

Fachtagung

Religion and Gender

Living together - Gender democracy in a multi-religious Europe

Berlin, 13. December 2007

Papers

1) Patrick Schnabel

Theories:

The relationship of the member states to the churches and religious communities operating within the scope of validity of their respective constitutional laws forms an integral part of the national identities of the member states protected by the EU (Art . 6 III EU Constitution, along with Declaration no. 11 of the Treaty of Amsterdam). The European Union has no jurisdiction over religious constitutional law.

European law – ranging from international treaties to Community law in the narrower sense – influences the fields of action, however, in which churches and religious communities operate. It is therefore of material significance to these communities.

For this reason, the European Union fosters regular, open and transparent dialogue with these communities which recognizes both their role as social players in numerous areas (social services, educational institutions, protection of minorities, asylum and refugee policy) and their role as a producer of beliefs and values (social cohesive powers in the broader sense of the term).

The special contribution made here by the churches and religious communities is an expression of religious freedom guaranteed and protected by the German Basic Law which, alongside an individual's right to faith, belief and worship also contains a corporative aspect, whereby the area protected by such freedom also includes the social activities of religious associations to varying degrees.

The level of the basic protection of fundamental rights is, for the most part, governed equally among the states of the Council of Europe in spite of the differences in their scopes of protection. National identity (see 1) above all finds its expression in the different institutional rules and regulations. They are the product of complex historical processes and denominational mixes and therefore – irrespective of the need to converge established under the Basic Law– are largely resistant to harmonization.

Germany's state-church law is characterized by cooperation between the state and religious communities which is often falsely labelled as a "hobbling separation".

These days, a number of religious communities participate in this system as public corporations.

The Austrian system is comparable even though one denomination is in the majority. The early inclusion of equal status for Jewish and Islamic religious communities in the country's constitutional history is remarkable.

By contrast, the Polish system is heavily typified by a majority denomination and can be described as concordant. However, it is important to distinguish between the legal

framework and social reality. Religious freedom must create a balance in such a system by encouraging the majority to exercise its social commitment as “positive religious freedom” while also protecting other minority denominations or non-denominational minorities from being monopolized by the majority denomination as “negative religious freedom”.

The strictest separation of not only the state from the church but also religion from politics can be found in the Czech system. In such a system, religious freedom must use “positive religious freedom” to assert the right of the denominational minority to be involved in the processes for shaping society.

Religion is not only the object of a separate fundamental right but can also become a conflict of laws for other fundamental rights. In such an instance, different traditions will accentuate the balance of legally protected interests differently. Achieving a “practical concordance” depends on none of the conflicting rights being subordinated in full. For the religious communities, it may also be of importance to differentiate between internal and external application.

2) Magdalena Sroda

Religion, Politics and Gender

My speech is going to focus on the phenomenon of Polish religiosity, as well as the power and function of the Church in Poland's public life. Furthermore, I am going to describe the influence which the Church and Polish religiosity exert on the status of women, their rights, chances and possibilities.

I. Poland, as a country, is as religious as Italy, Spain or Ireland, yet for historical reasons (the partitions and the communist era) the role of the Church in Poland has become considerably more significant. The Church is a stronghold not only of faith, which is obvious, but also of the "national substance": 'Polishness', freedom and patriotism, etc. The thesis about the progressive secularization of society is not correct in Poland.

The Polish Church dominates not only over the spirituality and the eschatological world, but also over the mundane dimension of life and the world of politics.

Among the typical characteristics of Polish religiosity, the following need to be mentioned:

1. The public character of faith, which translates into political functions of the Church (Poland, despite the articles of its Constitution is not a country which maintains the separation of the Church from the State).
2. The Marian tone of Catholicism, which manifests itself in the symbolic recognition of women and private values such as care, concern and forgiveness.
3. The undeniable and permanent authority of Pope John Paul II, which translates into the phenomenon of the JP II Generation.
4. The Church is the only authority on matters related to morality, which is reflected in the belief that the Church possesses an independent power of judgment of every social issue. In the public sphere, no debates are conducted on moral issues related, for example, to the development of medicine. It is possible to observe an intensification of intolerance towards homosexuality, among others. The belief, expressed exceedingly often by the widely respected Pope, that beyond religious ethics there is nihilism, as well as that

the freedom policy of the western societies leads to a “civilization of death” is treated by Polish leaders (including politicians) with careful attention.

II. Within the context of the strong Polish religiosity, the situation of Polish women is of an oppressive nature. However, this oppression is not always explicit. It manifests itself in three areas:

1. Most visibly – in the lack of access to reproductive rights (sexual education, contraception, in vitro fertilization and abortion).

2. In the absence of rules of gender mainstreaming in: education, social politics, and employment policy, etc.

3. In the low representation of women in the public, political and, in particular, in the opinion-forming spheres.

4. In the oppressive public discourse (the “traditional” role of women, sexism, etc.).

There are many women’s and feminist organizations active in Poland. I would like to conclude my speech with a presentation of their role and activities. Moreover, I would like to consider why no radical feminist movements exist in Poland.

I have addressed similar issues in my publications in German:

1. M.Środa, *Frauen und Feministinnen in Polen*, in: *Die Frau in der polnischen Gegenwartskultur*, (ed.) W. Koschmal, Bohlau Verlag Köln Weimar Wien, Cologne 1996 (pp.68-81).

2. M.Środa *Hindernisse und Chancen der Moraldebatte In Polen und die Marginalisierung von Frauen*, in: Heidi Hofmann (ed.), *Biopolitik Grenzenlos. Stimmen aus Polen*, Centaurus Verlag Herbolzheim 2005

3. Bashy Quraishy

Multiple discrimination in EU Concerning Religion/faith and Gender

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In 1997, Article 13 of the Amsterdam Treaty gave the European Union a legal basis on which to develop appropriate measures to combat discrimination based on sex, racial or ethnic origin, religion and belief, disability, age or sexual orientation. Using these powers, the EU in 2000 adopted two Race Equality Directives. One was an Race Equality Directive (June 2000/43/EC) dealing with discrimination in general and the other Directive (2000/78/EC) was more specific against discrimination in the Employment and access to goods and services, including social protection, health, social security and education.

This Directive puts forward a number of important definitions including Direct and Indirect Discrimination, Harassment and Victimisation. It also allows Positive Actions to reduce unequal treatment, sharing the burden of proof in the case of discrimination and establishment of specialised bodies to deal with complaints of discrimination and racism.

This Directive also obliges the Member States to encourage dialogue with the Civil Society NGOs.

Over and above these two very important Directives, the article 29 of the Treaty of EU also includes a reference to preventing and combating racism.

In April 2007, under the Chairmanship of Germany, the Council of EU Justice Ministers reached a political agreement on a Framework Decision on combating racism and discrimination and Xenophobia as crime.

In addition to all these EU laws, the EU has competence in other policy areas that directly or indirectly impact on the fight against racism including social inclusion, migration and asylum and education.

No doubt that EU Directive have played a key role in putting anti-discriminatory policies on the agenda but also advanced the cause of equality.

The sad part is that after 7 years, many EU countries including Germany has not implemented or transposed the Directives fully. This they should have done years ago. Now the EU Commission has taken these Member States to the Court of Justice

and have up till now found 14 countries, infringing the laws. More countries would be looked at too.

Situation in EU

When we look at the current situation in the 27 EU Member States, we notice that discrimination and racism continue to persist, multiply and in some cases have moved from ethnicity to culture and religion. So when, we discuss discrimination based on gender and faith, we should be honest and straight forward. This discrimination is especially directed against Islam and Muslim communities. 70% of all, non-European ethnic and religious minorities in EU has Muslim background.

Many international organisations such as ECRI from Council of Europe, former EUMC, now called Agency of Fundamental Rights in Vienna, OSCE/ODIHR, Amnesty International, Human Rights Watch, Open Society, Helsinki Citizens Assembly and European Network Against Racism, has documented and warned that Islamophobia or hatred against Muslims is on the rise.

Even United Nation's Commissioner on Human Rights,

Louise Arbour recently said to Reuters News Agency that bigotry and prejudice against Muslims were common in Europe and called on governments to tackle the issue.¹

ENAR's Shadow Reports² from 2004, 2005 and 2006; "Racism in Europe" constantly indicate, issues of direct, indirect and multiple discrimination of Muslim minorities.

During my meetings with 27 National Co-ordinations of ENAR and listening to many other NGOs in Europe, I often hear similar concerns. I wish to share with you the challenges - few very visible and some under the surface - ethnic and religious minorities are facing.

- 1. The question of immigration and people's mobility and their integration in the host societies**
- 2. Exploitation of workers from East Europe by greedy employers in the old EU countries**
- 3. Very high unemployment among non-European ethnic minority groups – sometimes as high as 50% as it is in Denmark**
- 4. Mushrooming of the far right political parties and their influence on the decision making process , both on national and EU level**
- 5. A dramatic increase in racist and nationalist movements like the Nazi Party**
- 6. An openly hostile media world**

¹ Reuters News Agency. Robert Evans. 19th Sept 2007

² www.enar-eu.org

7. An unchallenged Islamophobic and anti-Semitic atmosphere in many EU States

8. Anti- terrorism laws versus upholding of civil liberties of all citizens

In January 2007, EU Commission commissioned and on Dec 6-7th 2007, made public its EU wide Survey on Multiple Discrimination. It was carried out by the Danish Institute for Human Rights. Many of its findings are thought provoking, for example, the survey has found that;

- Multiple Discrimination as a concept is little known and thus people only focus on single ground approach
- Most affected to Multiple Discrimination are ethnic minority women.
- The phenomenon of Multiple Discrimination occurs in all sectors of life but is most prevalent in Labour Market and Education
- Lack of Data leads to lack of knowledge of the extent of Multiple Discrimination which hinders proper remedies
- The majority of Ministries, NGOs and Equality Bodies surveyed for this report do not have specific strategies, action plans, awareness-raising or monitoring activities targeting Multiple Discrimination.

The report has come up with many useful recommendations, like;

- Better research and development of tools
- Effective legal protection against Multiple Discrimination in areas outside employment and occupation.
- Awareness raising of Multiple Discrimination among NGOs, EU policies and plans of actions
- Promoting good practices
- Data Collection by Member States
- Training and Education of staff members of National Equality Bodies
- EU Commission should develop funding sources for multiple-ground NGOs

The survey also mentions information provided by The European Legal Experts Network on the, legal remedies, work of equality bodies and case law on Multiple Discrimination in all 27 countries. In Germany's case, no information is available , except that Sec 4 AGG, provides that any unequal treatment on the basis of several prohibited grounds has to be justified individually.

There have been even many national reports, surveys and opinion polls in recent years which point to this development, I have just mentioned. Unfortunately, discrimination of Muslim communities has not only increased in recent years but it also effects both practising and non- practising Muslims.

Men, women and even children in schools are suffering.

This discrimination against Muslims takes place on direct and indirect level as well as in various forms. For Example in:

- Labour Market – men with beards or in non-European dress, women with scarf or long overcoat instead of smart European dresses
- Education – teachers with scarves, insulting remarks, taunting of schools kids, slogans and anti-Islam curriculum
- Health Services – patients do not want to be treated by nurses with headscarf or doctors with beards

- Housing – difficulty with neighbours, housing societies being un-co-operative in giving decent housing in majority areas
- Social life – lack of friends, non-acceptance by colleagues,
- Health services – rude doctors/nurses, lack of interpreters, hospital restrictions
- Youth Clubs/Sport Centres – no entry or by only membership, forced nudity, majority activities only
- Public transport services – rude drivers, passenger who do not want to sit with Muslims or being pushed by other passengers
- Media – anti-Islam propoganda, negative coverage, linking of Islam with terrorism and unnecessary focus on whole Muslim communities because of a tiny minority, huge media coverage when police raids suspected terrorists etc
- Political parties – Islamophobic statements in the parliaments, in the annual meetings / part programmes and in the media
- Police treatment/ethnic profiling

It is important to emphasis that there are criminals and bad elements in all communities, including Muslims. But when European governments and societies suspect and discriminate anyone who has a Muslim name, a scarf on the head, wears an Arabic dress or a has long beard, then they are generalising people because of Islam.

Practising Muslim women suffer the most from multiple discrimination. A piece of cloth on the head has in many countries and circles become the symbol of oppression, a barrier in integration and an anti-Western political statement.

I believe that Europe is a democratic continent. It values human rights, has respect for individualism, gives people freedom to practice any religion, encourages a dialogue and accepts diversity. If all that, I have just mentioned, is true, then I see no reason why ordinary Muslims are not being given their rights in this lovely Europe. Why are all Muslims being put in the same box as few misguided extremists?

Muslims communities do want to live in peace, in harmony with their co-citizens, go to schools for education, perform their duties at work and be hospitable to neighbours. In short, they want to be treated with respect and equality.

Muslims are able to accept criticism – on individual level, on group level and even criticism of their religion. But criticism should be to create good relationships, to understand each other and celebrate the differences. My appeal is that we should not allow constructive criticism to become insults, abuses and oppression of a minority religion and communities without power. Majority society must make sure that minorities feel safe and are accepted as equal partners.

Only then, we would create an inclusive society

4) Marcia Moser

Concepts of femininity:

(Religious concepts of femininity and their significance for the socio-political actions of Jewish, Christian and Muslim institutions in Germany)

The presentation provides an insight into the similarities and differences of religious concepts of femininity in Judaism, Christianity and Islam and their significance for the socio-political actions of religious institutions in Germany. In this context the *concepts* of femininity, as opposed to the *constructions* of femininity, will be addressed, since the aim here is to focus more on the content of the images of femininity rather than the processes behind their creation.

The question of the concepts of femininity will, above all, be tackled via two areas: in addition to the religious and social roles and tasks which monotheistic religions ascribe to women, female connotations in religious symbolism and concepts of God will also be cited.

Whilst it cannot be assumed that an analogy existed between a male God and a patriarchal social order, the relationship in which God and human beings have been conceived is certainly of relevance to the religiously founded gender order. Moreover, the presentation will argue that the 'male' character of God was also given feminine attributes through the ages and as theologies changed.

Accordingly, in substantiating the religious and social roles of women in Judaism, Christianity and Islam, a male concept of God would not so much be of special importance as much as the assignment of the relationship between God and human beings to the our gender order or gender-connotated understanding of the 'body', purity and impurity.

In addition to outlining 'traditional' understandings such as those derived from the Holy Scriptures, current feminist religious debates on gender concepts will also be dealt with here. In doing so, it will become clear that religious concepts of femininity are not set normatively but are always reformulated in correlation with socio-political debates and changes and can transform or stabilize themselves.

Taking these principles as the basis, the question that will be addressed is to what extent religious concepts of femininity determine the socio-political standpoints of Jewish, Christian and Muslim institutions in Germany.

This will occur using examples taken from widespread public debates such as the ones on Section 218 (abortion) or the so-called 'head scarf ban'. In doing so, the lecture will focus not only on the 'major' religious institutions in Germany (the Central Council of Jews, the Central Council of Muslims and the two leading Christian churches) but also on smaller representative associations.

The aim here is to illustrate, among other things, that the religious concepts of femininity and their respective relevance for the present are also influenced by interreligious developments, dynamics and differences.

5) Prof. Dr. Björn Krondorfer

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Constructions of Masculinity

- Global, social and economic restructuring leads to insecurity among heterosexual, masculine identities
- Religion, which was said to be dead in the modern day and age, plays an increasingly vital role in male protests
- This is reflected in the exceptionally dynamic global religious fundamentalist movements
- In the fight against secularism, fundamentalism is endeavouring to re-masculinize religion/repatriarchialization of society
- Fundamentalism is supported by a “secondary male elite” (B. Lawrence) and/or “new religious elite of proletaroid intellectuals“ (M. Riesebrodt)
- Religious traditions offer a broader range of ideals of masculinity than traditionalists and fundamentalists care to realize
- Example: the vita of Saint Paul of Thebes (the legend of a saint from the 4th century of the Church Father Jerome)
 - A “sinister” ideal of masculinity
 - Double emasculation and the “male” eunuch
- Can a Late Antiquity legend of a saint address the post-modern present?



6) Lara Dämmig

Bet Debora – A woman’s movement as an expression of Jewish renewal in Europe

A group of Jewish women launched a Jewish-feminist initiative in 1998 which they called “Bet Debora” – “House of Debora”.³ The initiative was born from the idea of offering a forum to women who were committed to gender-equal Judaism. The starting point was a desire to return to the history and tradition from which European Jewish women – unlike Jewish women in the United States, for example – were cut off due to the Shoah. Bet Debora consciously defined itself as European from the outset, an indication of the independent nature of European Judaism which, following decades of dominance by American and Israeli Judaism, had begun to once again recall its own culture and tradition.

The foundation of this initiative is an expression of an extensive renewal of Judaism which took place in many European countries in the 1990s. The Jewish community in Germany was not only transformed in the 1990s by the influx of Jews from the former Soviet Union. Many “long-time” Jews finally unpacked their bags and accepted that Jewish life had a future in the “land of the perpetrators”, a future which they wanted to help shape. They criticized the spiritual and religious inflexibility of Judaism in Germany and championed plurality, which has long been self-evident in the United Kingdom or the USA. In many towns and cities of Germany, they set up liberal and conservative Jewish groups and egalitarian church services – some as private initiatives, others as new communities. They all shared the common goal of striving for a contemporary renewal of Judaism. At the same time, they above all modelled themselves on the USA, but also followed the tradition of liberal German Judaism which had been thought to have been lost. The equal participation of women and men in cultural affairs played a central role. This new movement was above all supported and sustained by women. It stands for critical debate with the Jewish tradition and the search for means of creating greater gender equality in Judaism.

In Germany especially, however, the issue of the starting point needs to be broached given the relatively late commitment to gender-equal Judaism and the foundation of a Jewish-feminist initiative. Where can Jewish women capitalize half a century after the Shoah? Only at first glance did the women who had founded Rosh Chodesh groups⁴ and egalitarian Minianim⁵ in the 1990s appear merely to have caught up on what Jewish women in the USA or the United Kingdom had long since achieved in the 1970s and 1980s.⁶ Bet Debora consciously took up the almost forgotten tradition of the Jewish women’s movement in Germany prior to the Shoah. Back in 1904, Bertha Pappenheim (1859-1936) founded the *Jüdischer Frauenbund* (Jewish Women’s Association). In addition to performing social work, its goals were to achieve the equal participation of women in the communities, to combat the trafficking of women

³ “Bet” denotes “house”. When the Talmud differentiates between the traditions of interpretation, it defines them as “houses”, as houses of learning for great scholars – for example: “Bet Hillel” and “Bet Schammai”. When Jewish women embark on new ways in the present day, they seek to found a “house” with their own tradition of interpretation. “Bet Debora” is named after the biblical heroine Debora. She was a prophet, judge and politician.

⁴ Rosh Chodesh [Hebr.]: new moon festival, a traditional holiday for women

⁵ Sing. Minianim, quorum of ten people (traditionally men) which is required in order to hold a public church service

⁶ Jewish women in the USA had fought for equal rights in the Jewish communities back in the 1960s. In 1972, Sally Priesand was ordained as the first female Jewish Rabbi in the USA after the Shoah. Almost three hundred other women followed her. In Europe, over thirty women hold the position of female Rabbi, the majority of them in the United Kingdom.

and to improve education among women. Regina Jonas (1902-1944), the world's first female Rabbi, completed her studies at Berlin's *Hochschule für die Wissenschaft des Judentums* (Academy for the Science of Judaism) in 1930 by writing a Halakhic⁷ work entitled "*Kann die Frau das rabbinische Amt bekleiden?*" (Can a woman hold the position of Rabbi?). Both Bertha Pappenheim und Regina Jonas expressed in different ways what many Jewish women were prepared to do in Germany before and after the First World War, namely to vest themselves with the authority to uphold Jewish teachings which they now intended to update on their own initiative from the woman's perspective. The Shoah put an end to this departure, however. In the aftermath of 1945, Jewish self-esteem had been shattered to the extent that survivors living in the Federal Republic of Germany (and indeed those in the GDR) clung stubbornly to the traditional cliché that the ideal world was to be found in the orthodox stetl. They viewed impetus to renewal as a threat and fended these off as a knee-jerk reaction.

In 1999, Bet Debora inaugurated a conference for European female Rabbis, cantors, as well as Jewish rabbinic scholars and interested Jews. At that time, the self-image of active women in the Jewish community took centre stage. The conference no longer sought to address the issue of whether women are allowed to conquer the male domains in Judaism. Beginning with the fact that women are a driving force behind the renewal of Jewish life in Europe, the possible ways of shaping gender-equal Judaism in the European context was discussed. A second conference followed in 2001 under the banner of "*Die jüdische Familie – Mythos und Realität*" (The Jewish family –myth and reality) which took a critical look at the Jewish family, the woman's ideal and the concrete concepts of life of Jewish women. The third conference, held in 2003, was devoted to the subject of "*Macht und Verantwortung aus jüdischen Frauenperspektiven*" (Power and responsibility as seen from the Jewish women's perspective). The discussions centred on the question of how Jewish women become active in the synagogues, communities and institutions and what influence they exert there. The participants also exchanged views and opinions on new fields of policy, female policy styles, solidarity and competition among women. The debate not only focused on the mainly unbroken power relations between women and men in many areas of Jewish life but also on dominance structures which characterize the partnership between Jewish women from eastern and western Europe. The conclusion drawn was that the actions of Jewish women include cultural and political engagement.

The discussions conducted at the conferences brought the Jewish women's movement in Germany and Europe a vital step forward. They have helped to encourage women to articulate, engage and organize themselves. A European network of Jewish women has been established which is now showing the first signs of fruition. A variety of transnational initiatives are working on joint projects. The fourth Bet Debora conference took place in Budapest in August 2006 and was organized by Jewish-Hungarian feminists. Plans for a fifth conference on "Migration, Communication and Home", to be held in Sofia, are already in the pipeline.

The egalitarian Miniamin and communities founded in the 1990s have long since established themselves. The majority of them are incorporated in the Union of Progressive Jews (sic!) which was founded in 1997 and unites around twenty liberal communities. The conservative communities have meanwhile also created their own umbrella organization. Under the umbrella of the unified community, egalitarian

⁷ Religious law

synagogues exist in Frankfurt/Main and Berlin. For several years, female Rabbis could be found working in communities in Oldenburg and Weiden. 2007 saw the first female Rabbi employed in Berlin after the Shoah. Bet Debora played a crucial role in all of these developments.

The Central Council for Jews in Germany has since also recognized that times have changed and now prioritizes pluralism. Only ten years ago, the then chairman of the Central Council, Ignatz Bubis, vehemently resisted all calls for pluralism and renewal.⁸ The *“Jüdische Allgemeine”*, a weekly newspaper funded by the Central Council, published a damning article on the first Bet Debora conference in 1999. Liberal communities have since become members of the Central Council. The Central Council supports the education of liberal Rabbis at the Abraham-Geiger-Kolleg in Potsdam. The third Bet Debora conference was sponsored by the Central Council and inaugurated by the then vice-president, Charlotte Knobloch.

This is only the beginning, however. Orthodox synagogues, where women are prohibited from exercising any religious functions, continue to dominate in the unified communities. Women are underrepresented on the synagogue boards or local councils. For women to exercise greater responsibility and power, they must be given more opportunities to practice functions within the established structures. Accomplishing this also requires that the “powers that be” formulate and implement the goal of equal participation for women and men. Here, consideration must be given to whether or not it might be possible to adapt strategies which have proven their worth in other social contexts, such as gender mainstreaming.

⁸ See Katlewski, Heinz Peter: *Judentum im Aufbruch. Von der neuen Vielfalt jüdischen Lebens in Deutschland, Österreich und der Schweiz*, (Judaism on the move into a new age. The new diversity of Jewish life in Germany, Austria and Switzerland) Berlin: Jüd. Verlagsanstalt 2002, pp. 195-107