our society's religious pluralism. That includes Islam, which has played such an important role in European history with its contributions to the preservation of the European heritage.¹⁴³

After four tumultuous years of inter-party debate in the Bundestag and repeated legislative hurdles, the SPD and Alliance 90/The Greens passed a new Immigration Law in 2005.¹⁴⁴ The law, comprised of the Residence Act and the Act on the General Freedom of Movement for EU Citizen, constitutes Germany's first comprehensive modern immigration law. It contains measures to promote skilled labour migration, humanitarian regulations, security aspects, and the measures for the integration of legal immigrants in Germany.¹⁴⁵

The Greens' reluctance to make major concessions to the original draft was a point of public contention between themselves, their coalition partner, and the CDU.

¹⁴³ *The Future*, 96. Interestingly, in the Federal Election campaign of the same year the Greens make no references to Islam or Muslims.

¹⁴⁴ The Immigration Law was first passed in the Bundestag on 1 March 2002, however, on 18 December 2002, the Federal Constitutional Court (*Bundesrat*) ruled that the Act was improperly passed and therefore invalid. Even though the Act was passed again in the Bundestag on 9 May 2003 without further changes, the *Bundesrat* rejected it once more. Finally, on 25 May 2004, the parties reached a compromise and redrafted the law, which eventually came into effect on 1 January 2005. (figures care of Germany's Federal Ministry of the Interior, http://www.zuwanderung.de/english/1_zeitstrahl.html).

¹⁴⁵ It should be noted that in June 2007, the CDU passed contentious legislation that reformed the Immigration Act. The new law requires immigrants from select countries outside of the EU to possess basic German language skills; and all married people must be at least eighteen before coming to Germany. However, certain citizens, including Canadians, Americans, and Japanese, are exempt from fulfilling the language requirement. The Greens fought adamantly against the changes made to the Immigration Act, arguing that it specifically targets and discriminates against Muslim immigrants. Josef Winkler, described the new measure as "harmful, cheap and disgraceful" (quoted in "German Parliament Passes Immigration Reform," *Deutsche Welle*, June 14, 2007, <http://www.dw-world.de/dw/article/0,2144,2609349,00.html> (accessed June 15, 2007)).

Ultimately, the Greens gave in to the Conservatives' demands that issues of national security and terrorism be addressed.¹⁴⁶ Consequently, section XI of the document, entitled "Security Aspects," instated "discretionary expulsion for 'intellectual incendiaries,'" who are explicitly identified as "agitators in mosques."¹⁴⁷

In May 2006, the Greens published their current integration program, *Für einen gesellschaftlichen Integrationsvertrag*, in which they launched a sweeping reconstruction of their immigration policy. This fifteen page document opens with the declaration that the new immigration law instituted by the Green/SPD coalition led to a change in perspective regarding integration politics in Germany. They claimed that "for the first time the government took responsibility for promoting the integration of new immigrants," which they herald as a "Green success."¹⁴⁸ However, swift to express their dissatisfaction with the lack of progress made by the CDU government, the Greens resolved that immigration is the responsibility of Germans and non-Germans alike, claiming that both sides must show a readiness for communication and willingness to change. Furthermore, they explained that this cooperative process "involves immigrants to an even higher extent since they have to face larger changes through arriving into a new society."¹⁴⁹ It is no longer the state's sole responsibility to integrate foreigners into society, but rather equal, if not greater agency is given to individual immigrants; as such,

¹⁴⁶ The *Verfassungsschutz* (the Federal Intelligence Organization for the Defense of the German Constitution) claims that Muslim extremists in Germany constitute less than one percent of the German Muslim community (*Europe Report*, 1).

¹⁴⁷ Bundestag, Federal Foreign Office *Details of the Immigration Act*, June 18 2004, http://www.zuwanderung.de/english/downloads/specifics_of_immigration_act.pdf (accessed June 16, 2007).

¹⁴⁸ *Integrationsvertrag*, 2.

¹⁴⁹ *Ibid.*, 1.

the Greens proposed a social contract between the German state and immigrants for effective integration.

Numerous politicians and news agencies quickly reported on the drastic policy change; for example *Deutsche Welle* reported "the abrupt turnaround" and "departure from [the Greens] hitherto foreigner-friendly credentials."¹⁵⁰ When interviewed about the Greens' abandonment of its long held idealism, Renate Künast unabashedly stated: "Nobody is infallible," distancing her party from its former image of being the party of "cuddly multicultural policies."¹⁵¹ Bavarian CSU Premier Edmund Stoiber called the amendments "a late realization that their multicultural dreams have failed," advising the Greens to "make way for a realistic integration policy free of ideology."¹⁵²

In their highly publicized paper, the Greens historically located themselves amongst other organizations fighting for immigrant rights, including the two major churches, trade unions, refugee and human rights organizations.¹⁵³ Assessing the present-day situation in Germany, they extol the way immigrants enrich all aspects of society, shaping the scientific, intellectual and artistic communities. However, they vaguely warned that "in some areas of living together the situation is unsatisfactory," as many immigrants are not proficient in German, and "above all that their sons are often taught traditional, patriarchal behaviour – burdening their sisters and partners."¹⁵⁴

The document introduced a fifteen point "Green integration plan", organized around key social issues such as: German language acquisition, educational reforms,

¹⁵⁰ "Germany's Greens Switch Tracks on Integration Policy," *Deutsche Welle* 2 June 2006, <http://www.dw-world.de/dw/article/0,2144,2040053,00.html> (accessed May 2, 2007).

¹⁵¹ Ibid.

¹⁵² Ibid.

¹⁵³ *Integrationsvertrag*, 1.

¹⁵⁴ Ibid.

vocational development, gender equality and the "naturalization of Islam." Although none of these issues are particularly novel in the Greens' integration politics, the method with which they approached them is. Each topic is divided into two organizational principles: the role of the existing (*aufnehmenden*) society and the role of immigrants, consistently placing the obligation for successful integration on both responsible parties. For example, in their discussion of the need to acquire German, the Greens explained that the government must provide language instruction classes, which in turn, the immigrants are socially obliged to take.¹⁵⁵

Although the integration paper broadly applies to all immigrants, the Greens devoted an entire section to "The Naturalization of Islam," which they commenced by acknowledging that "people immigrate with their religion." They enumerated the key responsibilities of "believing immigrants:"

The private, but also the public religious confession of people is constitutionally protected. This protection naturally does not extend to ideologies of inequality, racism, anti-Semitism, or to the discrimination of women and homosexuals. Here we expect an engaged support for human rights.

Religious norms (for example a picture prohibition¹⁵⁶) only apply within a religious community. When publicly criticized, believers may voice public criticism – like every other person – and peacefully express their opinion.

¹⁵⁵ Ibid., 4.

¹⁵⁶ Muslim Green politicians Omid Nouripour and Cem Özdemir were quick to criticize the Islamic fanaticism that resulted from the Danish caricature crisis, in which inflammatory cartoons depicting the Prophet Mohammad, incited international outrage and violence. In their joint article "Ein Appell, den Karikaturenstreit für das zu nehmen, was er ist," published in the Green Youth magazine *Spunk*, they

However, they are prohibited from aggressively forcing their internal convictions and laws on members of society who think differently – especially by not taking the law into one's own hands."¹⁵⁷

In this publication and in others, the Greens avoid discussions of theological sectarianism within Islam, and view integration not as an act of assimilation, but rather as a fluid negotiation between the existing society and the Muslim community – resulting in the Greens' envisioned *multicultural democracy*. Their key agenda is to promote the naturalization of foreigners, perceiving German citizenship to be a vehicle with which to cement both the rights and obligations of the state and society in general.

Arguably, the two most prominent German politicians of Turkish origin are Cem Özdemir and Ekin Deligöz, both of whom are Green Party members.¹⁵⁸ The latter came into the international spotlight when her suggestion that Muslim women living in Germany stop wearing headscarves and embrace western culture resulted in death threats necessitating police protection.¹⁵⁹ Özdemir, currently a Green representative in the European Parliament, was the first German of Turkish origin elected to the Bundestag, serving two terms from 1994 to 2002.¹⁶⁰

claimed that the conflict necessitated a new discussion of the limits of religious tolerance and freedom of the press, particularly in the European Union (4).

¹⁵⁷ *Integrationsvertrag*, 14.

¹⁵⁸ Other elected Greens with Turkish origins are: Bilkay Öney (Berlin) Özcan Mutlu (Berlin), Filiz Polat (Lower Saxony), Nebahat Güclü (Hamburg). The most famous Turkish Green Party member is Cem Özdemir, who joined the Greens in 1981 and is now a member of the European Parliament for the Greens/EFA Parliamentary. Statistics taken from *Europe Report*, 30.

¹⁵⁹ "Police Protection for German Parliamentarian," *Spiegel Online*, October 31, 2006, <http://www.spiegel.de/international/0,1518,445757,00.html> (accessed November 10, 2006).

¹⁶⁰ *Europe Report*, 30.

Both Muslim and non-Muslim Green politicians and party members held a "Future Conference" in early September 2006, attended by over fifteen hundred participants. During the two day event they focused on six pivotal topics, including issues of social policy and integration. The result of the conference was *The Green Gaze Forward*, a published collection of theses in which they included a brief analysis of Islam in German society:

Integration actually means the naturalization of Islam. Comparable to the Christian churches and the Central Council of the Jews, there must be a *Körperschaft öffentlichen Rechts*, which represents the Muslim religious communities. We need Imams and Islamic religious teachers who are trained at German universities and who mediate an Islamic view which is compatible with the Basic Law and our legal order.¹⁶¹

This dense declaration summarized the key responsibilities of the state in order to ensure the integration of Islam, essentially assisting in establishing Muslim organizations and promoting education.¹⁶² The naturalization of Islam implies granting Muslim assemblies

¹⁶¹ Bündnis 90/Die Grünen, "Grüner Blick nach vorne – Thesen zur Zukunftsdebatte von BÜNDNIS 90/DIE GRÜNEN" in *Der Grüne Zukunftskongress*, ed. Reinhard Bütikofer and Claudi Roth, 2006, 16 (translation mine).

¹⁶² Contemporary discussions of religious tolerance and the current state of Islam in Germany are dominated by the issue of religious instruction in the public school curriculum, which is guaranteed by Article 7 of the *Basic Law*. Parents choose whether to send their children to Catholic or Evangelical religious classes, or neither. However, according to the "Bremen Clause" in the Constitution, religious bodies do not need to be corporations in order to conduct religious instruction, as school curriculums are under the jurisdiction of regional governments. Notably, in 1996 the Brandenburg regional government introduced *Lebensgestaltung-Ethik-Religionskunde* (Lifestyle, Ethics, and Religious Studies), LER, as an alternative program, which is the equivalent of introductory North American Religious Studies or Comparative Religion classes. For children and young adults, the school environment is the central locality for integrating with their peer group and, and factors largely in upward social mobility. Thereby, the Greens demand that Muslim girls be permitted to participate in physical education and sex education courses, from which they are frequently excluded by their parents. This present study does not discuss this phenomenon, because ultimately in order for Islamic religious instruction to be introduced into the public school system,

comparable status with Christian and Jewish *Körperschaften*,¹⁶³ which the Greens acknowledged is only viable if Muslim associations become Islamic religious corporations of the public realm.¹⁶⁴

There are three fundamental requirements a religious community in Germany must satisfy before obtaining corporation status; they must: 1.) have a sufficient number of officially declared members, 2.) prove that the group will remain in Germany for an extended period of time, and 3.) organize a governing body which can represent its followers vis-à-vis the state.¹⁶⁵ In the eyes of the state, only the second requirement has unequivocally been met; while Islam is the country's second largest religion, only ten to fifteen percent of the country's practicing Muslim populations are formally registered as members of various organizations.¹⁶⁶ With the manifold denominational, cultural, ethnic, legal, and ideological differences in the Muslim community, the creation of a *single* governing body equivalent to the Central Council of Jews or the EKD is highly

according to the *Basic Law*, there must be a legitimate body in place to oversee its administration. For an excellent discussion, refer to Fetzer and Soper (2005).

¹⁶³ Other religious communities, including Muslims, are able to categorize themselves in two legally recognized structures: a foundation (*Stiftung*) controlled by a group of trustees, or as a registered association (*eingetragener Verein*) that is democratically structured with a recognizable membership list. Jørgen Nielsen, *Muslims in Western Europe* (Edinburgh: Edinburgh University Press, 1995), 27.

¹⁶⁴ There are of course two conflicting issues that emerge during examinations of the processes Islamic organizations must undertake to become religious corporations under German law. Christian Troll (2003, 18) a leading expert on Christian-Muslim relations, argued that Muslim associations simultaneously desire to be established within Germany's legal order, but also seek to avoid "the process of '*Verkirchlichung*,' ('churchification' as it were) of their religion." The latent Christian meaning of "Church" comes into direct conflict with Muslim practices and institutional structures. Similarly, in an interview for the Green magazine *profil Grün*, Josef Winkler sat down with Mounir Azzaoui, the spokesman for the Central Committee of Muslims in Germany, to debate the primary social disadvantages faced by the German Muslim population. Azzaoui entreated that Islam should not be forced into the "*Kirchenkorsett*," as the "church corset" is foreign to Islamic organization. For the entire interview, see Josef Winkler and Mounir Azzaoui interviewed by Agnes Steinbauer, "*Wir wollen doch diese Gesellschaft nicht islamisieren*," *profil Grün* 09/2006.

¹⁶⁵ Christian SJ Troll, "Christian-Muslim Relations in Germany. A Critical Survey," *Islamochristiana* 29, <http://www.sankt-georgen.de/leseraum/troll20.pdf>, 2003 (accessed April 17, 2007), 184.

¹⁶⁶ For more statistics on the Muslim community in Germany, see *Drucksache 16/5033*.

problematic.¹⁶⁷ And of the existing Islamic organizations, relatively few have clerical hierarchies comparable with the Christian churches, who are in the position to speak on behalf of the members they represent.¹⁶⁸

An additional, unspoken prerequisite is that the religious body must agree to conform *to* and propagate the values enshrined in the German *Basic Law* amongst its adherents. This includes principles of democracy, gender equality, and religious tolerance for all faith groups. While it is not the aim of this thesis to determine whether or not Islam is intrinsically compatible with democratic, pluralistic countries such as Germany, the difficulties surrounding its integration are glaring.¹⁶⁹ To date, no Islamic community in Germany is legally recognized as a corporation of the public law.

One month after launching their new policy, the Greens posed their "Big Question" regarding the "Legal Equality of Islam in Germany" to the Bundestag.¹⁷⁰ The CDU responded on 18 April 2007 with their answer in the form of an eighty-eight page

¹⁶⁷ There are numerous organizations representing the interests of Muslims at the national and provincial levels: DİTİB (Turkish Islamic Union for Religious Affairs, as an office of the Turkish government it poses constitutional problems), IGMG (Milli Görüş Islamic Community), ZMD (Central Council of Muslims in Germany), and VIKZ (Association of Muslim Cultural Centers), Jama'at un-Nur ("Society of Light"), IGD (Islamic Society of Germany), IZH (Hamburg Islamic Center), Ahmadiyya Muslim Jama'at (Ahmadiyya Muslim Community), the oldest Muslim organization is the DML (German Muslim League), Islamic Council for the Federal Republic of Germany, Union of Bosnian Muslim Congregations in Germany, Albanian Islamic Cultural Centers, and Alevi Congregation Germany. For a discussion of each organization, see *Neighborhoodly Relations*, 4.2.

¹⁶⁸ In *Neighborhoodly Relations*, the EKD addresses the lack of clerical hierarchy as an obstacle hindering corporation status: "Islam, however, is not a church, and has neither synods and bishops, nor a pope or council as its authoritative speaker and representative of the faith. If Muslims in a non-Muslim state wish to establish collective rights of representation and enter into cooperation agreements with the state and with groups in civil society, they require legitimate representatives who can act as partners in dialogue with the various state authorities" (4.1.2).

¹⁶⁹ For such a discussion, see Samuel P. Huntington's infamous work *The Clash of Civilizations* (New York, Simon & Schuster, 1996).

¹⁷⁰ Bündnis 90/Die Grünen, *Drucksache 16/2085: Große Anfrage der Abgeordneten Josef Philip Winkler, Volker Beck (Köln), Renate Künast, Monika Lazar und der Fraktion BÜNDNIS 90/DIE GRÜNEN – Stand*

informational document covering all aspects of Muslim life, including a broad-spectrum of statistics on: immigration patterns, denominational differences, rituals, holy days, burial rights, places of worship and prayers, as well as Islamic instruction in and outside of the public school system.

At the end of September 2006, Germany's Interior Minister Wolfgang Schäuble (CDU) initiated the Islamic Conference¹⁷¹ in the hopes of establishing a framework with which to pioneer a "German Islam," the definition of which remains vague.¹⁷² The conference prompted mixed reactions from Green party members, culminating in a deluge of press releases and statements.

Renate Künast's speech to the Bundestag in September 2006 rearticulated the Greens' policy paradigm shift, when she explained that integration must be understood as "a contract in the Rousseauan sense," pledged between the German government and immigrant community.¹⁷³ She reiterated the Greens' call for conferral of corporation status on Islamic associations, which she argued "the Muslims must to a large extent do themselves."¹⁷⁴

der rechtlichen Gleichstellung des Islam in Deutschland (Berlin, H. Heenemann GmbH & Co., June 29, 2006).

¹⁷¹ In an attempt to appease the growing social and political outrage, Chancellor Angela Merkel held the "Integration Summit" in July 2006. The Greens criticized Merkel's decision to organize the Integration Summit separate from the Islamic Conference. For a Green opinion, see interview with Renate Künast, "Wir müssen einen europäischen Islam entwickeln," *Passauer Neue Presse*, September 28, 2006, http://www.renate-kuenast.de/themen/integration/islam_einbuergern (accessed November 18, 2006).

¹⁷² "German Islam," also referred to as "European Islam," or "Europeanized Islam," is a highly precarious term, which ambiguously refers to an *ideal* form of Islam that is compatible with European values. "Lowering the Wall Between Mosque and State," *Spiegel Online* September 27, 2006 <http://www.spiegel.de/international/0,1518,439410,00.html> (accessed March 13, 2007).

¹⁷³ Renate Künast, "Islamkonferenz" speech in *Bundestag* 28 September 2006 http://www.gruene-bundestag.de/cms/bundestagsreden/dok/149/149570.renate_kuenast_islamkonferenz.htm (accessed May 14, 2007).

¹⁷⁴ Ibid.

Similarly, when asked to speculate why a public opinion poll found that fifty six percent of Germans viewed the current social dynamic between Muslims and non-Muslims as functioning inadequately, Claudia Roth, the co-leader of the party, attributed the statistic to fear and ignorance on both sides.¹⁷⁵ She surmised that the two groups must agree that democracy, women's rights, and freedom of religion are nonnegotiable social and political values. However, she stipulated that tolerance must be reciprocal, as a

strictly orthodox Muslim man must tolerate that here men may marry and kiss each other on the street. And a feminist must tolerate that there are women who wear a headscarf. And it should also be said that CSU men must also tolerate Green women. This is also impertinence (laughs).¹⁷⁶

Muslim Green politician Omid Nouripour embodies the party's immigration policy, frequently describing himself as the "crown jewel of integration."¹⁷⁷ In 1988, at the age of thirteen, he immigrated with his family from Iran to Germany, following the Iran-Iraq War. His story mirrors that of many foreigners who came to Germany with the goal of establishing a new life free from ideological and financial constraints.¹⁷⁸

In an interview, Nouripour related that originally it was the Greens' social policy and concern for foreigners' rights rather than environmentalism that attracted him to the

¹⁷⁵ Claudia Roth, "Nur große Reden helfen nicht" interview in *Neuen Westfälischen* 27 September 2006 http://www.grüne.de/cms/themen/dok/149/149382.nur_grosse_reden_helfen_nicht.htm (accessed May 17, 2007).

¹⁷⁶ Ibid.

¹⁷⁷ Omid Nouripour "Besser integriert als Helmut Kohl" interview in *Zitty* October 25, 2006 [http://www.nouripour.de/index.php?id=einzelsicht&tx_ttnews\[tt_news\]=127100&cHash=57c9e75d0a](http://www.nouripour.de/index.php?id=einzelsicht&tx_ttnews[tt_news]=127100&cHash=57c9e75d0a) (accessed May 17, 2006).

¹⁷⁸ In the above cited interview, Nouripour chronicled how his parents sacrificed prominent careers for catastrophic "social descent" by immigrating to Germany. He explained that his parents left Iran because

party.¹⁷⁹ And although he identified himself as a believing, but non-practicing Muslim, he has become the unofficial Green spokesman for all issues related to Islam.¹⁸⁰ He commented that if he did not undertake "the dirty job" of explaining Muslims and non-Muslims to each other, a fundamentalist Islamic apologist could take over in his stead.¹⁸¹

As an articulate philosopher, environmentalist, author, and politician, his appeal spans generations and ethnicity, while his familiarity with Islamic and German culture makes him a knowledgeable and non-threatening dialogue partner.¹⁸² 2002 marked two milestones for Nouripour as he officially became a naturalized German citizen and entered the Bundestag as an elected member of parliament. On 29 September 2006, Nouripour's first speech, which coincided with the Islamic Conference, was infused with personal and religious rhetoric. He expressed his approval that the summit conceded that Islam is "a social reality," the realization of a "goal for which the Greens fought for decades."¹⁸³

In front of his captive audience, Nouripour acknowledged his irritation over reading that Wolfgang Schäuble, Germany's Interior Minister, and instigator of the Islamic Conference, had not actually read the Qur'an. And as such, Nouripour used the

his older sister had failed her ideological examinations and as such was denied the right to further her education, and, at age fourteen, Nouripour would have automatically been conscripted for military service.

¹⁷⁹ Omid Nouripour, interview with author, October 25, 2006. Berlin.

¹⁸⁰ In an interview Nouripour explained that he does not practice Islam for two reasons: 1.) ideologically it is lacking discussion and pluralism, and 2.) practically, he cannot pray five times a day. Interestingly, he asserted that no one should judge him theologically for how he chooses (or chooses not to) practice his faith – which he identified as "the key to modern Islam."

¹⁸¹ Nouripour, telephone conversation with author.

¹⁸² On his website he includes a rap song he wrote and performed with the popular musician Niggi, which he released for the 2005 Election campaign: "*Euer Sommerlied*." In 2007 he published *Mein Job, meine Sprache, mein Land. Wie Integration gelingt* (Freiburg: Herder, 2007).

¹⁸³ Omid Nouripour, *Die erste Bundestagsrede: Thema Islamkonferenz*, speech in Bundestag, September 29, 2006.

[http://www.nouripour.de/index.php?id=einzelansicht&tx_ttnews\[tt_news\]=127188&cHash=cfb6db3c7e](http://www.nouripour.de/index.php?id=einzelansicht&tx_ttnews[tt_news]=127188&cHash=cfb6db3c7e) (accessed May 4, 2007). The following translations from Nouripour's speech are the author's.

opportunity as a Green and an appointee of German Islamic Conference to gift Schäuble with a copy of the Qur'an. His dramatic gesture was responded to by both applause and disapproval from other parliamentarians, specifically, Hans-Michael Goldmann (FDP), who immediately offhandedly asked whether or not Nouripour had a Christian New Testament at home. To which Nouripour proudly retorted that he not only owned a copy, but has read it "frequently." Josef Winkler, the Green parliamentarian for Church and Immigration politics, and a prominent Catholic, came to his defense, yelling from his seat: "It's even in German! I've seen it!"¹⁸⁴

In a further humorous display, Nouripour offered Edmund Stoiber, the former chairman of the CSU and Governor of the Free State of Bavaria, "heartfelt congratulations" on his birthday. After which Nouripour criticized a statement made by Stoiber in the *Bild-Zeitung* on 7 September 2006, from which he cited:

Christianity differs for instance from Islam in so far as we reject intolerance, grant religious freedom, advocate equal rights of men and women, completely disapprove of forced marriages. For us every person is unique, every person has dignity, the right to freedom, and has equal rights.

Nouripour responded to Stoiber's comments, pointing out to members of the Bundestag that the rift

is not between Muslims on one side and Christians on the other, but rather between democratic, freedom-loving people, and those forces who oppose democracy and freedom in this country. That's where one has to draw the

¹⁸⁴ Ibid.

line. Otherwise one does not have a chance to approach the hearts and minds of young people who still seek orientation and these we must win. That is the central point for which we must fight.¹⁸⁵

Remarkably, in their 2005 publication *Interreligiöser Dialog zur Friedensförderung: Abgrenzung – Toleranz – Differenz*, the Christian federal interest group BAGChr tackled the theological and sociological hurdles hindering interreligious dialogue between Christians and Muslims.¹⁸⁶ They recommended means of approaching Muslim minorities, given Germany's 'western' culture "with its Judaic, Christian and Humanist traditions." Tersely, they noted that politics tends to concentrate on integration, thereby disregarding cultural and ideological differences.¹⁸⁷ Many of these distinctions are conspicuous in German society, such as Muslim women wearing headscarves, girl students refraining from participating in sex-education and swimming classes, and obvious language barriers. BAGChr proposed that acknowledging the religious and cultural differences is the best form of interreligious dialogue, because only through "differentiation can religions be taken seriously."¹⁸⁸

Hence, as early as April 2005, BAGChr determined that individual organizations representing Sunni, Shiite, Alevis, and other denominations were lacking.¹⁸⁹ Omid Nouripour, the most outspoken Green to address the internal, theological divisions within Islam, expressed his hopes that the Islamic Conference would publicly highlight

¹⁸⁵ Nouripour speech.

¹⁸⁶ BAGChr, *Interreligiöser Dialog zur Friedensförderung: Abgrenzung – Toleranz – Differenz* (Düsseldorf: TIAMATdruck GmbH), 2005.

¹⁸⁷ Ibid., 4

¹⁸⁸ Ibid., 5

¹⁸⁹ Ibid., 4-5

intra-Muslim controversies, so that Muslims as well as Germans will become more aware that there is not *one* Islam, which for me, beside the contract with the state, is what is what is most important in this conference.¹⁹⁰

Interestingly, one of the most significant outcomes of the Conference was the formation of the umbrella organization the *Koordinierungsrat der Muslime in Deutschland* (KRM), the Muslim Coordination Council, from four Islamic associations on 11 April 2007.¹⁹¹ Schäuble described the alliance as a timely "good step," and Cardinal Lehmann, chairman of the German Bishops' Conference, voiced his support for the new organization, acknowledging that interreligious dialogue requires "reliable partners."¹⁹²

However, the optimism regarding the KRM was cautioned by Omid Nouripour and Cem Özdemir, who argued that various ethnic and theological differences between Islamic traditions were ignored in order to centralize and appease the Muslim population. Özdemir suggested that the constant political pressure to create a single body to represent Muslim interests in Germany was counterproductive, justifying that it "would be naive to

¹⁹⁰ Katharina Schuler, "Der Wohlfühl-Gipfel," *Die Zeit*, 27 September 2006 <http://www.zeit.de/online/2006/39/Gipfel-2?page=2> (emphasis added).

¹⁹¹ The four organizations were the: Turkish-Islamic Union for the Institution of Religion (DITIB), Islamic Council (IR), Central Council of Muslims (ZMD) and the Association of Islamic Culture Centres (VIKZ). "New Umbrella Organization to Represent Muslims in Germany," *Deutsche Welle* April 11, 2007. <http://www.dw-world.de/dw/article/0,2144,2438883,00.html> (accessed May 17, 2007).

¹⁹² Omid Nouripour, "Nouripour begrüßt Koordinierungsrat der Muslime," April 12, 2007 [http://www.nouripour.de/index.php?id=einzelansicht&tx_ttnews\[tt_news\]=127301&cHash=d769b8ecbf](http://www.nouripour.de/index.php?id=einzelansicht&tx_ttnews[tt_news]=127301&cHash=d769b8ecbf) (accessed June 6, 2007).

expect that all German Muslims speak with one voice, or that this organization act as something like a Muslim pope." ¹⁹³

Suspensions regarding the motivations behind the Greens' concentration on obtaining equal rights for immigrants, and their singling out of the Muslim community, have been raised by various parties and political observers. However, while the Greens admit to seeking a greater voter-base, Muslim Green Özcan Mutlu conjectured that most "Turks in Germany are very conservative; the CDU would seem to be their natural choice," but the Conservatives continue "to turn them off with anti-Turkish politics and rhetoric."¹⁹⁴ Likewise, Aiman Mazyek from the Free Democratic Party and member of the Central Committee of German Muslims, speculated:

The CDU/CSU is Islamophobic and Turcophobic in fact. The Greens started off unfriendly to religion but through the peace movement they developed relationships and affinities with churches and prayer spaces. Muslims' relatively small numbers mean they can be important for a small party like the Greens or the FDP but less so for the mass parties CDU or SPD.¹⁹⁵

On 11 March 2007 in Düsseldorf, the North Rhine-Westphalian Greens founded the *Offener Arbeitskreis grüner Muslime/innen*, making political history as the first national party with an official, active Muslim special-interest group.¹⁹⁶ The organization has twenty members from Turkish, North African, Bosnian, and German origins,

¹⁹³ "German Muslim Groups to Speak as One," *Spiegel Online* March 09, 2007, <http://www.spiegel.de/international/0,1518,470396,00.html> (accessed April 14, 2007).

¹⁹⁴ *Europe Report*, 29.

¹⁹⁵ *Ibid.*, 30.

including Mounir Azzaoui. Their primary task is to network Muslim supporters in the region and serve in an advisory capacity between the party and various Islamic associations. The future development of this circle will be interesting to monitor, particularly whether or not it will result in a federal interest group.¹⁹⁷

The current church-state dynamic offers an available schema for integrating other religions, including Islam, into Germany's political and social systems. In an interview, Jarasch explained that the Greens perceive Muslims to be an ethnic minority, needing state recognition and guardianship; she prefaced her elucidation with the warning "what I'm about to tell you is a little strange":

That's why the same atheists that hated the Christian Church (or at least wanted to abolish the privileges of the Church) still want to protect the rights of Muslims and Jews – but as minorities. I have the impression that they don't necessarily want to see them as a religion; they did not see the contradiction between wanting to protect and increase the rights of Muslims, but at the same time fight against the privileges of the Church. For them, it is a question of justice and minority protection, but not a religious issue. But now with the integration discussion of the last year – this is changing a little bit."

¹⁹⁶ "Gründung 'Offener Arbeitskreis grüner Muslime/innen' - Erster Zusammenschluss politisch aktiver Muslime/-innen innerhalb einer deutschen Partei," March 25, 2007. <http://islam.de/8147.php> (accessed June 29, 2007).

¹⁹⁷ Bündnis90/Die Grünen in NRW, "Grüne Muslime in NRW gründen offenen Arbeitskreis," March 13, 2007, http://www.gruene-nrw.de/Gruene_Muslime_in_NRW_gruenden_offen.10091.0.html (accessed June 29, 2007).

Thus, there is an apparent contradiction between the Greens' desire for the separation of church and state, and their objective to make Islam a religious corporation of the public law, equal to the Evangelical and Catholic churches. The Greens' struggle to increase the rights of immigrants, by facilitating their social and religious integration, is ironically beginning to redefine the party's interaction with the Christian churches.¹⁹⁸ The existing legal framework is proving to be a beneficial model upon which to develop a new relationship between Islam and the German government. Perhaps the Greens' paradigm shift in regards to their integration policy will prompt an equally drastic contemporary discussion of the prevailing role of religion in German society and politics.

¹⁹⁸ In fact, the Greens have met with the Catholic and Evangelical churches to discuss ways in which to cement the rights of immigrant and asylum seekers. In an interview, Reinhard Bütikofer commented that the Greens receive significant support from the Catholic bishops for their attempts to get "more recognition of Islam as the third creed" in Germany. The Greens also work with the Evangelical church in the same capacity; for example, on 29 November 2006, top-ranking officials from the party and the EKD convened to broach topics including the integration of Islam and climate protection. This event was publicized by both the EKD and Bündnis90/Die Grünen "Spitzengespräch von Bündnis 90/Die Grünen und EKD: Dialog mit dem Islam, Klimaschutz und Zukunftsprozess der EKD diskutiert" November 30, 2006 http://www.ekd.de/presse/pm248_2006_gespraech_ekd_gruene.html (accessed December 17, 2007).

Chapter Three:

A "strange and complicated" Conflict between the *Grünen* and the Catholic Church over
Abortion and Paragraph 218

'Das Tischtuch ist zerschnitten,' Grüne sind allenfalls als einzelne, nicht aber als Partei
beim Katholikentag geduldet.

Hans Maier, former president of the Central Committee of German Catholics.¹⁹⁹

Die Grünen sind nicht wählbar.

Cardinal Höffner, former president of the German Bishops' Conference.²⁰⁰

Mounting controversies between the *Grünen* and the Catholic Church came to a head in September 1986, when the party was publically excluded from the 89th *Katholikentag* in Aachen.²⁰¹ Leading figures from respected Catholic organizations utilized various religious and secular media outlets to justify the *Grünen's* ostracism from

¹⁹⁹ Hans Maier quoted in " *Spiegel* Streitgespräch: "Das ist sozusagen der Kriegsfall:" Hanna-Renate Laurien und Antje Vollmer über Abtreibung und Selbstbestimmung der Frauen," *Spiegel* 42, 13 October 1986.

²⁰⁰ Ibid.

²⁰¹ Both the Evangelical and Catholic Churches in Germany hold annual "Church Days" on alternating years. Each convention attracts upwards of one hundred thousand people, and are attended by the foremost theologians, speakers, politicians, and the general public, who meet to discuss political and social issues. On their website, the EKD claims that they "gather together people who openly ask questions about God and who consider the world to be the right place for Christian faith to prove itself." DEKT, "What the Kirchentag is and what it wants," <http://www.kirchentag.net/index.php?id=84&L=1> (accessed May 14, 2007); The *Katholikentage* are run by the Central Committee of German Catholics and the next event, the 97th Church Day, is scheduled to take place in early May 2008. The 31st *Deutscher Evangelischer Kirchentag* (DEKT) was recently held in Köln in June 2007. For a historical overview of the DEKT, see Rüdiger Runge and Margot Käßmann, *Kirche in Bewegung: 50 Jahre Deutscher Evangelischer Kirchentag* (Gütersloher: Gütersloher Verlagshaus, 1999).

the event. The primary motivating factor identified was the party's repeated appeals for the dissolution of the infamous Paragraph 218 from the *Strafgesetzbuch* (StGB), which classifies abortion as a punishable criminal offence. Joseph Cardinal Höffner, president of the German Bishops' Conference (DbK), avowed that the *Grünen* were "not votable" for German Catholics; while his colleague, Hans Maier, chairman of the Central Committee of German Catholics, metaphorically declared that "the tablecloth was cut" between the party and Catholic organizations, making constructive dialogue unthinkable.²⁰²

Both Christians and non-Christians within the *Grünen* defiantly responded to the admonishments with equally unsubtle rhetoric.²⁰³ For example, Christa Nickels, arguably the party's most influential Catholic, described in the *Tageszeitung* that the expulsion from the Aachen Church-Day was

the total exorcism of the Greens from the Holy Roman Catholic Church! Thank God this maneuver was too transparent and impudent in its unchristian arrogance, so as not to come back on the initiators as quickly as a boomerang. However, a large concern remains: the fact that many Christians know the Greens only from the tirade of the Church hierarchy and, vice versa, that many Greens reduce Catholicism to Cardinal Höffner, and through these people walk clumsily into the deep ditch, which the

²⁰² At the time, Dr. Hans Maier was also the Bavarian Minister of Culture for in the Christian Socialist Union party. Likewise, Dr. Friedrich Kronenberg, Secretary General of the ZdK, affirmed that the *Grünen*'s stance "runs diametrically against our basic constitution" (KNA ID 27 /03.07.1986).

²⁰³ Joschka Fischer described Maier and Höffner as "miserable cowards" in "Dieses Getto hat der Kirche nie gutgetan," *Spiegel* 38, 15 September 1986.

Cardinal and the president want to put between the Catholic barricade of wagons and the alternatives!²⁰⁴

During life-history interviews conducted in fall 2006, when asked what issue defined the relationship between the Christian churches and the *Grünen*, the unanimous answer from party politicians and advisors was abortion and its respective Paragraph 218 from the German Criminal Code. The publicized altercations and disputes between the Catholic Church and the party became known as the "interview-wars."²⁰⁵ This chapter attempts to place the German abortion debate within its historical and social context, detailing the evolving, and often acrimonious positions of the Greens and the Catholic Church.²⁰⁶

The infamous Paragraph 218²⁰⁷ from the German Penal Code dates back to the *Reichsstrafgesetzbuch* of 1871, which was originally derived from the Prussian Criminal Code of 1851.²⁰⁸ In his historical survey of German abortion laws, Eser (1986) documented that in the middle of the nineteenth century abortion was classified as an

²⁰⁴ Christa Nickels, "Gastkommentar: Zum Ausschluß grüner Politiker vom Katholikentag," *Tageszeitung* 13 September 1986, 4.

²⁰⁵ David Seeber, "Katholische Kirche – Grüne Gründe und Hintergründe eines Konflikts" in *Begrünete Hoffnungen*, 226.

²⁰⁶ It should be noted that during interviews the Greens seldom spoke of the Evangelical Church in Germany as presenting road blocks for the party on controversial issues such as abortion. Correspondingly, in her article "Kirchentag und Bündnisgrüne," included in *Begrünete Hoffnungen*, Margot Kässmann, Secretary General of the DEKT, provides an interesting examination of the "relative relaxed relationship" between the Evangelical *Kirchentage* and the Greens. She provides a list of "dialogue bridges," areas of mutual concern and agreement, between the two institutions, including *Schöpfung Bewahrung* and questions of justice and freedom. In the 1998 collection edited by Nickels, Kässmann's amiable essay immediately follows "Ist das Tischtuch noch zerschnitten?" an article by Hans Meyer, the current ZdK president, which is needless to say, less optimistic.

²⁰⁷ For the current and complete version of Paragraph 218, "Termination of Pregnancy," and Paragraph 219 "Counseling of Pregnant Women in an Emergency or Conflict Situation," See Appendices C and D.

²⁰⁸ Albin Eser, "Reform of German Abortion Law: First Experiences," *The American Journal of Comparative Law* 34 no. 2 (1986), 369 (hereafter cited in text as *Abortion Reform*).

"independent crime distinguishable from the killing of a born life."²⁰⁹ In 1927, attempts to liberalize the abortion law gained momentum when the *Reichsgericht*, the highest court in Germany, ruled that abortion was permissible if the mother's life and/or health were at risk, as an "extra-statutory necessity" (*übergesetzlicher Notstand*).²¹⁰ However, as Eser explained, the "medical test" (*medizinische Indikation*) used to determine the mother's state "turned on a balancing of personal values, specifically the value of the foetal life on the one hand and that of the mother's health on the other."²¹¹ The National Socialist eugenic laws on hereditary health (*Erbgesundheitsgesetze 1933/35*) forced the termination of pregnancies potentially carrying fetuses with "hereditary defects."²¹²

Following WWII, eugenic testing was eradicated in the first draft of the West German Criminal Code of 1962, and permission for abortions was once again secured through often subjective practices.²¹³ Margarethe Nimsch, a leading Green, noted that prior to 1975, while the *Grünen* were still a burgeoning movement, the abortion debates between the Social Democratic Party (SPD) and the Christian Democratic Union (CDU) were devoid of contemporary ethical questions regarding the protection of unborn life.²¹⁴ She claims that the bioethical debates were limited to issues of women's freedom of choice and upholding the legal system based on Christian values.

In 1975, the Social Democrats passed the *Fristenlösung*, a law permitting abortions within the first trimester; however, after 193 opposition legislators, along with

²⁰⁹ *Abortion Reform*, 369.

²¹⁰ *Ibid.*, 371.

²¹¹ *Ibid.*

²¹² *Ibid.*

²¹³ Esner (1986, 371) claimed that the subjective nature of the doctors' diagnoses drastically increased the number of abortions in West Germany, citing that the number of legal abortions skyrocketed from 2,858 in 1968 to 13,201 in 1973, and 17,814 in 1974.

²¹⁴ Margarethe Nimsch, "Abortion as Politics," *German Politics and Society* (Winter 24/25, 1991/2), 129.

representatives from six of the German states (*Länder*), filed an appeal to the German Constitutional Court, the abortion reforms were nullified on the grounds that they violated the "right to life" enshrined in the Constitution.²¹⁵ Nimsch argued that the repeal "made the protection of unborn life the legal purpose of abortion laws," shifting focus away from the mother and onto the fetus.²¹⁶

In West Germany, Paragraph 218 and issues surrounding abortion catalyzed revolutionary feminist movements, which later materialized in the official policies of the *Grünen*. Not only did the controversial topic alienate the *Grünen* from the Catholic Church, but it also fueled inner-party conflicts. Although opinions ranged from "pro-life" to "pro-choice," the party agreed that women should not be *punished* for choosing to terminate an unwanted pregnancy. In their inaugural 1980 platform, under the inadequate heading "Pregnancy," they cemented their position:

Concerning the question of abortion, two fundamental goals of *Die Grünen* come into conflict with one another: on the one hand, we vigorously support the right of self-determination for men and women; and on the other hand, we desire to protect life in all its aspects. The desire to protect life, above all human life, and concern for the future does not

²¹⁵ Concessions were made in cases where the woman's life was endangered, or where the fetus was significantly deformed. For more on the history of the German abortion law, especially the amendments made in 1975, see John J. Hunt, "A Tale of Two Countries: German and American Attitudes to Abortion Since World War II," UFL Proceedings (1994) <http://www.uffl.org/vol%204/hunt4.pdf> (accessed March 11, 2007).

²¹⁶ Nimsch, "Abortion as Politics," 129.

merely depend upon the possibilities inherent in the individual family,
but demands the full cooperation of government and society.²¹⁷

Petra Kelly recalled that during the *Grünen's* formational years, conflicting opinions on the abortion issue amongst members "nearly blew the party apart," claiming:

We had a big discussion, and I presented the position that we must get rid of this law because it is unjust to women as it considers them murderers and leaves men out entirely. There should never be a situation where a board of men – some doctors and judges – tells a woman what she must do. That's impossible. It's completely patriarchal. Of the ten women in the *Fraktion*, eight of us voted for my position, but the majority of the men agreed with the Catholic nurse that much of the law should remain. Most of the women argued that the law must be repealed because it is being used by the Christian Democrats to cut off money from hospitals and family planning centers. The position we finally arrived at is that we reject Paragraph 218, we call for ecological and safe forms of birth control, and we call on men to take responsibility for contraception.²¹⁸

As will be discussed later in the chapter, ultimately the German government and constitutional courts championed the position of the "Catholic nurse," Christa Nickels.

However, it was not until the 1987 election campaign *Show Your True Colours* in the section "Away with Paragraph 218," that they called for the abolition of criminal laws connected with abortion.²¹⁹ In a spatially off-set sentence the Greens declare: "Only when

²¹⁷ *Federal Program*, 35.

²¹⁸ Kelly quoted in Fritjof Capra and Charlene Spretnak, *Green Politics: The Global Promise* (Santa Fe: Bear & Company, 1986), 108, 109.

²¹⁹ The *Grünen* were noticeably silent about abortion and Paragraph 218 in the 1983 election campaign.

§218 is discarded without substitution, can women themselves more freely decide for or against a child: it is her right to self-determination that is ensured in the question of an inadvertent pregnancy."²²⁰

The document's only footnote extrapolates this sentence:

The total deletion of §218 means that women can freely decide for or against delivering an inadvertent pregnancy, without the pressure of criminal law. There are no criteria regarding when an abortion can and cannot be "permitted," except the criteria of the woman concerned. Nobody can take this decision away from a woman, neither a doctor nor an advisory board's interpretation of "indication pattern," nor another arbitrarily set deadline period regulation. Also after the demanded total deletion of §218, 98 % of all abortions take place within the first twelve weeks. The horror story of women who abort one day before birth, and Greens who allegedly endorse this behaviour, is nothing more than the worst badgering and election propaganda.²²¹

In a personal correspondence, Christa Nickels noted that along with Petra Kelly, Antje Vollmer, and the BAGChr, she insisted on including the following paragraph to elucidate the party's position:²²²

²²⁰ Die Grünen, *Farbe bekennen: Bundestagswahlprogramm* (Bonn: 1987), 20. (Hereafter *Farbe bekennen*).

²²¹ Ibid., 20-21.

²²² In late 2007 Nickels' autobiography is scheduled to be published in partnership with Bündnis90/Die Grünen. Nickels was kind enough to allow the author to read and comment on the manuscript of her book in May 2007, particularly in regards to passages related to abortion and church-state relations. As the book is not yet published, any references, citations, facts, or observations were painstakingly avoided by the author, except for the above mentioned input, which Nickels gave permission to include.

We have no choice but to admit the fact that with each abortion developing life is terminated. But this life requires another life for its formation, namely the life of a woman. It needs a living and livable environment. Behind every abortion stands the conflict between the life of the woman and the developing life within her. This conflict cannot be solved under the pressure of criminal law.

Therefore we demand the total deletion of § 218. We recognize that unborn life is worth protecting. But this protection is not ensured by the criminal law, but only through joint responsibility of men, enlightenment over prevention, a child-friendly environment, and guaranteed social security for people, who will have and take care of children.²²³

This passage was reproduced in the 1990 election campaign, in which the *Grünen* include a statement alluding to the increasing tension between the Catholic churches and themselves, claiming that many Christians come to the same conclusion: "not *although*, but *because* we are Christians, we wish for the deletion of §218."²²⁴

Conflicting attitudes toward abortion threatened to destroy the *Grünen's* already tenuous cohesion; these tensions were augmented as often contradictory opinions were voiced during television and radio interviews. Many women within the party protested under the slogan "my belly belongs to me;" not necessarily for impunity against the

²²³ *Farbe bekennen*, 20.

²²⁴ *Ibid.*, 34. "§218" is a common abbreviation of "Paragraph 218" and will be used interchangeably throughout the remainder of the chapter.

criminal code, but rather as an issue of women's self-determination.²²⁵ In her 1988 essay "*Religiöse Erfahrung und politisches Engagement*," Petra Kelly expressed her concern over her "*grünen Schwestern*," who "employ increasingly hardened and loveless language" when discussing § 218.²²⁶ These "Green sisters," whom Kelly alludes to, included her colleagues Jutta Ditfurth and Jutta Oesterle-Schwerin.

Jutta Ditfurth, a self-labeled "ecological fundamentalist," instigated public outrage when she admitted during a television interview that she not only had two abortions, but that they were "a small price to pay for close to twenty years of an enthusiastic sex life."²²⁷ Her startling admission incited disapproval in Catholic and Conservative circles, resulting in a formal criminal investigation of her alleged abortions, which were illegal at the time.

In 1988, Kelly noted that Jutta Österle-Schwerin wrote a position paper on Paragraph 218, in which she emphasized the work of Luise Pusch, a feminist linguist, who abstractly described embryos as "undesirable cell-tissue in the woman's body" or as "*Urschleim*" (primeval slime), rather than "unborn life."²²⁸ In an 1991 article for the *Tageszeitung*, Schwerin explained that she was appalled that the "media and churches" have undertaken "everything in order to put into women's heads what the penal law so far has failed to do: the internalization of blame and the belief that abortion is wrong."²²⁹

²²⁵ Nimsch ("Abortion as Politics," 130) explains that *Mein Bauch gehört mir* "is equivalent to the American feminist slogan 'my body, myself.'"

²²⁶ Petra Kelly, "Religiöse Erfahrung und politisches Engagement," in *Die Religion und die Grünen*, 37.

²²⁷ "Ermittlung gegen Ditfurth eingestellt," *Tageszeitung* 3 February 1989, 18.

²²⁸ Quoted in Petra Kelly, "Religiöse Erfahrung und politisches Engagement," 38.

²²⁹ Jutta Österle-Schwerin, "Feministinnen in Zugzwang?" *Tageszeitung* 2 November 1991, 12.

Although Kelly rejected the "loveless language" of her colleagues, she reinterpreted the *Grünen's* feminist confrontation with the Catholic Church concerning abortion, explaining:

I believe that the problem with abortion also has a lot to do with patriarchal and phallically determined sexuality and sexual behaviour of a man's world, and that we also have to discuss this point much more openly and honestly. By no means is a woman who aborts allowed to be criminalized. The church does *not* have the right to point fingers at these women and yell "murderer" at them. To be honest, instruction in Catholic schools does so little to enlighten and offer concrete improvements in the lives of women! Also, the churches have not particularly spoken out against the process of *Contergan-Geschädigten* (impaired by thalidomide²³⁰). Especially in this case the official Catholic Church would have had to fight with more conviction and social-courage against *Contergan-Geschädigten*. The *born* as well as the *unborn* Life must *be protected* as much as possible!"²³¹

The "Green sisters" were sharply criticized by both Christians and non-Christians in the party.²³² For example, in an interview Christa Nickels explained that these provocative "sentiments from a number of the Greens naturally feed the churches' prejudice," and

²³⁰ Thalidomide is a sedative drug, developed in Europe during the 1960s. It was proven to cause severe birth defects in babies born to women who had used the drug during pregnancy. Information taken from U.S.F.D.A: <http://www.fda.gov/cder/news/thalidomide.htm> (accessed April 10, 2007).

²³¹ Kelly, "Religiöse Erfahrung," 38 (original emphasis).

²³² For an example, see Charlotte Wiedemann, "30.000 gegen Paragraph 218," *Tageszeitung* 21 February 1989, 4.

such remarks have angered me as a Christian, but much more so as a Green. The Greens are a party engaged with the protection of life, for the born as well as the unborn life. And we could well justify our position that there is no protection of the unborn child without the mother [...] In 90 percent of all papers and programs of the Greens this was also represented and developed in such a way.²³³

In fact, more conservative party members, such as Herbert Gruhl, who had initially left the CDU to join the *Grünen*, resigned over the issue.²³⁴

Yet, Christa Nickels and other Christians remained supportive of the party's feminist policies, which argued that social taboos concerning abortion originated from misogynous worldviews. Nickels' opinions were more subdued, and consequently more agreeable, than those of her radical feminist counterparts. She argued that the controversy surrounding abortion "has considerably to do with the fact that the Catholic Church's century old practice of excluding women, and its partly latent, partly blatant misogyny and its patriarchally distorted *frauenbild* had clouded clear opinion."²³⁵

Interestingly, in his essay "*Grüne und Religion*," Rolf Schwendter, who has written extensively on subcultures and their various relations with the dominant culture,

²³³ Christa Nickels, *Kirchenstürmerei*, 188.

²³⁴ After leaving the Greens due to struggles with the leftists and centrists, Herbert Gruhl founded the ultra-right Ökologisch Demokratische Partei (ÖDP). Janet Biehl (1995, 61) identified Gruhl as "the most prominent social Darwinist-'ecological' racist in Germany today." However, after the ÖDP distanced itself from the NDP, Gruhl left the party and became a recognized neo-Nazi and Holocaust-denial guest speaker. Notably, Gruhl claimed that best-armed nations will "succeed in bringing their military preparedness to the highest level, while keeping their standard of living low, will have an enormous advantage." Janet Biehl, "'Ecology' and the Modernization of Fascism in the German Ultra-Right," *Ecofascism: Lessons from the German Experience* (Edinburgh: AK Press, 1995).

²³⁵ Christa Nickels, "Nachfolge," 63.

convincingly postulated that discussions concerning abortion and its possible impunity "do not say anything about the possible attitude of a group about religion, but everything about the attitude of a group to the criminal law."²³⁶

Similar sentiments were expressed by Winfried Kretschmann, a founding member of the *Grünen* in Baden-Württemberg, who, in a letter responding to the *Katholischen Sonntagsblatt*, which had published commentaries rebuking the *Grünen* for their defense of abortion, separated religious conviction from party policies:

First of all, abortion and environmental protection firstly have nothing to do with one another. If we demand, for example, the decontamination of the chemical industry, the conversion to ecological agriculture, curbing individual traffic, or the preservation of special biotopes, then this is justifiable for practical reasons. It is not dependent on what one believes or which Weltanschauung he possesses. It also has nothing to do with whether someone regards a four-week human cell as an animated human being, or does not, like Saint Thomas Aquinas²³⁷ or many feminists.

²³⁶ Schwendter's essay is included in *Die Grünen und die Religion*, 219.

²³⁷ While it is not the intent of this chapter to provide a theological discussion or historical analysis of the Catholic Church's changing positions on abortion, a brief explanation of Thomas Aquinas' views is relevant in light of the *Grünen*'s feminist arguments. According to Dombrowski and Deltete (2000, 26-28), Aquinas held the belief that the "human soul is infused into the body" of the developing fetus when it "begins to show a human shape or outline" (*delayed hominization*). Interestingly, Aquinas theorized that the "human soul is the form of the human being," (*hylomorphism*) and thereby, develops with it. Therefore, according to Aquinas, in the early stages of fetal development, when the fetus does not resemble a human, it is a non-human entity without a human soul. Furthermore, during its development, the fetus is "animated" by different souls, organically evolving from "a vegetative or a nutritive soul (*anima vegetabilis*)," to a "sensitive or an animal soul (*anima sensitiva*)," and finally to a "rational or human soul (*anima intellectiva*)." Aquinas believed that only the human soul comes from God, and it is that soul which "animates a human body." As such, abortion was only considered an act of murder if committed anytime after the first trimester, when the fetus was 'animated' and therefore possessed a human soul. Eser (1986, 370) noted that the Church once asserted that male fetuses were animated after forty days of pregnancy, while female fetuses required eighty to ninety days to become animated with a human soul. Eser claimed that the Roman Catholic Church abandoned the doctrine of animation in 1869. For a further discussion, see

Among the Greens, people work with different world views, since we are a party and not a religious community. In western civilizations there is no universal ethic of a radical life protection despite the killing-prohibition of the Ten Commandments.²³⁸

Kretschmann further removes the abortion debate from denomination-specific discussions, claiming that since the Reformation there has been no "contingents of opinions amongst Christians, regarding what is right or wrong, good or bad," concluding:

It is certain, on the one hand, that more people today fight not to punish abortions, and on the other hand, increasingly more people regard abortions as problematic. I am convinced that the ecology movement, with its concern for protecting nature and the conscious handling of creation, greatly contributed to the fact that questions of abortion are more variedly looked at today.²³⁹

In fact, abortion legislation in the former Communist East Germany was significantly more liberal and assenting towards women choosing to terminate their pregnancies.²⁴⁰ By 1972, laws were in place permitting abortions during the first twelve weeks of pregnancy, and medical costs were subsidized by the state. Even before

Daniel Dombrowski and Robert Deltete, *A Brief, Liberal, Catholic Defense of Abortion* (Urbana: University of Illinois Press).

²³⁸ Winfried Kretschmann, letter to editor, Josef Schlösser, *Katholische Nachrichtenagentur*. 26 October 1989. Archiv Grünes Gedächtnis, A-Nickels, no. 678.

²³⁹ Ibid.

²⁴⁰ For an excellent discussion of abortion policies in divided Germany, see Lee Ann Banaszak, "East-West Differences in German Abortion Opinion," *The Public Opinion Quarterly* 62, no. 4 (Winter 1998): 545-582.

unification, the restrictive West German abortion law, reinforced by Paragraph 218, conflicted with East German measures. In May 1990, the magazine *Der Spiegel* reported: "The abortion debate is dividing the nation shortly before its unification."²⁴¹ Likewise, Michael Minkenberg notes:

After German unification in 1990, the debate on the relationship between politics and religion turned more intense. For instance, the 1992-93 controversy surrounding the fusion of the West and East German abortion rulings into a common standard involved the churches and parts of the clergy to a degree unknown in recent years and reminded the public again what the "C" in CDU/CSU stood for.²⁴²

Not only were the bioethical questions surrounding abortion hotly contested within the *Grünen*, but they also resurfaced during their amalgamation with *Bündnis 90*, as Nimsch described:

It became apparent that the right to have an abortion in the GDR was not an expression of the advanced emancipation of women, but rather a characteristic of a basically inhumane system....Everybody wanted to distance himself or herself from this inhumane system. Social Democrats, the Green women, and even the autonomous feminists, did not want their demand for freedom of choice to be confused with an adoption of the old GDR legislation.²⁴³

²⁴¹ "Die sind tierisch hinterm Mond," *Spiegel*, 14 May 1990, 70.

²⁴² Michael Minkenberg, "Civil Religion and German Unification," *German Studies Review* 20 no. 1 (Feb., 1997), 63.

Therefore, even though the newly merged *Bündnis 90/Die Grünen* continued to pursue the liberalization of abortion legislation, the party consciously attempted to distance itself from communist ideology. Remarkably, even though abortion laws were stricter in West Germany, Nimsch claimed that research "on abortion practice in both German states has come to the conclusion that in the GDR as well as in the Federal Republic about one in four pregnancies was terminated."²⁴⁴ Accordingly, Nimsch concluded: "The least important factor by far is whether abortion is permitted by the state or prohibited by law."²⁴⁵

However, in 1992, despite church lobbying and CDU opposition, the Bundestag passed what Bettina Jarasch identified as a "strange and complicated, typically German" solution to the abortion conflict.²⁴⁶ While abortion remains an illegal act, it is not indictable if undertaken during the first trimester, and if the woman receives state-recognized conflict-pregnancy counseling three days prior to ending her pregnancy.²⁴⁷ Women failing to meet these requirements face "imprisonment for not more than one year or a fine," while doctors performing abortions outside of the stipulations set in Paragraph 218 can be imprisoned from six months to five years. A consequent repeal to the constitutional courts filed by 249 legislators failed and, as of 1995, the reformed §218 recognizes abortion as an illegal, but not penalized act.

²⁴³ Margarethe Nimsch quoted in Andrea Wuerth, *Politics/Local Identities: Abortion Rights Activism in Post-Wall Berlin*, *Feminist Studies* 25 no. 3 (Autumn, 1999), 605.

²⁴⁴ Margarethe Nimsch, "Abortion as Politics," 128.

²⁴⁵ *Ibid.*

²⁴⁶ In an interview, the noticeably pregnant Jarasch, explained: "of course every child has the right to live, but you can't protect the child against the mother [laughs and points to stomach]. It doesn't make sense to punish the mother as a means to protect the child."

²⁴⁷ The role of pregnancy counseling will be discussed later in the chapter.

In an interview, Dr. Battenberg, co-president of BAGChr, claimed that even today there is "not a Green opinion" when it comes to abortion, but rather a consensus that women should not be criminalized for an act already latent with traumatic physical, emotional, and social repercussions. The Greens advocate offering financial and psychological support for women choosing *for* or *against* carrying a pregnancy to term, arguing that "crisis situations should not be exacerbated by the threat of punishment."²⁴⁸ The fact that both Greens and BAGChr have released numerous opinion papers promoting a "child friendly society" is frequently overlooked by their critics. They theorized that if children with physical and mental disabilities and single-parent families are no longer stigmatized, then more women may choose to carry and raise their children in a healthy social and ecological environment.²⁴⁹ As such, it would be irresponsible to construct the Greens' family politics based solely upon their view of abortion, since as Nickels noted, "no other party commits itself in theory and practice to the rights of women and children."²⁵⁰

Notably, the abortion discussions of the *Grünen* and *Bündnis 90/die Grünen* are not concerned with whether or not abortion is immoral – if it is an act of murder, or if the fetus constitutes a human life. Rather, they argue *around* moral principles and instead focus on the justice of punishing women for terminating their pregnancy. The Evangelical and Catholic Churches' focus on the child's right to live, beginning at

²⁴⁸ Margarethe Nimsch, "Abortion as Politics," 128

²⁴⁹ For more, see the BAGChr's position paper *Eine Gesellschaft mit Kindern: Ein familienpolitischer Paradigmenwechsel - vom Kind aus denken und handeln* (Düsseldorf: TIAMATdruck GmbH, 2006); Bündnis90/Die Grünen, "A child-friendly society for the first generation of the 21st century" in their 2002 Platform *The Future is Green*, 55-61.

²⁵⁰ Christa Nickels, "Nachfolge im Spagat" in *Begründete Hoffnungen*, 64.

conception, became a central issue in the stem cell research debates, which will be discussed in the following chapter.

The Catholic Church's renunciation of the *Grünen* due to their pro-abortion position was not unanimous through the various Catholic organizations; for instance, in an interview with *Der Spiegel* the week following the Aachen *Katholikentag*, Father Ferdinand Kerstiens, a leader of the Initiative "Church from Below" and speaker for the *Katholikentage von unten*, presented himself and his organization as intermediaries between the *Grünen* and the Catholic hierarchy.²⁵¹ Cooper described the Church from Below as "working on topics ranging from the socioeconomic order, to women in the church, to homosexuality," concluding that the "Initiative represents in many respects the 'greening' of the Catholic church, including its positions on peace and security issues."²⁵²

When asked about Maier and Höffner's assertions that the *Grünen* are "not votable," Kerstien replied: "We believe that it is wrong for a single question to become the deciding factor for a party's eligibility."²⁵³ Additionally, Kerstiens boldly claimed that many Catholics consider the CDU 'un-votable' "because with their continued arms build-up they harm the poor in intolerable ways, as formulated in the Second Vatican Council,"

²⁵¹ The Green Party has an enduring relationship with the Catholic *Initiative Kirche von Unten* (IKvU), "Church from Below," which traces its roots from "leftist Catholicism," "leftist Protestantism," the Second Vatican Council, and Latin American liberation theology. As Hans Küng, a member of the IKvU, and one of Germany's most controversial Catholic scholars and priests explained: "There has been a growing alienation between the church from below and the church from above. The hierarchy seems to be going their own way. We need a greater democratization, votes on married clergy, and women as pastors, a common Eucharist, the pope integrated in collegiality." Hans Küng, "Hans Küng: Happy to stay in the church; happy to change it" *Catholic New Times*, 27 no. 17 (November 2, 2003). Frustrated with the ZdK-organized *Katholikentage*, the IKvU held its first *Kirchentag von unten* in 1980. Various Greens have actively taken part in the alternative Church days; for example, on 31 March 2006, Claudia Roth gave the opening address to *Kirchentag von unten* in Berlin, in which she chronicled the concurrent histories of the *Grünen* and the IKvU (the entire speech can be found on her website http://www.claudia-roth.de/Reden.29040.0.html?&no_cache=1&expand=42649&displayNon=1&cHash=0322da500c).

²⁵² Alice Holmes Cooper, "The West German Peace Movement and the Christian Churches," 93-4.

and "because of their support of nuclear energy they endanger creation and human life."²⁵⁴ However, in regard to the abolition of Paragraph 218, he unambiguously asserted that the "church must always be concerned with the protection of the weakest life, and the unborn life is the weakest life."²⁵⁵ Nevertheless, he qualified his statement remarking: "I also do not see myself in the position to condemn women who see themselves forced to have an abortion. That is rather a sin of the whole society," so though Kerstien disagreed with the *Grünen*, he publically sympathized with their understanding of the complexity, and greater social ramifications in the situation.²⁵⁶

Like Kerstien, Petra Kelly discussed the Christian Social Union of Bavaria's sanctimonious position on nuclear energy which, she claimed, contradicts official Catholic teaching. She observed that the "atomic-controversy" between CCU politician Franz-Josef Strauss and Cardinal Höffner began when the latter declared atomic energy to be the "most dangerous" form of energy, and demanded the "phase out" of nuclear power.²⁵⁷ Strauss, who was the Federal Minister of Nuclear Energy in 1955, responded in the *Abendzeitung*, claiming "theological education and moral seriousness do not suffice in solving complicated scientific and technical questions."²⁵⁸ Kelly noted that while the two disagreed on the potential benefits of nuclear power, they joined forces in 1986 to morally rebuke the Greens' appeal for the abolition of Paragraph 218. Contemptuously, Kelly remarked that once again "there was total agreement between Franz-Josef Strauß

²⁵³ Kerstien interview in "Dieses Getto hat der Kirche nie gutgetan," *Spiegel* 38/1986, 15 September 1986, 130 (author's translations).

²⁵⁴ Ibid.

²⁵⁵ Ibid.

²⁵⁶ Ibid.

²⁵⁷ Petra Kelly in the "Addendum" to her article "Religiöse Erfahrung und politisches Engagement," 41.

²⁵⁸ Strauß quoted in Kelly, 41.

and Cardinal Höffner. All of a sudden theological education and moral seriousness were enough!"²⁵⁹

It should be noted that the two major German churches significantly differed in their judgment of abortion and, consequently, the *Grünen* in general; the Evangelical Church distanced itself from the ensuing controversies between the *Grünen* and the Catholic governing bodies. For example, Helga Trösken, Lutheran bishop of Hessen-Nassau, released a statement in which she declared that in her opinion §218 is "catastrophic" and should be annulled.²⁶⁰ In fact, the EKD broadly took a "pro-choice" stance, as Ana-Maria Mathé, from the *Diakonische Werk*,²⁶¹ justified:

For Christian reasons, we want to protect life and accompany the woman, support the woman, in her decision-making, for or against the child, as much the one as the other. We want to be her conversational partner in the situation and, through the decision-making process, help her come to a decision that even when she looks back on it is something she can bear.²⁶²

The EKD's perspective of assisting pregnant women through counseling is one of the major differentiating points between the Catholic and Evangelical churches.

A major adaptation to the reformed *Strafgesetz* was the inclusion of Paragraph 219, which necessitates the "counseling of pregnant women in an emergency or conflict situation" at a state-recognized "pregnancy conflict counseling agency," including those

²⁵⁹ Ibid.

²⁶⁰ Helga Trösken interview, "Der Bischof ist eine Frau," *Tageszeitung*, 30 May 1988.

²⁶¹ Diakonische Werk is a social work institution of the EKD, which also serves as an international Humanitarian organization.

²⁶² Ana-Maria Mathé quoted in Myra Marx Ferree, *Shaping Abortion Discourse* (Cambridge University Press, 2002), 154.

sponsored by Christian organizations.²⁶³ §219 explicitly declared that such advisory bodies are to "encourage the woman to continue pregnancy and to open her to the prospects of life with the child; it should help her to make a responsible and conscientious decision."²⁶⁴ And while the EKD continues to describe the current abortion law as "not completely satisfactory," they perceive themselves as offering the essential service of

qualified assistance which is trying to enable those seeking advice to attain to self-help and to an acceptance of their responsibility for the unborn child and so to improve the life chances of both mother and child. It has respect for and protects the dignity of the woman as well as the life of her child. As a service of the church, it has faith that God's promise of salvation is valid even in broken relationships.²⁶⁵

It is here that the Catholic and Evangelical Churches depart most significantly from each other. In an interview Bettina Jarasch explained the imperative of such counseling, which provides a woman with the opportunity to rethink her situation and to get material and financial help from the government; all of which help her to perhaps decide in favour of the life of the child. So although abortion is forbidden, but not punished [...], it tries to respect the right of both the mother and the child. And this is what the party adopted – and I as a Catholic can live with this. Even though I personally would never have an

²⁶³ See Appendix D for the complete law of Paragraph 219.

²⁶⁴ Ibid.

²⁶⁵ EKD, "VI. Current challenges in the field of the protection of human life," *God loves all that lives* <http://www.ekd.de/english/5458.html> (accessed May 19, 2006).

abortion, I don't want to see women punished who do, because I know they are in a very difficult situation.

Many Catholic officials have openly rejected all concessions made to the *Strafgesetz*, including the stipulated mandatory pregnancy counseling. The EKD formulated that the German Catholic Church "has always declared that she cannot and will not come to terms with the present legal state of affairs" and "does not desire merely a return to the previous legal position, but is of the opinion that the §218 of the penal code book should not be declared sacrosanct."²⁶⁶

In an interview, Josef Winkler, the current Green speaker for Church politics, communicated his frustration over the Catholic Church's increasingly rigid stance on abortion and rebuke of pregnancy counseling. He explained that with the exception of two or three, the German bishops were originally of the opinion that pregnancy-counseling would drastically reduce the number of abortions performed in Germany. Bishop Karl Lehmann of Mainz, president of the German Bishops' Conference, staunchly defended pro-life counseling, publically stating, "as long as the church is a church for the people, it must occupy itself with the problems facing society."²⁶⁷

However, the then Cardinal Ratzinger, along with Meisner and a few conservative bishops, disagreed with the compromises made by the Bishops' Conference and traveled to Rome to meet with Pope John Paul II. In 1999, the late pontiff declared that any participation in pregnancy-counseling made the church complicit in abortion, ordering its

²⁶⁶ EKD, "Current challenges in the field of the protection of human life."

²⁶⁷ "Catholic Advice Online," *Deutsche Welle*, <http://www.dw-world.de/dw/article/0,2144,493793,00.html> 9 May 2002 (accessed March 11, 2007).

discontinuance. As a result of the papal decree, the German Bishops' Conference voted in favour of discontinuing counseling as of 1 January, 2001.

Winkler explained that this prohibition not only caused greater dissent within many Catholic congregations, but also divided Catholic authorities. For instance, his own bishop from Limburg, Bishop Kamphaus, rejected the denunciation and defiantly continued offering "pro-life" advice to pregnant women. However, when the Catholic lay-organization *Donum Vitae*, initiated by Rita Waschbush, the former vice-President of the ZdK, began providing pregnancy counseling, he voluntarily conceded to the DbK.²⁶⁸ Winkler noted that even though Pope Benedict has "recently declared that you cannot be employed by the church and continue to be part of the ZdK's association," he "has yet to take any measures against them."

Ironically, as the Greens became more judicious in their approach to abortion and the abolition of Paragraph 218, the Catholic Church's rhetoric became increasingly aggressive. In a 2002 sermon at the Cologne Cathedral, Cardinal Meisner declared: "First, there was Herod, who ordered the children of Bethlehem to be killed, then there was Hitler and Stalin among others, and today unborn children are being killed in their millions."²⁶⁹ Similarly, in his 2005 book *Memory and Identity*, Pope John Paul II echoed Meisner's comparison of the Holocaust and abortion, juxtaposing the latter with National Socialism in Germany and Communism in the former Soviet Union:

The fall of the regimes built on ideologies of evil put an end to the forms of extermination [...] However there remains the legal extermination of

²⁶⁸ Christa Nickels discussed Catholic pregnancy counseling and *Donum Vitae* in an interview on 29 April 1999, with Heide Oestreich, "Der Papst hat keinen Unfehlbarkeitsanspruch" in *Tageszeitung*, 4.

²⁶⁹ "Cardinal Regrets Holocaust Remarks," *Deutsche Welle* 8 January 2005 <http://www.dw-world.de/dw/article/0,2144,1452747,00.html> (accessed April 16, 2007).

human beings conceived but unborn. And in this case, that extermination is decreed by democratically elected parliaments, which invoke the notion of civil progress for society and all humanity.²⁷⁰

Later, the pontiff questioned the democratic process as being morally superior to other political systems:

When a parliament authorizes the termination of pregnancy, agreeing to the elimination of the unborn child, it commits a grave abuse against an innocent human being utterly unable to defend itself. Parliaments which approve and promulgate such laws must be aware that they are exceeding their proper competence and placing themselves in open conflict with God's law and the law of nature.²⁷¹

These remarks fuelled outrage throughout Germany and around the world, causing the then Prefect of the Congregation for the Doctrine of the Faith, Josef Ratzinger, to explain that the pope "was not trying to put the Holocaust and abortion on the same plane," but rather that he intended to show the pervasiveness of evil "even in liberal political systems."²⁷²

The conflict between the *Grünen* and the Catholic Church, which derived from opposing views on the morality, ethics, and legality of abortion, threatened to define and destroy their relationship. The "interview wars" of the late 1980s, dominated by fundamental and sensational statements of the "Green Sisters" and Catholic hierarchy, frequently drowned out the more moderate and temperate voices on both sides. Today, as

²⁷⁰ Pope John Paul II *Memory and Identity: Conversations at the Dawn of a Millennium* (New York: Rizzoli, 2005), 11.

²⁷¹ *Ibid.*, 135.

²⁷² "Pope's New Book Angers Jewish Leaders," *Deutsche Welle* 24 February 2005, <http://www.dw->

the current co-president of the Greens, Reinhard Bütikofer noted in an interview, the "huge and central controversy over abortion has not dominated public discussion for a long time." It can be argued that apart from the *Grünen's* original feminist interaction with Catholic leadership, the party's *official* position is in agreement with the current *Strafgesetz* and the Evangelical Church. The Greens' compromise between seeking to protect the child, while protecting the mother *is* Germany's current, legally recognized position. Therefore, any contention between the Catholic Church and the Greens after the mid-1990s cannot be seen as a direct confrontation with the party, but with the German *Strafgesetz* and Constitutional Courts.

In a personal letter written ten years after the feud between the *Grünen* and Catholic institutions, Hans Maier wrote to his successor as president of the ZdK, Hans Meyer:

My remark that the tablecloth was torn apart between the Greens and the Church originates from 1986 (more exactly from the Aachen Catholic Day of the same year). It referred above all to the fluctuating attitude of the Green Party regarding the protection of human life. In the last eleven years, within the Green Movement, much has been differentiated and clarified – to that extent I would also express myself differently today. Certainly the question of protecting life is still at the centre of the relationship between the churches and with the parties (all parties!). It

depends on the collective evolution of the Greens, whether – independent from controversies in specific questions – a durable 'normal' relationship with the Catholic Church develops.²⁷³

Through an examination of another bioethical debate in the subsequent chapter, it will become evident that more than twenty years after the Aachen declarations, the Greens are in the process of developing a "durable," but certainly not "normal," relationship with the churches.

Chapter Four:

An examination of the Green Party's and the German Churches' Views on Embryonic
Stem Cell Research

The Churches have found out, I guess to their astonishment, that on several issues we are closer to their position than some of the major parties. For instance, on stem cell research, we oppose the position that the Democrats and Arnold Schwarzenegger are taking in the United States, to really go ahead with fetal stem cell research. We oppose that and the bishops oppose that. So all of a sudden they have found the Greens as their partners.

Reinhard Bütikofer, Co-Chair of the Greens.²⁷⁴

The first article of the German Constitution states: "Human dignity is inviolable. To respect and protect it is the duty of all state authority."²⁷⁵ Debates regarding the use of embryonic stem cells stir up a plethora of bioethical questions that challenge the limitations and implications of Germany's fundamental constitutional rights. So too are the theological and philosophical assumptions regarding the very definition of what it means to be 'human,' and, as such, gain the respect and protection of the state. Related queries arose in 1990 as the German Bundestag passed the *Embryo Protection Act*, which prohibited "attempts to fertilize artificially an egg cell for any purpose other than bringing about a pregnancy of the woman from whom the egg cell originated," thereby

²⁷³ Hans Maier quoted in Hans Meyer "Ist das Tischttuch noch zerschnitten?" in *Begründete Hoffnungen*, 143.

²⁷⁴ Interview with author.

²⁷⁵ *The Basic Law (Grundgesetz) : The Constitution of the Federal Republic of Germany* (May 23rd, 1949). Translated by Axel Tschentscher (Würzburg: Jurisprudencia, 2002).

preemptively banning embryo research.²⁷⁶ Additionally, it also established criminal sanctions against gender selection, human cloning, and genetic engineering.

Not only did this law set the legal precedent for the current stem cell research debate, but it also provides the language necessary for such discussions. The Act defines an "embryo" as a fertilized human egg cell "assumed to be able to divide and to develop into an individual under the appropriate conditions."²⁷⁷

The *Embryo Protection Act* was challenged in 2001 during the German Bundestag's debate and a subsequent vote on the *Stem Cell Act* of 28 June 2002, regarding the use of stem cells in medical research. Two government committees were appointed to collect and formulate opinions on the topic: the Parliamentary Commission on Law and Ethics in Modern Medicine (*Enquetekommission Recht und Ethik der Modernen Medizin*), composed of Members of Parliament from the national parties and scientific experts, and the National Ethics Council (*Nationaler Ethikrat*) assembled from SPD politicians and representatives from the Catholic and Evangelical churches.²⁷⁸ While the Parliamentary Commission decided against stem cell research, the National Ethics Council made concessions on the use of imported stem cells. After vigorous debate, the Bundestag compromised between the two positions, voting 340 to 265 to permit the

²⁷⁶ Bundestag, "Act for Protection of Embryos (The Embryo Protection Act) Of 13th December 1990," *Federal Law Gazette Part I*, no. 69, Section 1.2.

²⁷⁷ The Act's complete definition explains that "an embryo already means the human egg cell, fertilized and capable of developing, from the time of fusion of the nuclei, and further, each totipotent cell removed from an embryo that is assumed to be able to divide and to develop into an individual under the appropriate conditions for that" (Section 8.1). The EKD provide a definition with less scientific jargon, elucidating that an embryo is the "earliest stage of development of an organism; in humans, from conception through implantation in the uterus after about nine days, to the completion of organ formation in the third month, after which it is called a foetus." EKD, "Glossary" (2002) http://www.ekd.de/dialogue/dialogue_2_2002_7.html (accessed March 21, 2007).

²⁷⁸ Greens on the *Enquetekommission* included Ulrike Höfken, Monika Knoche, Volker Beck, and Hans-Josef Fell; while the twenty-five member committee of the *Nationaler Ethikrat* included Bishop Dr.

importation of stem cells already derived from superfluous *in vitro* fertilized²⁷⁹ embryos outside of Germany prior to 1 January 2002.⁹²

During the stem cell research debate, one dominant question arose in both the political and religious communities: If the protection of human dignity is enshrined in the German Constitution, when is life considered 'human' and, therefore, guaranteed 'dignity'? This chapter will examine the views of the German Green Party and the churches on embryonic research and how they partnered together in the political arena.

The current study uses the definition of "embryonic stem cells" as taken from the *Stem Cell Act (Stammzellgesetz)*:

Stem cells mean all human cells which have the potential to multiply by cell division if in a suitable environment, and which by themselves or through their daughter cells are capable, under favourable conditions, of developing into specialized cells, not, however, into a human being.²⁸⁰

As such, embryonic stem cells are derived from "embryos which have been produced *in vitro* and have not been used to induce pregnancy."²⁸¹ Because they are capable of

Gebhard Fürst, representing the Catholic Church, and Bishop Prof. Dr. Wolfgang Huber from the Evangelical Church.

²⁷⁹ *In vitro fertilisation* (IVF) is the laboratory process of "joining of egg and sperm cell outside the body," in a Petri dish, which is then implanted back into the uterus. Definition taken from the Study Commission on the Law and Ethics of Modern Medicine, *Second interim report - Part report: Stem cell research - 14/3011*, German Bundestag: 14th electoral term, 21 November 2001, 141. (hereafter cited in text as *Second Interim Report*).

²⁸⁰ Bundestag, *Act ensuring protection of embryos in connection with the importation and utilization of human embryonic stem cells – Stem Cell Act – (Stammzellgesetz – StZG) of 28 June 2002*, Section 3.1, 3.2.

²⁸¹ In numerous articles and publications on stem cell research, particularly published by anti-abortion supporters, embryonic germ cells (EG) are confused with embryonic stem cells. Embryonic germ cells are harvested from terminated pregnancies and are derived from "embryos or fetuses at 5 to 11 weeks of pregnancy," and like embryonic stem cells, they can "differentiate into all cell types of the adult organism, including germ cells." Interestingly, the *Study Commission on the Law and Ethics of Modern Medicine* notes that research suggests that EG cell lines cannot be established through natural, "spontaneous abortions," and are more difficult to isolate. Because of the fickle nature of EG cell lines,

maturing into individual, or several cell types, stem cells are chiefly suitable for cell and tissue replacement.²⁸² Thus, stem cells are given particular importance in the field of regenerative medicine.²⁸³

The central bioethical dilemma regarding the usage of stem cells lies in the procedure with which they are extracted. Medical researchers have been able to isolate embryonic stem cells from mice since the early 1980s, and in 1998 were able to segregate and culture human embryonic stem cells.²⁸⁴ In order to harvest embryonic stem cells, the blastocyst is damaged, thereby irreparably destroying the embryo, and as such, it can no longer develop into "a complete individual human being".²⁸⁵ Since stem cell extraction requires the destruction of an embryo, a potential human life, researchers, bioethicists, politicians, and religious leaders are charged with weighing the possible medicinal benefits with the methods required to achieve them.

Rejecting embryonic stem cell research as a form of "veiled cannibalism," the Greens found themselves aligned not only with their frequent coalition partner, the Social

especially "because of insufficiently sterile conditions," exponents of embryonic research do not advocate terminating pregnancies. *Second Interim Report*, 9.

²⁸² It should be noted that in regards to embryonic stem cell research, two types of cells need to be distinguished: totipotent and pluripotent. The primary distinction between the two is that the former if transferred "into the uterus of a woman, can develop into a complete individual human being," while the latter are "no longer capable of developing into a complete organism," but they can develop into "a variety of cells, tissues or organs." Study Commission on the Law and Ethics of Modern Medicine, *Summary report: Supplement to the interim report on stem cell research focusing on importation problems*, 2001 (hereafter cited in text as *Summary Report*), 2.

²⁸³ Special areas of interest include adult tissues, particularly in the central nervous system, which "exhibit only very little or no ability to regenerate." Areas potentially benefiting from the advancement of stem cell research "include not only neurodegenerative diseases such as Parkinson's disease and Huntington's chorea but also myocardial infarction, stroke, paralysis, epilepsy, diabetes mellitus (type I) the leukaemias and deficiencies of the immune system." *Second Interim Report*, 18.

²⁸⁴ *Ibid.*, 3,4.

²⁸⁵ Once an egg is fertilized, cell division occurs; after approximately four days the blastocyst stage (100-200 cells) is reached, at which point embryonic stem cells can be harvested. At this juncture the inner cell mass (ICM), also known as an embryoblast, is distinguishable from the outer layer of cells (trophoblast), which forms the placenta and serves to nourish the developing embryo. Stem cells are derived from the inner cell mass, which eventually develops into the embryo and umbilical cord. *Second Interim Report*, 2,3.

Democrats, but surprisingly with the Christian Democrats as well.²⁸⁶ The resulting "strange bedfellows" of the leftist Greens and the conservative Christian right was indicative of the extra-parliamentary discord in greater German society.²⁸⁷ Katrin Braun, an expert member of the Commission on Law and Ethics of Modern Medicine, emphasized this transgression of party lines in her comparative examination of how reproductive and genetic technologies are politically viewed in Germany and the United States.²⁸⁸ She contrasted the American bipartisan bioethical debate held between the "conservative techno-skeptics on the one hand, who refer to traditional values and the Christian belief system," and "the liberal techno-optimists on the other, who promote a secular, individualistic, rights-based approach, including the right to abortion."²⁸⁹ While neither "camp" is opposed to technological development, the techno-skeptics "underscore the limits of technological solutions and the price that individuals and society might have to pay for them."²⁹⁰ Unlike their liberal American counterparts, the preponderance of German Greens sided with techno-skeptic, anti-stem cell research positions, aligning themselves not only with the CDU/CSU and SPD, but also with the Catholic and Evangelical Churches.²⁹¹

²⁸⁶ Green parliamentarian Volker Beck's description of the use of embryonic stem cells, quoted in "Schröder Wants Stem Cell Laws Eased," <http://www.dw-world.de/dw/article/0,2144,1616098,00.html> (accessed April 17, 2006).

²⁸⁷ Diana Fong, "German Scientists Go Abroad to Pursue Stem Cell Research," *Deutsche Welle*. 11 July 2006 <http://www.dw-world.de/dw/article/0,2144,2085299,00.html> (accessed May 16, 2007).

²⁸⁸ Katrin Braun, "Not Just for Experts: The Public Debate about Reproductives in Germany," *Hastings Center Report*. 35, no. 3 (2005): 42-49.

²⁸⁹ *Ibid.*, 43.

²⁹⁰ *Ibid.*

²⁹¹ In numerous publications, Christa Nickels, along with other members of the Greens, denied that the party is "*technikfeindlich*," or hostile to emerging technologies, but rather seeks to ensure human dignity and avert risks to women. For more, see Marion Böker "Frauen als Rohstofflieferantinnen – genormte Menschen? Damit der Alptraum nicht wahr wird, braucht das Fortpflanzungsmedizingesetz eine grüne Handschrift," *Frauenrundbrief NRW* (November 2000), 17.

Like the abortion issue, discussions regarding embryonic research originated within the women's movement of the *Grünen*. In 1985, in an effort to mobilize the public against genetic engineering, the party held a congress entitled "Women against Genetic Engineering and Reproductive Technologies" (*Frauen gegen Gentechnik und Reproduktionsmedizin*) in Bonn, which drew over 2000 women.²⁹² These women, many of whom were active in the 1960s and 1970s international environmental movement, were frequently labeled "ecofeminists,"²⁹³ a term coined in 1974 by French writer Françoise d'Eaubonne to "represent women's potential for bringing about an ecological revolution."²⁹⁴ This often radical stream of feminism connects women and nature by arguing that both "have been devalued in Western culture and both can be elevated and liberated through direct political action."²⁹⁵ In Germany, these women fought *against* environmental degradation caused by deforestation, herbicides and pesticides, nuclear energy and hazardous waste, while striving *for* autonomous control of their reproductive rights. According to ecofeminists, "the earth is being dominated by male-controlled industrialization, technology, and science."²⁹⁶

The conclusions reached at the conference strongly impacted the 1987 election campaign, *To Show One's Colours*, which laid the rhetorical foundations for future bioethical examinations. The *Grünen's* approach to genetic engineering is divided into two sections: women's reproductive technology and the environmental risks associated

²⁹² Die Grünen im Bundestag. *AK Frauenpolitik & Sozialwissenschaftliche Forschung und Praxis für Frauen e. V., Frauen gegen Gentechnik und Reproduktionstechnik*. Documentation of the conference on 19-21 April 1985 in Bonn: Köln 1986.

²⁹³ For a discussion of ecofeminism and spirituality, see Carol J. Adams, *Ecofeminism and the Sacred* (New York: Continuum Publishing, 1993).

²⁹⁴ Caroline Merchant, "Ecofeminism," *New Internationalist*, Issue 171, May 1987, 18.

²⁹⁵ Ibid.

²⁹⁶ Ibid.

with agricultural genetic modification. An ecofeminist perspective is discernibly interwoven into the *Grünen's* perception of embryonic research:

The new reproductive and genetic technologies are instruments of an exploitative and forcible control of nature: their consequences are neither clear nor reversible. The Greens reject technologies that use women's bodies, germ cells, embryos, and commercially utilize genetic material, and relinquish them to foreign regulation and the control of male reproductive technicians.²⁹⁷

The commercial and scientific encumbrance on women is circumspectly perceived as misogynistic and dangerous technological advances. They go on to claim that artificial fertilization and manipulation of embryos "mechanize the *natural* processes of conception, pregnancy, birth, and child care, separating and eventually destroying them."²⁹⁸ They reiterated their repudiation of "new reproduction techniques, above all the manipulation of the human genetic makeup and experiments on embryos."²⁹⁹

This examination of genetic reproductive technologies, including embryonic research, is the *Grünen's* first statement at the national election level. The precepts raised in 1987 remain crucial to the contemporary Green Party's current anti-stem cell research position; emerging technologies are suspiciously observed as *unnatural* methods with which to commodify people, especially women. This sense of instrumentalism – who or what is being instrumentally used by whom, and for what purpose – is crucial to

²⁹⁷ Die Grünen, *Farbe bekennen*, 17 (emphasis added).

²⁹⁸ Ibid., 18.

²⁹⁹ Ibid.

understanding the Greens' apparently contradictory views on abortion and stem cell research.

Through a comparison of the *Grünen's* axiomatic arguments against embryonic research in 1987 and the party's attitude in their 2002 political platform *The Future is Green*, two dominant concerns become evident. Firstly, the Greens unequivocally discouraged the use of predictive genetic tests to diagnose and terminate pregnancies possibly resulting in the birth of a disabled child; and secondly, they feared for the objectification and threat to women's reproductive self-determination.³⁰⁰ Similar to their method of handling the abortion issue, the Greens did not highlight the ethical debates concerning the rights of the embryo, nor did they speculate about the 'humanness' of the developing life. Answers to bioethical questions regarding the destruction of embryos are terse; instead, the Greens addressed the artificial and extraneous interference with embryos.

Fundamental to their rejection of embryonic manipulation is the trepidation that prenatal diagnostics, ultrasounds, and embryonic genetic engineering will "technically secure a 'perfect' child."³⁰¹ Undeniably, reservations pronounced in the 1987 *Show Your Colours* are uniquely linked to Germany's fascist history. Earlier in the election campaign, throughout their discussion of the rights of disabled members of society, the *Grünen* noted that during National Socialism 350,000 to 400,000 men and women underwent obligatory sterilizations or abortions according to the *Gesetz zur Verhütung*

³⁰⁰ The BAGChr strongly opposes all forms of embryonic research. The primary focus on religious and scientific ethics of PID, a procedure which examines embryos in early phases of *in vitro* development. In laboratories cells can be separated from the embryo and tested for genetic abnormalities. BAGChr, *Die Präimplantationsdiagnostik oder der Traum vom vollkommenen und leidensfreien Menschen* (Düsseldorf: TIAMATdruck GmbH, 2004).

³⁰¹ Die Grünen, *Farbe bekennen*, 18.

erbkranken Nachwuchses (Law for preventing hereditary diseases of future generations).³⁰² The Nazi's eugenic policies tried to eradicate from society anyone who did not "correspond to the doubtful terms of 'Norm and Normality.'"³⁰³

Similarly, fifteen years later, in their 2002 Party Program *The Future is Green*, the Greens elaborated their positions on genetic engineering technologies and fears of eugenic practices, particularly screening for gender and disabilities:

In Green policy, people's desire for health and physical and emotional integrity are put at the top of the agenda. Where there is a realistic chance of preventing illness or providing suitable therapy, we see it as our duty to use opportunities in the patients' interests, as long as the possible consequences have been given serious consideration, do not harm the interests of others, or violate basic fundamental values.

Our objective is to utilize and promote whatever realistic chances there are for healing illnesses. But we reject directing genetic engineering to the creation of the 'perfect' human being. Our benchmark is each person's individuality, not a notion of how they measure up to presumed norms of physical "health", "fitness" or "beauty."

We set every form of research and utilization in genetic engineering against the notion of human dignity enshrined in our Constitution:

From the very start, human life is to be protected and not

³⁰² Die Grünen, *Farbe bekennen*, 7.

³⁰³ Ibid., 7. For an analysis of the Nazi legacy on contemporary bioethics, see Tanja Krones, "The Scope of the Recent Bioethics Debate in Germany: Kant, Crisis, and No Confidence in Society," *Cambridge Quarterly of Healthcare Ethics* 15 no. 3 (2006), 273-281.

instrumentalized. We firmly reject any consumer-directed embryo research."³⁰⁴

It is technological advancement that is to be *utilized*, not the individual. Embryonic research is discarded as a selective technique, because "the right to life and physical integrity apply equally, without qualifications, to people with disabilities too."³⁰⁵ In weighing social and individual consequences, genetic engineering is renounced by the party as an unethical medical procedure.

Interestingly, the Greens and the federal interest group Christians in the Greens disagreed with the use of prenatal diagnostic tests on embryos, insomuch as they pressure women into terminating their pregnancies. They warn:

Advances in reproductive medicine have led to profound ethical problems and conflicts. Increasingly sophisticated methods in diagnosis and access to the unborn child are being offered to would-be parents as an increment in freedom of choice and in opportunities for self-determination. Prenatal and pre-implantation diagnostics bring women face to face with options that go far beyond the decision whether or not to carry a pregnancy to term. There is a risk that the right to terminate a pregnancy will become a duty to terminate in cases where doctors have diagnosed a possible disability.³⁰⁶

³⁰⁴ *The Future is Green*, 67.

³⁰⁵ *Ibid.*, 69.

³⁰⁶ *Ibid.*, 109.

In an interview Dr. Battenberg, co-chair of the BAGChr, explained that if parents can genetically engineer a "perfect child," or determine whether or not a fetus is "perfectly healthy," then there are significant social repercussions. He noted that if a mother is faced with the knowledge that she is carrying a mentally or physically challenged child, then she may feel obligated to terminate her pregnancy, which Battenberg asserted fosters discrimination against people with disabilities, thereby "categorizing and treating [them] as unequal members of society."

Although the Greens are often criticized for their "techno-skepticism" in dealing with stem cell research, they do however promote leading edge scientific development of renewable energy sources, such as wind and solar power, as well as champion the advancement of adult stem cell research.³⁰⁷ Nevertheless, they consistently exhort against the scientific objectification and commercialization of people:

A central tenet of democratic constitutions is freedom in science and research. In our age, the borders between basic research, applied research and the technical and economic use of knowledge are becoming increasingly blurred. The time separating new discoveries, new techniques and their application is becoming ever shorter. For this reason, critical reflection on potential effects has to be considered even as early as making decisions on the course of new research. For this to happen there must be public debate far beyond the world of expert

³⁰⁷ The *Summary Report* identifies adult stem cells as "tissue specific," and as able to "regenerate specific types of tissue. Recent research findings show that adult stem cells possess an extraordinarily high degree of plasticity, i.e. under certain conditions they are capable of developing into different types of tissue" (2).

opinion. Borders have to be imposed on research and science precisely at those points where they violate human dignity as, for example, in experimenting on human life or cloning human beings.³⁰⁸

As mentioned earlier, the Greens frequently discussed women's self-determination by juxtaposing bioethical debates surrounding abortion and embryonic research. In topic-specific interviews, numerous Greens were not bothered by the seemingly irreconcilable views on the two controversial issues - fighting against the killing of embryos, but not fetuses. A policy advisor commented that even though the contentious topics have correlated social and individual ramifications, they require "separate, but interdependent" exigency.³⁰⁹

Congruously, in the 2002 platform, in their examination of tests on embryos and prognostic medicine, the Greens claimed:

Prenatal and pre-implantation diagnostics face women with options that go far beyond the decision whether or not to carry a pregnancy to term. There is a risk that the right to terminate a pregnancy will become a duty to terminate in cases where doctors have diagnosed a possible disability. Modern reproductive technology and research on embryonic stem cells are a further threat to women's rights to reproductive self-determination. As "egg providers" and embryo donors, women increasingly risk being seen as nothing more than the object of medical, research or economic interests. ALLIANCE90/THEGREENS thus reject the production of embryos for

³⁰⁸ *The Future is Green*, 82.

³⁰⁹ Interview with Green policy advisor, November 6, 2006, in Hamburg (the name of interviewee is withheld by mutual agreement).

any other purpose than to bring about a pregnancy. Women's rights to reproductive self-determination encompass the right to refuse predictive genetic tests during or before pregnancy, and also the right to decide in favour of a disabled child. The fundamental right to freedom from bodily harm must be respected here as well.³¹⁰

Although the Greens argued for abortion rights, the burden of choosing whether or not to carry to term the pregnancy of a disabled child is deemed an unfair responsibility. Here the consequences of "instrumentalism" are brought to their logical conclusions – women are dehumanized into the role of "raw material suppliers," who, "under the banner of medical progress," are being "handed as their individual responsibility something that is really a task for society as a whole: the task of achieving an equal stake in society for people with disabilities."³¹¹

Repeatedly during interviews, Greens such as Winfried Kretschmann, a former biology, chemistry and ethics high school teacher, opposed the instrumentation of women and embryos via stem cell research, insisting that it eradicates the *Basic Law's* understanding of human dignity.³¹² Kretschmann explained:

Like the first Article of the Constitution states, the dignity of the individual is inviolable. I think this is also the Christian understanding [...] the individual, as he is always has dignity, and upholding that dignity is central to my politics.

³¹⁰ *The Future is Green*, 109-110.

³¹¹ *Ibid.*, 110.

³¹² Winfried Kretschmann, interview with author, November 9 2006, in Baden-Württemberg Landtag, in Stuttgart.

He further elaborated that embryonic research disregards the fact that "the individual does not exist merely to be an organ donor for someone else, since, from the beginning to the end of a person's life, as the philosopher Kant said, 'A man is a means in himself.'"³¹³ Therefore, Kretchmann concluded that his belief "that God bestowed each individual with dignity and freedom" means that people are not to be utilized for any secondary purposes.

In 2005, Volker Beck admitted that the Greens "immediately found the churches to be reliable partners in ethics questions."³¹⁴ For instance, on 10 December 2001, leading representatives from the Greens, including Reinhard Bütikofer, Christa Nickels, and Claudia Roth, met with Präses Manfred Kock and Bischof Dr. Wolfgang Huber from the EKD to discuss pressing social concerns, including the 2002 Bundestag vote. The two groups agreed for the need to place ethical and legal limitations on embryonic research and prenatal diagnostic tests, while confirming the *Enquete-Kommission's* rejection of stem cell importation.³¹⁵ In fact, in a speech to the Grüne Jugend, the Greens' youth initiative, Christa Nickels claimed that in the debate surrounding stem cell research the Green party and the churches "are in many ways allies."³¹⁶ She declared that in the course of her work she has organized and attended numerous meetings on bioethical issues with the two major Christian churches, including a conference with the Evangelical

³¹³ Interestingly, Dietrich Bonhoeffer drew similar conclusions: "The life of the body, like life in general, is both a means to an end and an end in itself. To regard the body exclusively as a means to an end is idealistic but not Christian; for a means is discarded as soon as the end is achieved," *Ethics*, ed. Eberhard Bethge (New York: Collier Books, 1986), 156.

³¹⁴ Markus Becker, "Schröders Stammzellen-Vorstoß löst Empörung aus," *Spiegel Online* 14 June 2005 <http://www.spiegel.de/wissenschaft/mensch/0,1518,360514,00.html> (accessed March 29, 2007).

³¹⁵ EKD and Bündnis90/Die Grünen, "Spitzengespräch zwischen Rat der EKD und Bündnis 90/Die Grünen" December 11, 2001. http://www.ekd.de/presse/pm127-2001_Spitzengesprch_Rat_Gruene.html (accessed May 14 2007).

³¹⁶ Christa Nickels, "Grüne und Kirche",

Academies in Germany (EAD) in the Palatinate, and a medical convention convened by the Roman Catholic archdiocese of Paderborn.³¹⁷

As early as 1989, the German Bishops' Conference and the Council of the Evangelical Church in Germany released a joint declaration "*Gott ist ein Freund des Lebens*," (God is a friend of life), in which they described the obstacles facing the churches regarding their role in protecting life, particularly developing life.³¹⁸ Both the Evangelical and Catholic Churches view human life as sacred because each individual is made in the "image of God" and, therefore, from "the first moment of its existence, must be guaranteed that unconditional respect which is morally due to the human being in his or her totality and unity in body and spirit."³¹⁹ In his lengthy address, on 23 November 2001, Professor Dr. Hans Joachim Meyer, president of the Central Committee of German Catholics (ZdK), stated:

"Indisputably, all ethical moral concepts are rooted in either religious or philosophical fundamental convictions, even if this connection is not always clearly or expressly reflected. Ethical attitudes do not exist in a vacuum. And explicitly we confess the uniqueness of our belief as Christians. The respect for human dignity, which stands at the pinnacle of our Constitution and from which all other fundamental rights take their starting point, is for us a consequence of our belief that all people are

<http://www.gruene-jugend-berlin.de/index.php?MODE=1&DISPLAY=seite&ID=182> (accessed March 26, 2007).

³¹⁷ Ibid.

³¹⁸ EKD, "How much should we know? Opportunities and risks of predictive medicine," <http://www.ekd.de/english/5472.html> (accessed April 17, 2007).

³¹⁹ Pontifical Academy for Life, *Declaration on the Production and the Scientific and Therapeutic use of Human Embryonic Stem Cells*. August 14, 2005,

created by God and redeemed through Jesus Christ. As Christians we respect that human dignity is also a consequence of other fundamental convictions.³²⁰

The Catholic and Evangelical Churches unanimously agreed with the *Embryo Protection Act*, that human life begins at conception, and is inalienable from that time forward.³²¹ Therefore, any embryo, whether developing *in vitro* or *in vivo*, is not only under state protection, but is also ordained and created by God. Compatibly, Bishop Johannes Friedrich of the EKD, argued that since it "isn't possible, biologically, to give a completely unambiguous answer" as to when nascent life commences, it is more fruitful to examine the query ethically, since "there is good reason to choose the point in time which carries the least risk in terms of ethical judgment. That is clearly the moment of fusion of the egg and sperm cells."³²² And, like the Greens, the church officials' examinations of embryonic stem cells were inseparable from issues of abortion. Case in point, Dr. Bishop Huber from the EKD maintained that the Evangelical and Catholic Churches' assertions that life begins at conception apply equally to all developing life, and thus, if

we are uneasy about a hundred thousand embryos deep-frozen at the earliest stage, then surely we cannot keep quiet about 160,000 abortions a

http://www.vatican.va/roman_curia/pontifical_academies/acdlife/documents/rc_pa_acdlife_doc_20000824_cellule-staminali_en.html#_edn14 (accessed May 18, 2007). Hereafter cited in text as *Pontifical Academy*.

³²⁰ Hans Joachim Meyer, "Bericht zur Lage (Teil 1) Vollversammlung des ZdK am 23./24. November 2001," <http://www.zdk.de/reden/reden.php?id=7> (accessed April 28, 2007).

³²¹ Kreß claims that the German churches' view regarding the sanctity of human life was first legalized in 1794, in the Prussian General Law, which insisted that "unborn children from the time of their conception" are incontrovertibly vested with "the same general rights as all humankind". Hartmut Kreß, "Pre-implantation Diagnosis and Research on Embryonic Stem Cells — the ethical conflict," *EKD* http://www.ekd.de/dialogue/dialogue_2_2002_3.html (March 21, 2007).

³²² Bishop Johannes Friedrich, "I am afraid a door has been opened" no. 2 (2002) http://www.ekd.de/dialogue/dialogue_2_2002_6.html (accessed May 19, 2007).

year either. If we are serious about the protection of human embryos, then we cannot be resigned to the fact that abortion is sometimes practiced as if it were a last-ditch form of contraception.³²³

Antithetically with the Greens' bioethical conclusions, by paralleling the rights of the developing embryo in the coterminous issues of stem cell research and abortion, the churches denounced both procedures.

In a joint letter on the topic of embryonic stem cell research addressed to members of the German Bundestag from 14 January 2002, Karl Cardinal Lehmann and Präses Manfred Kock, chairmen of the *Deutsche Bischofskonferenz* and the *Rat der Evangelischen Kirche in Deutschland*, respectively, asked "for a clear vote for the protection of the human being from the beginning."³²⁴ They reflected that both churches have "actively taken part in the bioethical discussion for a long time" and have consistently expressed their "common conviction many times in public" against the use and importation of embryonic stem cells. They "reminded" the politicians of their arguments against 'handling' and 'importing' stem cells, "by whose withdrawal embryos are destroyed."³²⁵

First, they claimed that the embryo *in vitro*, from the time of fertilization, is owed "unrestricted protection of life" and as such depends on "the image and dignity of a

³²³ Wolfgang Huber "Respect for Life no. 2 (2002) http://www.ekd.de/dialogue/dialogue_2_2002_1.html (accessed May 19, 2007).

³²⁴ Karl Kardinal Lehmann and Präses Manfred Kock, "Kirchen bitten um klares Votum für Schutz des Menschen von Anfang an: An die Abgeordneten des Deutschen Bundestages," January 14 2002, <http://www.dbk.de/aktuell/meldungen/2918/index.html> (accessed April 27, 2007). Hereafter *Kirchen bitten*

³²⁵ Ibid.

human being upon which the *Basic Law* is founded."³²⁶ On 25 August 2000, the Roman Catholic Church's Pontifical Academy for Life published its *Declaration on the Production and the Scientific and Therapeutic Use of Human Embryonic Stem Cells*, which addressed the question: "Is it morally licit to produce and/or use living human embryos for the preparation of Embryonic Stem cells?"³²⁷ This document, which is regularly cited by German Catholic and Evangelical bodies, insisted that the human being is a person from the moment of conception and, "therefore, from that same moment his rights as a person must be recognized, among which in the first place is the inviolable right of every innocent human being to life."³²⁸

Secondly, Lehmann and Kock argued that although stem cell research promises catholicon for serious illnesses, the desired outcome "is not to be seen removed from the methods with which it is to be achieved, and from the consequences which result from the endorsement of these methods."³²⁹ Regardless of the desired medical benefits, the methods employed to reach them cannot be removed from greater ethical responsibilities. And therefore, in the case of stem cell research "where methods intend an annihilation of embryonic people, they prove unacceptable."³³⁰ Similarly, the Pontifical Academy stated: "A good end does not make right an action which in itself is wrong." In identifying "embryonic people" the two major Christian churches discuss human life *in potential*.

³²⁶ Notably, the EKD claims that the German churches are hesitant regarding *in vitro* fertilization in general, counseling "against its use," claiming that superfluous embryos, "embryonic people" are either destroyed through stem cell extraction or are "thrown away." EKD, *Current Challenges*.

³²⁷ *Pontifical Academy*.

³²⁸ *Ibid.*

³²⁹ *Kirchen bitten*.

³³⁰ *Ibid.*

Scrutiny of the instrumentalism of embryos for the purposes of stem cell research was not monopolized by the Greens. In early May 2003, the Catholic and Evangelical Churches held their annual "Week for Life," based on the theme "opportunities and limitations of medical progress."³³¹ Karl Cardinal Lehmann, Chairman of the German Bishops' Conference, criticized technological methods that "use" life, either to "select the life of one at the expense of another" or to "create human life to be used for a particular purpose."³³² Christa Nickels issued a press release during the "Week for Life" acknowledging that "the Greens welcome Germany's two big churches to advance the social debate over chances and borders of the medical progress."³³³ She enounced that it "is illusionary to believe that through technical advances, health is 'achievable.'"³³⁴

The Greens' continue to view the promises and claims made by proponents of stem cell research as unrealistic, and, therefore, irresponsible. In an interview with *Der Tagesspiegel*, Christa Nickels discussed the Greens' view of embryonic research:

The German bishops have just stated very intelligently and appropriately that the obsession with miracles and the dream of unlimited power with which we can create anything is less prevalent in the church today; it rather relies more on science and research. The bishops also pointed out the fundamental conflict: on one side, the joy over the increasing

³³¹ Präses Manfred Kock, "God has no hopeless causes," 2003, http://www.ekd.de/bulletin/2003/02_2003_7.html (accessed May 17, 2007).

³³² Ibid.

³³³ Christa Nickels, "Embryonale Stammzellforschung instrumentalisiert menschliches Leben" May 2, 2003 http://www.gruene-bundestag.de/cms/presse/dok/12/12077.embryonale_stammzellforshung_instrument.htm (accessed April 16, 2007).

³³⁴ Ibid.

compilation of knowledge, of which we could only dream a hundred years ago, and which opens new healing opportunities in medicine. But it does not excuse us from the obligation to examine with each new step whether basic human rights criteria have not inadvertently been compromised. Science cannot be made the sole standard of civil-social development. For good reasons it is embedded into the constitutional and basic human rights of a society.³³⁵

Correspondingly, the Greens published the opinions of Dietmar Mieth, Professor of Theological Ethics at the Catholic-theological faculty in Tübingen, who warned about the danger of a "global fascism" in the context of genetic engineering and embryonic research.³³⁶ He associated fascism with scientific advancement, claiming that both are utilitarian systems, arguing that "whatever is useful to the people is right."³³⁷ He differentiated "modern fascism" in the realm of embryonic research from National Socialist ideology, protesting that this "new power" does not "work by force, but by temptations," and medical assurances.³³⁸ He metaphorically asserted that the scientific community's alluring guarantees for self-determination and health benefits hide the

³³⁵ Christa Nickels in an interview, "Leid mit technischen Mitteln abschaffen, das ist eine Illusion," *Tagesspiegel* March 17, 2001, <http://www.tagesspiegel.de/politik/art771,2099439> (accessed April 17, 2007).

³³⁶ Dietmar Mieth, "Warnung vor 'globalem Faschismus,'" June 16, 2001, http://www.grüne.de/cms/archiv/dok/0/803.warnung_vor_globalem_faschismus.htm (March 16, 2007).

³³⁷ Ibid.

³³⁸ Interestingly, on his 3 August 2005 *Focus on the Family* radio show, American evangelical, Dr. James C. Dobson analogously compared embryonic stem cell research with Nazi experiments, stating: "In World War II, the Nazis experimented on human beings in horrible ways in the concentration camps, and I imagine, if you wanted to take the time to read about it, there would have been some discoveries there that benefited mankind. You know, if you take a utilitarian approach, that if something results in good, then it is good. But that's obviously not true. We condemn what the Nazis did because there are some things that we always could do but we haven't done, because science always has to be guided by ethics and by morality."

"economization of death," wearing "the mask of liberation from agony."³³⁹ He proceeded to warn of uncritical "technology-faith," arguing "the more we make life an object of curiosity and desire, the more life turns into matter."³⁴⁰

Likewise, on 30 January 2002, in her speech to the Bundestag, Christa Nickels chastised unjustified devotion to scientific advancement as promised through stem cell research:

As a Catholic from the Rheinland, I am astonished about the belief in the wonder-working power continually placed in embryonic stem cell research. Concerning promises made in regard to this research, which is itself still in an absolute developmental phase, and the expectant belief in miracles, I can only say that in comparison, pilgrims who participate in a procession imploring Mary, which many find ridiculous, are actually more credible realists.³⁴¹

The former nurse criticizes the miraculous cures portended by researchers and advocates of embryonic research. Her religious rhetoric undermined the "exaggerated salvation expectations" and "miracle-hopes" scientists profess will result from increased commitments to stem cell research in Germany.³⁴² Ironically, as the speaker for Church Politics, she juxtaposed the unproven and "audacious promises" made by scientists with Catholic pilgrims taking part in a Mary procession, longing for divine healing. Both the

And you remove ethics and morality, and you get what happened in Nazi Germany." Aug 3, 2005, <http://mediamatters.org/items/200508030007> (accessed April 17, 2007).

³³⁹ Dietmar Mieth, "Warnung vor 'globalem Faschismus,'" *Die Zeit*, 19 Aug. 2003, 10.

³⁴⁰ *Ibid.*

³⁴¹ Christa Nickels, "Stammzellenimport," speech in Bundestag, January 30, 2002, http://www.gruene-bundestag.de/cms/archiv/dok/0/0636.christa_nickels_sammzellenimport.htm (accessed May 4, 2007).

³⁴² *Ibid.*

religious participants and the scientist earnestly strive to alleviate suffering, theirs and others. She continued to voice her 'sadness' over the scientific community's unjust awakening of "unrealistic expectations."³⁴³

Even though the Green party and the Catholic and Evangelical Churches share sympathetic, if not similar views, on the dangers and ethical dilemmas latent in embryonic research, it appears as if they do so for two acutely different reasons. As with their stance on abortion, the churches' primary justification for rejecting stem cell research is grounded in the concept that life, which begins at conception, is sacrosanct. And as such, regardless if a fertilized human egg cell, embryo, fetus, child, or mature adult, all phases of development are equally human, and, therefore, equally sacred. The Greens, on the other hand, avoid philosophical speculations as to the moment nascent life becomes a person under the governance and protection of the state, and, instead, focus on resisting the instrumentality and manipulation of each individual in society.

The German parliamentary debates relating to fetal stem cell research included the opinions of various political, legal, scientific, philosophical, and religious perspectives. Unlike abortion, which has become a relatively mute issue in Germany, scientific advancements, particularly in the case of embryonic research, will continue to present new and manifold ethical questions.³⁴⁴ It will be fascinating to observe how

³⁴³ Ibid.

³⁴⁴ For instance, in July 2007 Japanese genetics researcher Shinya Yamanaka claimed that he had successfully manipulated the skin cells of laboratory mice back to their embryonic state. He claims that within "a matter of months" he will be able to produce an "ethical human stem cell without using a human embryo." *Calgary Herald* "Human stem cells soon to be made without embryos: 'Lead transformed into gold' in genetic research," A7, July 17, 2007.

existing and burgeoning bioethical concerns will be approached by the churches and the German Green Party.

Concluding Thoughts on the German Green Party's Interaction with Religion

Let me preface my concluding remarks with a noteworthy distinction that informs German Green party politics and, therefore, makes it effective. It is a distinction between religion and politics that they consider to be essential to their practice and their relationship with Germany's religious institutions. It is also part of their historical consciousness. After this core point of the thesis made, I shall describe briefly the conclusions of each chapter.

Founding members of the Green Party like Rudolf Bahro and Petra Kelly conflated social, ecological, and political goals with a vague sense of spirituality. In effect, they indiscriminately fused religion with politics, thus coming close to envisioning a new social and political order that reminded critics of Germany's former National Socialism.³⁴⁵ But that is not the Green Party that my research uncovered. Far from it. My research and foregoing analysis suggests that the aspirations of Greens to protect nature, religious freedom, and human dignity, are the core elements of what they

³⁴⁵ In fact, it can be quite persuasively argued that the prevailing political and spiritual dogma espoused by Bahro in his publications seeks to usher in a new, civil religion. In her essay "'Ecology' and the Modernization of Fascism in the German Ultra-Right," Janet Biehl identifies the links between the "New Right," neo-fascism, and environmental policy in Germany. A considerable portion of her article is devoted to discussing Bahro's "völkisch spirituality" and his neo-Nazi delusions for an eco-fascist form of spirituality. Biehl provides ample and well-researched evidence to argue that Bahro desired the ordination of a new, spiritually dominated world-order, or, a civil religion. She notes that he was preoccupied with the *deutsche Wesenheit*, the "German essence," which Peter Kratz compares with "the mystical Germanism of the völkisch movement" (52). Along with Biehl, other scholars including Roger Niendenführ and Peter Kratz have also exposed Bahro's insidious assertion that "there is a call in the depths of the Volk for a Green Adolf," claiming that the National Socialist movement was "among other things an early reading to the ecology movement." (Bahro quoted in Biehl, 53). In fact, Biehl asserts that Bahro sought to commission a "salvation government" or "god-state" ruled by a "prince" or "guru elite" that will "dictate the law of God and nature" (52). This authoritarian oligarchy will be headed by a "Green Adolf," a spiritual entity, empowered by a vaguely defined 'God,' who will establish an ecofascist dictatorship in Germany.

see as a value-based political party that is decidedly not a religious entity. This is significant, because religion and politics, just like church and state, remain separate and distinct institutions that, however, share certain values for the realization of which its leaders cooperate.

Concepts like "value perspectives," "value discussions" and "value conservatives" consistently arose during interviews conducted in October and November 2006. Leaders commonly claimed that the churches are beginning to realize that the Greens are the "only party" to place "value discussions," such as abortion, stem cell research, and the social role of religious institutions, at the forefront of their policy.³⁴⁶

When asked whether or not she believed religious rhetoric and collaboration between the Catholic and Evangelical Churches and Greens will escalate, Bettina Jarasch answered: "I don't know. By and large the Greens are becoming more pragmatic in dealing with bioethical and religious issues," and in that sense, the party is perceived to be more willing to cooperate with the churches. Prominent Greens such as the current co-leaders Reinhard Bütikofer and Claudia Roth, along with Renate Künast, are outstanding examples of the party's growing expediency towards working with the

Janet Biehl, "'Ecology' and the Modernization of Fascism in the German Ultra-Right," in *Ecofascism: Lessons from the German Experience*, 50-55.

³⁴⁶ For example, in an interview Jarasch explained that the Free Democratic Party has relatively little interaction with the churches, compared with the Greens. She said: "We are much more interesting for the Church because our politics are primarily value-based and not interest-based. The FDP have interest-and-lobby groups that form the policies and strategies of the FDP. By contrast, our politics are value-based; we keep values such as global justice, women's rights, bioethical debates, and environmentalism in mind." Then she associated the Greens with the churches by arguing that both are value-based and value-disseminating institutions.

churches. While neither Roth nor Künast are church members, they constructively support Christian groups in areas of shared interest and concern.³⁴⁷

Jarasch claimed that like Künast, many Greens view the churches as important value-building institutions in society, and therefore, see potential synergism in matters of common interest. She explained that the "pragmatic mentality is growing," saying:

We see where we have things in common and where we can cooperate, and then we see where we still have differences and need further discussion. But we don't want to abolish each other anymore [laughs]. The churches have started to respect the Greens and see that the Greens are also a value-establishing institution. I think understanding is growing between the two institutions. But I don't think we will ever totally and specifically underline Christian influences in our party or our next platform.

In short, because the Greens have become pragmatic in their political tactics and clear about their institutional distinctiveness, they have increased their cooperation with the Catholic and Evangelical Churches, Islamic associations and other religious groups.

Given the clear distinction between party and church institutions which makes their cooperation possible, Chapter One then shows how in all other things the Greens were, and remain, what Winkler called an "inhomogeneous party." The party consists of members that hold colorful, if also contradictory, religious, ideological, political, and social values. Despite the lack of internal homogeneity, however, my research persuaded

³⁴⁷ For example, Claudia Roth who is a charismatic figure and one of the best known politicians in Germany attends many public Christian events, such as the *Kirchentage*. She also voices her support for Muslim and Jewish organizations.

me to conclude two things. First, since the mid-1990s the relationship of the Greens with Islam and with the Catholic and Evangelical Churches has improved. Second, Green practical politics works because its leaders handle the ever-changing nature of contentious topics on an issue by issue basis. Taking their insistence on practical politics to heart, the thesis then looks at the relationship of the Green party with Germany's religious institutions as they search for common values. It does so within the context of two bioethical debates.

Chapter Two concludes that the task of grappling with the complex issue of somehow making immigrants and Muslims welcome members of German democracy required that the Greens undergo a paradigm shift. Thus, in May of 2006 the Greens reconstructed their immigration policy to one that sees Germany as an immigrant society in which Islam is Germany's second largest religious group. In contradiction with Muslims who dream about a Caliphate in Palestine and Sharia law in Germany, the Greens insist that the separation of church and state remain essential and only when that separation is respected by Muslims can they be integrated into German society.

Chapters Three and Four compare the Greens' contradictory positions on abortion and embryonic stem cell research. One can only conclude that the Greens are simultaneously both, pro-life and pro-choice. How can the party hold contradictory positions and get away with it? I can only argue what the Greens seem to conclude, namely, that the party is what it practices. Thus their practical politics persuade them to seek support from the Courts on the matter of abortion, but from the Church on the matter of stem cell research. Because the Greens respect the self-determinacy of women and

resist the instrumentality of embryos, they oppose the criminalization of abortion, but not stem cell research. German law agrees.

The chapters of this thesis describe the contradictory positions of the German Green party in their historical, political, and cultural contexts. It shows the party in an open process of development and in a wide range of institutional relationships. It would be irresponsible to conclude that the Greens are a religious, or even a vaguely spiritual party. Over the course of time the Greens experienced agreements with the Christian churches, just as they now experience agreement. Consequently, their positions on topics such as the relationship of religion and the state and bioethical debates can be examined both autonomously *of* and concomitantly *with* church views.

It remains to be seen how the Green Party's relationship with the Evangelical and Catholic Churches will continue to unfold. In recent years, the Greens' criticism of the privileges afforded to the churches and conflicts surrounding abortion have become secondary to current social and political issues, such as the integration of Muslim communities, and the prohibition of embryonic stem cell research. Although the evolving greening of the churches and institutionalization of the German Green Party are discernibly synergetic, they are undoubtedly not rooted in absolute theological or ideological agreement, but rather, in pragmatic, cooperative, consociation.

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Appendix A:

*Article 140 of the German Basic Law*³⁴⁸

Article 140 [Law of Religious Bodies]

The provisions of Articles 136, 137, 138, 139 and 141 of the German Constitution of 11 August 1919 are integral parts of this Constitution.

Article 136 WRV [Civil and Political Rights]

- (1) Civil and political rights and duties are neither dependent on nor restricted by the exercise of the freedom of religion.
- (2) Enjoyment of civil and political rights and eligibility for public office are independent of religious denomination.
- (3) No one is bound to disclose his religious convictions. The authorities have no right to inquire into a person's membership of a religious body except to the extent that rights or duties depend thereon or that a statistical survey ordered by law makes it necessary.
- (4) No one may be compelled to perform any religious act or ceremony or to participate in religious exercises or to use a religious form of oath.

Article 137 WRV [State Church]

- (1) There is no state church.
- (2) Freedom of association to form religious bodies is guaranteed. The union of religious bodies within the territory of the Reich is not subject to any restrictions.
- (3) Every religious body regulates and administers its affairs autonomously within the limits of the law valid for all. It confers its offices without the Participation of the state or the civil community.
- (4) Religious bodies acquire legal capacity according to the general provisions of civil law.
- (5) Religious bodies remain corporate bodies under public law insofar as they have been such heretofore. The other religious bodies are granted like rights upon application, where their constitution and the number of their members offers an assurance of their permanency. Where several such religious bodies under public law unite in one organization, such organization is a corporate body under public law.
- (6) Religious bodies that are corporate bodies under public law are entitled to levy taxes in accordance with State [Land] law on the basis of the civil taxation lists.
- (7) Associations whose purpose is the common cultivation of a philosophical persuasion have the same status as religious bodies.
- (8) Such further regulation as may be required for the implementation of these provisions is a matter for State [Land] legislation.

³⁴⁸ Taken direction from the *Basic Law*, translated and published by Axel Tschentscher, pp. 105-107

Article 138 WRV [Church Property]

(1) State [Land] contributions to religious bodies, based on law or contract or special legal title, are redeemed by means of State [Land] legislation. The principles for such redemption are established by the Reich.

(2) The right to own property and other rights of religious bodies or associations in respect of their institutions, foundations, and other assets destined for purposes of worship, education or charity are guaranteed.

Article 139 WRV [Sunday and Holidays]

Sunday and the public holidays recognized by the state remain legally protected as days of rest from work and of spiritual edification.

Article 141 WRV [Religious Services]

To the extent that there exists a need for religious services and spiritual care in the army, in hospitals, prisons, or other public institutions, the religious bodies is permitted to perform religious acts; in this context there is no compulsion of any kind.

Article 141 [“Bremen Clause”]

Article 7 III 1 does not be applied in any State [Land] in which different provisions of State [Land] law were in force on 1 Jan., 1949.

Article 7 [School education]

(3) Religious instruction shall form part of the regular curriculum in state schools, with the exception of non-denominational schools. Without prejudice to the state’s right of supervision, religious instruction shall be given in accordance with the tenets of the religious community concerned. Teachers may not be obliged against their will to give religious instruction.

Appendix B:*Statistics of Muslims in Germany*³⁴⁹

<u>Country of Origin</u>	<u>Foreigners as of 31.12.2005</u>	<u>Naturalization between 1988 and 2005</u>	<u>Total</u>
Turkey	1 764 041	673 024	2 437 065
Bosnia-Herzegovina	156 872	31 315	188 187
Iran	61 792	67 903	129 695
Morocco	71 639	52 242	123 695
Afghanistan	55 111	40 511	95 622
Unknown*	3 204	4	3 208
Lebanon	40 060	29 753	69 813
Iraq	75 927	18 468	94 395
Pakistan	30 034	19 317	49 351
Tunisian	22 859	20 671	43 530
Syria	28 154	14 158	42 312
Algeria	13 948	5 843	19 791
Egypt	10 258	5 755	16 013
Jordan	8 042	7 519	15 561
Indonesia	11 054	1 761	12 815
Eritrea	5 930	9 041	14 971
Bangladesh	4 354	2 152	6 506
Sudan	3 254	1 381	4 635
Libya	3 138	320	3 458
Yemen	2 239	341	2 580
Saudi Arabia	1 423	32	1 455
Other**	1 712	67	1 779
Total	2 375 045	1 001 578	3 376 623

*Palestinian areas; a separation from Guam is not possible

**Bahrain, Brunei Darussalam, Qatar, Kuwait, Oman, United Arab Emirates

³⁴⁹ Chart reproduced from Deutscher Bundestag, *Drucksache 16/5033*, 6.

Appendix C:

Paragraph 218 from Germany's Criminal Code (Strafgesetzbuch, StGB)³⁵⁰

Section 218 Termination of Pregnancy

(1) Whoever terminates a pregnancy shall be punished with imprisonment for not more than three years or a fine. Acts, the effects of which occur before the conclusion of the nesting of the fertilized egg in the uterus, shall not qualify as termination of pregnancy within the meaning of this law.

(2) In especially serious cases the punishment shall be imprisonment from six months to five years. An especially serious case exists as a rule, if the perpetrator:

1. acts against the will of the pregnant woman; or
2. recklessly causes the danger of death or serious health damage of the pregnant woman.

(3) If the act is committed by the pregnant woman, then the punishment shall be imprisonment for not more than one year or a fine.

(4) An attempt shall be punishable. The pregnant woman shall not be punished for attempt.

Section 218a Exemption from Punishment for Termination of Pregnancy

(1) The elements of the offense under Section 218 have not been fulfilled, if:

1. the pregnant woman requests the termination of pregnancy and demonstrated to the physician with a certificate pursuant to Section 219 subsection (2), sent. 2, that she had counseling at least three days before the operation;
2. the termination of pregnancy was performed by a physician; and
3. not more than twelve weeks have elapsed since conception.

(2) The termination of pregnancy performed by a physician with the consent of the pregnant woman shall not be unlawful, if, considering the present and future living conditions of the pregnant woman, the termination of the pregnancy is advisable to avert a danger to life or the danger of a grave impairment of the physical or emotional state of health of the pregnant woman and the danger cannot be averted in another way which is reasonable for her.

(3) The prerequisites of subsection (2) shall also be deemed fulfilled with relation to a termination of pregnancy performed by a physician with the consent of the pregnant

³⁵⁰ Federal Ministry of Justice, "Criminal Code (Strafgesetzbuch, StGB)," in *Federal Law Gazette I*, November 13, 1998, <http://www.iuscomp.org/gla/statutes/StGB.htm#218> (accessed April 19, 2007).

woman, if according to medical opinion an unlawful act has been committed against the pregnant woman under Sections 176 to 179 of the Penal Code, strong reasons support the assumption that the pregnancy is based on the act, and not more than twelve weeks have elapsed since conception.

(4) The pregnant woman shall not be punishable under Section 218a, if the termination of pregnancy was performed by a physician after counseling (Section 218) and not more than twenty-two weeks have elapsed since conception. The court may dispense with punishment under Section 218 if the pregnant woman was in exceptional distress at the time of the operation.

Section 218b Termination of Pregnancy Without a Medical Determination; Incorrect Medical Determination

(1) Whoever terminates a pregnancy in cases under Section 218a subsections (2) or (3), without there having been a written determination of a physician, who did not himself perform the termination of pregnancy, as to whether the prerequisites of Section 218a subsections (2) or (3), existed, shall be punished with imprisonment for not more than one year or with a fine if the act is not punishable under Section 218. Whoever as a physician makes an incorrect determination, against his better judgment, as to the prerequisites of Section 218a subsections (2) or (3), for presentation under sentence 1, shall be punished with imprisonment for not more than two years or a fine if the act is not punishable under Section 21

8. The pregnant woman shall not be punishable under sentences 1 or 2.

(2) A physician may not make determinations pursuant to Section 218a subsections (2) or (3), if a competent agency has prohibited him from doing so because he has undergone a final judgment of conviction for an unlawful act under subsection (1), or under Sections 218, 219a or 219b or for another unlawful act which he committed in connection with a termination of pregnancy. The competent agency may provisionally prohibit a physician from making determinations under Section 218a subsections (2) and (3), if proceedings in the trial court have been instituted against him due to suspicion that he committed unlawful acts indicated in sentence 1.

Section 218c Breach of Medical Duties During a Termination of Pregnancy

(1) Whoever terminates a pregnancy:

1. without having given the woman an opportunity to explain the reasons for her request for a termination of pregnancy;
2. without having given the pregnant woman medical advice about the significance of the intervention, especially about the order of events, aftereffects, risks, possible physical or psychic consequences;
3. in cases under Section 218a subsections (1) and (3), without having previously convinced himself on the basis of a medical examination as to the length of the pregnancy; or

4. although he counseled the woman in a case under Section 218a subsection (1), pursuant to Section 219,

shall be punished with imprisonment for not more than one year or a fine if the act is not punishable under Section 218.

(2) The pregnant woman shall not be punishable under subsection (1).

Appendix D:

Paragraph 219 from Germany's Criminal Code (Strafgesetzbuch, StGB)³⁵¹

Section 219 Counseling of Pregnant Women in an Emergency or Conflict Situation

(1) The counseling serves to protect unborn life. It should be guided by efforts to encourage the woman to continue the pregnancy and to open her to the prospects of a life with the child; it should help her to make a responsible and conscientious decision. The woman must thereby be aware, that the unborn child has its own right to life with respect to her at every stage of the pregnancy and that a termination of pregnancy can therefore only be considered under the legal order in exceptional situations, when carrying the child to term would give rise to a burden for the woman which is so serious and extraordinary that it exceeds the reasonable limits of sacrifice. The counseling should, through advice and assistance, contribute to overcoming the conflict situation which exists in connection with the pregnancy and remedying an emergency situation. Further details shall be regulated by the Act on Pregnancies in Conflict Situations.

(2) The counseling must take place pursuant to the Act on Pregnancies in Conflict Situations through a recognized Pregnancy Conflict Counseling Agency. After the conclusion of the counseling on the subject, the counseling agency must issue the pregnant woman a certificate including the date of the last counseling session and the name of the pregnant woman in accordance with the Act on Pregnancies in Conflict Situations. The physician who performs the termination of pregnancy is excluded from being a counselor.

³⁵¹ Federal Ministry of Justice, "Criminal Code (Strafgesetzbuch, StGB)," in *Federal Law Gazette I*, November 13, 1998, <http://www.iuscomp.org/gla/statutes/StGB.htm#218> (accessed April 19, 2007).

Section 219a Advertising for Termination of Pregnancy

(1) Whoever publicly, in a meeting or through dissemination of writings (Section 11 subsection (3)), for material gain or in a grossly objectionable manner, offers, announces, commends, or makes known explanations of the content of:

1. his own services for performing or promotion of terminations of pregnancy, or those of another;
2. means, objects or procedures capable of terminating pregnancy, with reference to this capacity,

shall be punished with imprisonment for not more than two years or a fine.

(2) Subsection (1), number 1 shall not apply when physicians or statutorily recognized counseling agencies provide information about which physicians, hospitals or institutions are prepared to perform a termination of pregnancy under the prerequisites of Section 218a subsections (1) to (3).

(3) Subsection (1), number 2 shall not apply if the act was committed in relation to physicians or persons who are authorized to trade in the means or objects mentioned in subsection (1), number 2, or through a publication in professional medical or pharmaceutical journals.

Section 219b Bringing Means for Termination of Pregnancy into Circulation

(1) Whoever, with intent to encourage unlawful acts under Section 218, brings means or objects into circulation which are capable of terminating a pregnancy, shall be punished with imprisonment for not more than two years or a fine.

(2) The incitement or accessoryship of the woman who prepares the termination of her own pregnancy, shall not be punishable under subsection (1).

(3) Means or objects, to which the act relates, may be confiscated.