RELIGION & STATE DEVELOPMENT COOPERATION

*A German-South African dialogue on
historical and current challenges*

Editors
Renier Koegelenberg
Udo Hahn

**KONRAD
ADENAUER
STIFTUNG**

EVANGELISCHE AKADEMIE
TUTZING

EFSA

German church-state relationship: participation and contradiction

Volker Faigle¹

Introduction

In order for the church and the state to meet their respective responsibilities, it is in principle necessary for the churches to be able to develop freely and be in a cooperative relationship with the state. Due to the Basic Law [*Grundgesetz*] of the Federal Republic of Germany and corresponding agreements between state and church, good and stable foundations for a constructive cooperation between state and church have been established in our country. The separation of church and state, which is enshrined in the Basic Law, allocates each of the two partners its own role. However, this does not lead to a strict separation of religion and state, as is the case in secular France, but rather to a cooperation in critical solidarity which is desired and practised by both sides. Churches must be a critical counterpart to the state and exercise public responsibility without submitting to any party or government policy. With this attitude the German state has gained a critical-constructive partner in the churches ever since the end of Nazi rule. However, this public mandate on the part of the churches must be carried

¹ Dr (honoris causa) Volker Faigle, retired member of the Superior Church Council, former Deputy Plenipotentiary of the Council of the Evangelical Church in Germany (EKD), Berlin

out within the framework of the law of the Federal Republic of Germany which applies to all. In concrete terms, this means that despite all the religious freedom that exists in our country, participating churches and religious representatives must remain loyal to the free and democratic basic order of our country.

In order to be able to act as a reliable and critical counterpart to the state, various instruments are needed. At the federal level, these include the Office of the Plenipotentiary of the Council of the Evangelical Church in Germany (EKD) to the Federal Republic of Germany and the European Union. Its headquarters are in Berlin with a subsidiary in Brussels and in terms of its working methods can certainly be compared to the diplomatic service of an embassy. By means of the Plenipotentiary, the EDK presents its concerns to political decision-makers, observes, accompanies, advises and, if necessary, criticises. However, the concerns to be presented are subject to a coordinated procedure within the church. It is important that the churches united under the umbrella of the EKD preferably have one voice. If possible, especially in the case of ethically important legislative projects, they should also speak in agreement with the Roman Catholic Church, which also maintains a diplomatic representation in Berlin (Commissariat of German Bishops). It is of little use to the state if the churches submit differing pronouncements. However, this can and even must be possible in certain cases, where there are serious differences between the two large churches in the ethical evaluation of a concern.

I will gladly comply with the request to name three different examples from practice. They have been carefully selected so as to take into account the ecumenical context of this meeting.

1. The German-Namibian postcolonial reconciliation

Genocide among the Herero, Nama and other peoples in the former colony of German South West Africa continues to weigh heavily on German-Namibian relations. Among the dark chapters of that time are the human remains, skulls and bones that were transferred to the former German Empire for dubious research purposes and that were stored in Germany until recently, or in some cases are still stored there. As a good example of constructive cooperation between state and church one can mention the third repatriation of human remains to their

Namibian homeland in August 2018. Both the Namibian Council of Churches (CCN), the EKD and the governments of the two countries were jointly responsible for organizing the repatriation. In the context of preparing for the repatriation, the churches of both countries were able to dispel some of the existing scepticism or reservations in the respective ministries, but also among the traditional chiefs. Through their ecumenical cooperation and their joint stand before the governments of both countries, the two churches were able to take an important step towards reconciliation and reparation between Namibia and Germany.

2. South Africa and the fight against apartheid

When representatives of South Africa thank the Evangelical Church in Germany for its remarkable contribution and solidarity in the struggle against the inhumane apartheid system, this gratitude towards the official church is only partially justified. For a long time the position of Protestants in Germany on this issue was simply not clear and straightforward. There were severe tensions within the EKD, for example, on the question concerning the programme to combat racism run by the World Council of Churches (WCC). The official leadership of the EKD, through its office at the seat of government, was initially hesitant, but later all the more unequivocal in its pressure on the federal government in questions of dealing with the apartheid system. Associated with this were also intensive contacts of the EKD with German and European parliamentarians, and in South Africa the remarkable support and guidance of the South African Council of Churches (SACC) and other church institutions in South Africa, such as the ecumenical consultancy office of Beyers Naudé and Wolfram Kistner in Johannesburg. Nevertheless, it must be noted: after Nelson Mandela's release, it was primarily to grassroots church groups, prominent among them women's movements and the fruit boycott movement, that he directed his thanks when he paid his respects to the official church representatives gathered in Geneva at the seat of the WCC. I have deliberately chosen this example in order to highlight the enormously important role of civil society, which successfully adopted a "bottom-up" approach in the struggle against apartheid. The impulses from civil society and the inclusion and anchoring of civil society in the concerns of papal encyclicals such as *Laudato si'* from Rome or corresponding declarations of the EKD in Hanover and Berlin or the World Council of Churches in Geneva are

important components that play an essential role in the perception of the public mission of the churches.

3. Germany as the fourth strongest exporter of arms in the world

The two major churches in Germany are continuously criticising the Federal Republic of Germany's **policy on arms exports**. The Joint Conference Church and Development (GKKE) established by the Evangelical and Roman Catholic Churches regularly publishes a report on arms exports. In this 100-page plus report from the churches the problem of the arms exports is pointed out in great clarity and with a high level of expertise. However, criticism is not exercised by a unilateral moral appeal "from the top down". It goes hand in hand with the simultaneous offer to seek acceptable solutions by means of joint efforts, also in the worldwide context of necessary disarmament and prevention of war.

Conclusion

To conclude, I would like to sum up the working methods of the churches in relation to the state with two buzzwords: **participation and contradiction**. This has been a proven working method that ranges from successful and beneficial cooperation to compromises and sometimes even sharp criticism. However, it is always characterized by a fair culture of conflict and mediation, based on mutual respect, entirely in the spirit of the Old Testament prophet who writes: "Seek the welfare of the city ... and pray on its behalf, for in its welfare you will find your welfare" (Jeremiah 29:7).