

# German media, politicians launch chauvinist campaign over a “Muslim takeover” of Germany

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14 April 2007

Campaigns alleging that a nation is being “swamped” by foreigners have always been part of the repertoire of right-wing extremist politics. The influx of immigrants, their culture and language is regarded as a threat to one’s “own” people and—depending upon which version is being promulgated—Western or German culture. In recent times, the danger of being “swamped” has been replaced by that of a “Muslim-takeover,” with the difference, however, that such agitation is not limited to right-wing extremist circles. Magazines such as *Der Spiegel*, Christian Democratic and Social Democratic politicians, and former liberals or leftwing intellectuals have now joined in the chorus.

A milestone in this development was the dispute regarding the publishing of anti-Islamic cartoons last spring.

The right-wing Danish newspaper *Jyllands Posten* published cartoons of the prophet Mohammed that were consciously aimed at insulting and inciting Muslims. When this provoked the expected angry protests, with some displays of violence, a European-wide storm of indignation in official circles ensued, aided and abetted by various “left” organizations. Muslims, the sub-text read, are intolerant, violent and backward; the Western states, on the other hand, are too tolerant and peaceful. Different voices would have to prevail. The campaign formed a welcome accompaniment to the military interventions in the Middle East.

In the past weeks, a relatively minor decision by a German district court has served as cause for a similar campaign in Germany.

*Der Spiegel* appeared on March 26 with the headline, “Mecca Germany. The quiet Muslim takeover.” The front page showed the familiar sight of Berlin’s Brandenburg Gate, swathed in darkness with the Islamic crescent moon and star above.

Regular *Spiegel* columnist Franz Josef Wagner commented, “Our symbols of justice wear a headscarf or a burka. What sort of country do we live in that our laws are no longer valid?”

The deputy chairman of the Christian Democratic Union’s (CDU) parliamentary faction Wolfgang Bosbach told the press he had long feared “the fact that we are gradually importing moral values from other cultures into Germany, even making them the basis of the legal system.”

The feminist Alice Schwarzer opined that the German legal system had “for a long time, been systematically infiltrated by Islamist forces” and Edmund Stoiber, the Bavarian state premier and Christian Social Union (CSU) chairman, warned, the “rule of law in Germany” should not “kow-tow to the Koran” or let itself be “undermined.”

What has occasioned this extreme agitation?

It revolves around a divorce case being heard by the Family Court in Frankfurt am Main, in which a German woman of Moroccan origin wants to divorce her Moroccan husband. They married in Morocco in 2001 “in accordance with the Koran,” and later moved to Germany. The husband is said to have begun beating his wife soon after they were married. For this reason, she left him in May 2006. In June the same year, the Family Court ordered that she should take sole possession of the marital home and forbade the man from coming within 50 metres of his former wife.

After he allegedly harassed her repeatedly, including making death threats, the woman filed for immediate divorce. Usually, a marriage in Germany can only be dissolved one year after the husband and wife have separated. Only if this is deemed “unreasonable” can a divorce take place any sooner.

In January 2007, the Family Court upheld its June 2006 ruling and the man continued to be prohibited from approaching his wife. At the same time, the judge stated it was her opinion that the grounds of “unreasonableness” did not apply and so there could be no early divorce. She proposed staying the divorce proceedings until the couple had been separated for one year otherwise she would reject the application for a divorce.

The judge’s reasoning included the claim that in “Moroccan cultural circles” it was “not uncommon” for a man to beat his wife, pointing to verses in the Koran (4:34) in which this is allegedly justified by Islam. The petitioner must have known this when she entered the marriage, according to the judge. Whereupon, the woman’s attorney lodged a petition that the judge be disqualified, which was upheld after the case was widely reported in the media.

Although the judge was disqualified, and although the Hesse state Justice Minister Jürgen Banzer (CDU) announced he would consider taking disciplinary action against the judge, the case was seized by the media and political establishment as proof of the alleged infiltration of the German judicial system by Islamist forces.

Firstly, it should be noted that the legal opinion concerning “reasonableness” expressed by the judge is not only completely wrong, but it is also manifests anti-Islamic prejudices.

Whatever is alleged to be usual in “Moroccan cultural circles” is irrelevant under German family law. Moreover, there are all possible sorts of “cultural circles” in Morocco. As in other countries, the culture of a poor farmer or nomad, who has received hardly any education or exposure to modern life at all, differs substantially from the culture of a university graduate from a large city. Such generalised references to a “Moroccan”, “Islamic” or “German” culture leave a

bad taste of chauvinism and racism.

For a long time, the legal system has recognised that serious abuse and threats make the continuation of a marriage unreasonable. Even if one were to refer to Islamic jurisprudence such grounds are also considered as cause for divorce, particularly in Morocco, which substantially modernized its family law three years ago. And it is also punishable in Morocco to beat and threaten a spouse with death.

The judge cannot be accused of “kow-towing” to Islam as she is now being accused by politicians and media. On the contrary, her point of view amounts to saying, “Those who take up with a Muslim have only themselves to blame, they must expect to be abused; it lies within the nature of Islam.” Such views are part of the anti-Islamic sentiments that have been stirred up over the last years.

Sections of the press as well as political figures are attacking the views of the judge from the right, however. They are exploiting this legal incident in order to attack basic democratic rights not only of Muslims and other immigrants, but German working people as well. In their eyes, Muslims should not enjoy any fundamental rights and constitutional protections before the German courts.

Under the headline, “Is our justice system kow-towing to Islam?” (*Bild* newspaper) and “Does Sharia law now rule?” (*Der Spiegel* news magazine), such journals rage indignantly among other things about the following court decisions:

- \* A company is banned from issuing a warning to a Muslim employee because he wanted to perform his prayers;

- \* The decision to sack an employee for making a pilgrimage to Mecca was reversed at another firm;

- \* The Constitutional Court has upheld the right to the ritual slaughter of animals according to Islamic rites, elevating the freedom of religion of Muslims, like that of Jews, over issues of animal welfare;

- \* The Administrative Courts permit the building of mosques and—like the ringing of church bells—also permit the muezzins’ call to prayer;

- \* In criminal cases, in examining the question of culpability the cultural background of the perpetrator is considered. In some judgements this leads to the punishment being reduced, however this is usually later reversed.

Conversely, the criticism of these judgements means that according to *Spiegel* and *Bild*, Muslims, if they practice their faith at all, should only do so secretly, otherwise the practice is forbidden and is grounds for dismissal if it is done at work. The cover story in *Der Spiegel* draws a direct line between the case upholding Muslim employees’ employment protection rights to the murder on the Dutch film director Theo van Gogh: “Creeping Islamisation with the energetic support of the rule of law and its servants”

In its print edition, the magazine provided the notorious provocateur Henryk M. Broder with more than a page in which to fulminate against Muslims, who according to Broder are all to be regarded as fanatics and violent criminals. In Broder’s recent book titled “Hurrah, we are capitulating,” he accuses the West of capitulating to Islam.

A certain degree of demagoguery is to be expected from the tabloid press and politicians such as Stoiber and Beckstein. But now *Der Spiegel* has taken the lead in a new version of the campaign for a “leading German culture,” which is directed against immigrants and religious minorities, while mouthing platitudes about self-determination and the rights of religious minorities.

There is a particularly bad odour of hypocrisy in the indignation about judgements that permit Muslim parents to absent their daughters

from class trips, sex education lessons or sports instruction. This has less to do with the embrace of Islam and much more to do with the systematic social exclusion of children from immigrant families. The European Commission has come to the conclusion that there is no other country in Europe where educational opportunities are dependent on ethnic and social origin as much as in Germany.

The UN Special Rapporteur for Education has also noted, “Selection in the German education system above all affects the underprivileged layers, people with a migration background, the disabled or socially disadvantaged. Twenty percent of students do not graduate High School. Nearly half of all pupils with a migration background do not get an apprenticeship place. This further intensifies exclusion.”

In recent years, several states (Bavaria, Baden Württemberg, Hesse, Saarland, North Rhine Westphalia) have passed laws granting privileged status to “Christian” values and symbols while discriminating against all others. This happened even following a ruling by the Constitutional Court in 2003 expressly underlining the “strict equal treatment” of all religions.

Hesse has gone the furthest and has expanded discrimination to all civil servants.

In Hesse, the “law protecting state neutrality” states right at the beginning, “Civil servants have to conduct themselves neutrally politically, in their world-view and religiously. In particular, they may not wear particular articles of clothing or use symbols or other objects that are meant to undermine confidence in the neutrality of their office or which threaten political, religious or ideological peace. In deciding how to apply sentence 1 and 2, appropriate account should be taken of the Christian and humanistic traditions of the state of Hesse.”

In plain language, this means that in Hesse, only those who uphold Christian traditions can be neutral. And anyone who expresses the quietest doubt may face “disciplinary measures.” In addition, several CDU politicians have called openly for a struggle to defend the Christian world.

The Hesse Minister of Social Affairs Silke Lautenschläger (CDU) has criticized the attitude of the judge because she did not base her ruling on “Christian” values. “Integration requires a clear point of view. Here there should be no pardon,” stressed the politician. “Our social foundation is the Christian idea of man and the concept of human dignity embodied in the constitution.”

What Lautenschläger means was made clear two years earlier, when she demanded the Hartz IV welfare “reforms” be made even harsher—an unemployed person should first look to his or her children and parents for financial support.

Johannes Singhammer, the CDU/CSU family policy spokesman, expressed similar views when he claimed that the dignity and self-determination of women was a result of “Christian moral concepts!” Singhammer is in fact turning reality upside down. It was above all the socialist workers’ movement, which fought for equal rights for women in a bitter struggle against the church and other defenders of the “Christian world.”



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