



Code of Conduct for Religious Expression at Universität Hamburg

1. The University is an institution for research, teaching, and education. It is secular and committed to ideological pluralism together with scientific methods and standards in research and teaching. Freedom in research and teaching includes freedom from influence over methods, standards, and staff decisions that is alien to scientific and/or academic pursuit. Matters of a religious nature must therefore be presented in conformity with academic standards. The rejection of scientific and scholarly matter, methods, and persons solely for reasons of religion/faith does not meet this requirement and in cases of doubt will be treated as a form of religiously motivated discrimination. This also applies to teaching as a form of academic exchange, i.e., teaching is not an opportunity for confessions of faith.

2. We guarantee religious freedom for *University members*, i.e., scientists and scholars, students, and staff.¹ This encompasses not only the freedom to profess and to exercise a particular faith but also the freedom not to believe. This freedom allows believers to wear clothing that expresses their faith and to behave according to their faith.²

3. The exercise of religious freedom at the University is premised on recognition of others and respect for their faith or convictions, including lack of faith. A person's religious freedom extends only so far as another person's religious freedom remains unassailed. This includes the freedom not to believe as well as the freedom not to live by religious principles, use religious symbols, or wear clothes of a religious nature. Religiously motivated pressure to behave in a certain way stands in contradiction to religious freedom. All University members are to be granted the same freedom and all forms of discrimination are to be refrained from. All University members

¹ Religious festivities are restricted to the rooms allocated for this purpose. The University does not see itself as a place for the exercise of religion by persons who are not University members.

² Freedom may also include the use of religious symbols such as the cross, the Star of David, and various types of head covering.

acknowledge the equality of the sexes and the right to equal participation in every aspect of University life.³

4. The University's academic mission is to be respected. The expression of religious freedom ends where others are impaired or endangered. In this context, freedom of religious belief may be practiced only on the condition that it does not impair or endanger scientific and scholarly pursuit. Equally, religiously motivated behavior or the use of religious symbols may not impair research, teaching, or education.⁴

5. The University is a place of respect and tolerance. Conflicts arising from different religious beliefs and their expression as well as the demands of research, teaching, and education are to be resolved constructively and in line with our academic mission. This requires everyone involved to acknowledge the primacy of research, teaching, and education.

6. The plurality of religious and non-religious lifestyles at the University bars the daily organization of research and teaching along religious lines. This also applies to the scheduling of University activities and events. It is a sign of respect⁵ to acknowledge religious holidays; however, beyond public holidays and those rights set forth in Section 3 and 3(a) FeiertagsG

³ In the agreement between the Free and Hanseatic City of Hamburg, Hamburg's Turkish-Islamic Union for Religious Affairs (DITIB), the SCHURA Council of Islamic Societies in Hamburg, and the Association of Islamic Cultural Centers from 28 June 2013 (Bulletin No. 51 (2013), p. 72) Article 2 subsection 2 states: "The Free and Hanseatic City of Hamburg and the Islamic religious communities acknowledge in particular the equality of the sexes and the complete, equal participation of women and girls in social, political, educational, and professional life. They champion the equal participation of women and girls in education, employment, and society regardless of religious belief and explicitly reject every form of discrimination.

Recorded declaration on Article 2 subsection 2:

All contractual parties believe that the right of participation for women and girls may not be contested on religious grounds by third parties or denied on the basis of behavior conforming to women and girls' own religious beliefs. This includes the right of Muslim women and girls not to be unjustifiably restricted in their professional endeavors on the basis of clothing that reflects their religious beliefs."

⁴ Wearing religiously motivated clothing in the classroom is not in itself disruptive. This also applies to full-faced veils providing the self-evident demands of academic exchange and exams are not impacted. In the interests of neutrality teaching staff may face greater restrictions. The primary purpose of courses and institutions must be respected. Thus, quiet prayer may be acceptable in the library but not loud and demonstrative expressions of faith that interfere with the primary purpose or could be viewed by others as an unwelcome form of religious imposition. Ritual activities must therefore be non-disruptive or carried out in rooms assigned for that purpose.

⁵ The Free and Hanseatic City of Hamburg's home page (<http://www.hamburg.de/interreligioeser-kalender/>) contains information about religious holidays.

(Hamburg's Public Holiday Act),⁶ such consideration must be made in line with the organizational demands of research and teaching. Taking dietary guidelines and restrictions into consideration is also a form of respect⁷ and should be practiced whenever it is possible without restricting academic objectives. A commitment to constructive conflict resolution requires all those involved to reject claims to primacy based on their beliefs or lack thereof. University members also commit to the University's primary mission and to equal participation in research, teaching, and education.⁸

7. University members champion these principles. Teaching staff and others responsible for guaranteeing that academic pursuit proceeds smoothly will receive practical instruction on exercising the right to ban or expel persons from the premises⁹, effectively prohibiting the

⁶ See FeiertagsG, HH: Section 3a FeiertagsG: "(1) On religious holidays, civil servants, employees, and employees in professional training programs who are members of a state-recognized religious community are to be granted the opportunity to attend the religious services of their religious community providing that irrefutable operational requirements do not prevent them from doing so. (2) On the religious holidays of state-recognized religious communities, school pupils are to be granted a class exemption for the purpose of attending religious services in the religious community if they so wish." Section 3a FeiertagsG "(1) For people of Islamic faith the rights set forth in Section 3 apply on the following holidays:

1. The Sacrifice Feast (Eid-al-Adha or Kurban Bayrami), one of the two days as of the tenth Dhu-al Hijjah
2. Ramadan (Eid al-Fitr or Ramazan Bayrami), one of the two days as of the first Schawwal,
3. Ashura, a day on the tenth Muharram

(2) For adherents to the Alevi religion the rights set forth in Section 3 apply on the following holidays:

1. Ashura Day (varying)
2. The Hizr Feast (15 February)
3. Nowruz (21 March)

⁷ It would be desirable if Studienwerk Hamburg could to the best of its ability include dishes that accommodate the dietary rules of the various religions.

⁸ Within its means the University attempts to provide all religious groups with the resources required for religious expression (Room of Contemplation, alternative offers in the case of compulsory religious precepts, to be supplemented if necessary with hand-outs on nearby *cemevi*, churches, mosques, synagogues, temples, etc.) providing that the University's mission and the freedom of all its members are duly recognized. This requires waiving claims to unauthorized use of University resources and facilities to express you own religious beliefs as well as the willingness to resolve conflict constructively. The University reserves the right to ban or expel persons from all rooms that it provides.

⁹ See Section 81 subsection 4 HambHG: "The president exercises domiciliary rights and disciplinary power. These duties are considered matters of state and can in particular areas or cases be delegated to third parties."

impairment or endangerment of the primacy of research, teaching, and education at the University, and creating a climate of respect and tolerance.



The Executive University Board's guidelines for implementing code of conduct regulations on religious observance at Universität Hamburg as set forth by the Religious Observance Working Group

1. No **discrimination** of any kind will be tolerated in the Room of Contemplation. This includes, among other things, discrimination against male or female visitors by dividing the room according to sex/gender.
2. **Religious celebrations** may not take place on University premises. They are to be restricted to the Room of Contemplation. The Room of Contemplation is the appropriate space for religious expression. Its **Terms of Use** are to be observed.
3. The **unauthorized use of University resources and facilities** for the purposes of personal religious expression is prohibited. In such cases, the University management reserves the right to ban or expel persons from the premises. This authority may be delegated.
4. **Ritual acts** are permissible only if other patrons of the University do not feel in any way imposed upon. This applies, for example, to ritual foot baths in sanitary facilities. Such acts are prohibited. This also applies, for example, to the speaking aloud of prayer in University rooms or on the Campus.
5. It is permitted to **wear religions symbols** (e.g., a cross, the Star of David, or specific types of head covering). This also applies to religiously motivated articles of clothing provided that they (e.g., full-face veils) in no way impede communication required for academic exchange, instruction, or exams (establishing identity).
6. Neither **course schedules** nor other University events are organized in accordance with religious requirements (e.g., daily routines are not organized around religious principles).
7. The University does not observe those **religious holidays which are not German public holidays or not days off as regulated by an employer or in accordance with the law**. Civil servants and employees may attend religious services on **religious holidays** providing the state recognizes their denomination and there are no **irrefutable operational requirements to impede them from doing so**. In this case, they are to take unpaid leave and make up the time accordingly. Students who choose **not to attend class to participate in religious festivities** bear the consequences. In individual cases, teachers may request that the student in question compensate for missed work.
8. **Religiously motivated pressure** upon members of the University to behave in certain ways constitutes coercion. It will not be tolerated. In such cases, the University management reserves the right to ban or expel persons from the premises.
9. To the extent that the University decides upon teaching and research staff as well as attendant **administrative activities**, students may not refuse to be taught or examined by University members due to their sex and/or gender. For example, if a student refuses to accept certificates or other written documents handed over by staff members of a specific sex, he or she must bear all legal disadvantages.
10. Canteen and cafeteria providers reserve the right to decide whether or not to offer **dishes in line with religious dietary guidelines and restrictions**.