

Between Hospitality and Hostility: Understanding Shifts in German Immigration
Policy

By Mariya Krutkova

Advised by Professor Imke Brust

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Department of German Studies
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Abstract

Starting in the post-war period and continuing into the present day, the immigration policy in Germany has been unstable, oscillating between progressive acceptance of immigrants during certain times, and retrograde conservative measures during other periods. This paper traces these shifts in policy starting in the 1940s and aims to discern its underlying causes. The questions raised are the following: What are the political, economic, and discursive forces responsible for changes in policy? What role do attitudes towards immigrants play in influencing policy? And finally, what factors influence formation and expression of these attitudes?

The contextual factors found to correlate with conservative changes in policy are economic crises, high influx of immigrants, negative discourse about immigrants, and conservative majority in the government. These factors were found to affect policy by mobilizing negative sentiments against immigrants. Expression of negative sentiments, often steered by right-wing extremist groups, influenced what parties held the majority in the government and what course of action the government would take with regard to immigration. The specific factors that contribute to shaping of negative attitudes towards immigrants are perceptions of them as a threat to cultural and economic identity, as well as to collective security. The expression of these attitudes was fueled by right-wing propaganda and negative portrayals of immigrants in the media during the times of economic instability and high influx of immigrants.

Attitudes thus have a strong effect in determining the direction of immigration policy in Germany, and should be considered a target area for policy makers. The negative stereotypes about immigrants have been reinforced by inadequate integration of immigrants. Proactive integration policies, which would facilitate political, economic, and social inclusion of immigrants into the German society are needed in order to improve perceptions about immigrants and thereby reduce future risk of conservative shifts in policy.

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In 2010, the German Chancellor Angela Merkel shocked the world with her famous statement that the concept of multiculturalism has “utterly failed” in Germany (Evans). In the same year, Thilo Sarrazin’s *Deutschland schafft sich ab* (*Germany does away with itself*), a book infused with islamophobia, became a bestseller in Germany (Ackley). Only five years later, the world witnessed in awe German hospitality towards thousands of Syrian refugees, Angela Merkel’s public defense of current asylum policies, and wide involvement of German citizens in the donation efforts for the newly arrived. More recently, the friendly attitude has once again been replaced by a wave of xenophobic crimes, as well as general hostility towards Merkel’s policies. The German Chancellor began to recently shift her rhetoric to stress that the refugees are expected to return to their countries of origin as soon as the situation there will be deemed “safe” (Boese). Germany appears to be torn by a not-so-new contradiction when it comes to immigration. Starting in the post-war period and continuing to the present time, its policies have been oscillating between accepting more immigrants and making slow progress towards extending citizenship rights to them, and curbing immigration and hardening asylum and naturalization criteria. What is at the heart of Germany’s wavering position on immigration?

Several explanations have been put forth as underlying this phenomenon. Financial incentives are considered most extensively: Germany’s plan to accept 800,000 Syrian refugees is seen as an attempt to compensate for low birth rate in order to remain competitive (Anton 13, Bennhold, and Vasagar). Other explanations depict generous asylum policy as an attempt to improve Germany’s international image, which still suffers from Nazi associations (Bennhold). Similarly, these shifts are attributed to identity discourse, whereby Germany oscillates between defining itself in ethno-nationalist and multiculturalist terms (Anton 13-15). Merkel’s position on the refugee crisis is also seen as a strategy to improve chances of a coalition with the pro-

migration Greens party (Vasagar), thus pointing to changing party coalition dynamics as a potential factor. Other literature suggests that the positive developments reflect Germany's steady progression in the liberal direction with regard to immigration (Clusmeyer and Demetrios 108). However, what previous research has not identified is the mechanism by which the different political, economic, and discursive/ideological factors produce shifts in a more positive or more negative direction. Most importantly, little attention has been paid to the importance of attitudes of the population as a mediating agency between the above mentioned factors and the resulting policies of different time periods.

The main aim of this essay is to discern the forces that drive changes in immigration policies in Germany, particularly those in the conservative direction. However, unlike previous literature on the topic, this paper employs an integrative approach which includes attitudes as an important factor in influencing policies and attempts to understand the interacting effects of political, economic, and discursive factors on attitudes. The main questions which this essay addresses are thus the following: What are the political, economic, and discursive forces responsible for changes in policy? What role do attitudes of the Germany population towards immigrants play in influencing policy? And finally, what factors influence these attitudes?

I will first argue that each shift in policy was a result of an interaction of several factors. Importantly, shifts in the conservative direction usually took place in the context of economic instability, high immigration flows, and negative discourse against immigrants. Secondly, I will show that these factors influenced policy not directly, but rather by mobilizing the expression of negative attitudes towards immigrants in the German population. This mobilization of negative attitudes in turn had an effect on whether a more conservative or a more liberal party would hold the majority in the government and on the kind of policies they would implement. Finally, I will

argue that both contextual factors, such as economic crises and high immigrant flows, and ideological factors, such as negative stereotypes about immigrants interact to produce the expression of negative attitudes and thereby influence policy. The findings of this paper have an implication on the role of integrative policies in influencing the attitudes towards immigrants and thereby in preventing retrograde shifts in German immigration policy.

The analysis is divided into three parts: Section I outlines the history of immigration policy starting in the post-war period in Germany¹ and identifies the matrix of factors that influenced it. The timeline of events and policies is organized into four clusters, or periods. This is done partly for the sake of clarity and partly because within each of these periods a stronger tendency towards either more liberal policies, or more stringent measures is present. This general history of immigration policy is followed by a more detailed look in Section II into political party dynamics caused by shifts in attitudes as the most important force behind the precariousness of immigration in Germany. Finally, Section III focuses on the factors affecting attitudes towards immigrants among the German population.

Section I. Outline of Immigration Policies, 1948-2010

The 1948-1960 period in Germany was generally characterized by legal acceptance of refugees and immigrants, while the 1970s-1980s witnessed stricter immigration measures. The 1990s period, although very contentious, has generally moved Germany's citizenship policies in the liberal direction. In the first decade of the new millennium, Germany again seemed to move in a more conservative direction with immigration. As will become evident, no single factor is responsible for these shifts in immigration policy throughout the twentieth century and into the

present day. Social, political, and economic realities during different time periods in Germany have produced a unique combination of factors, and each response to immigration was born out of interaction of these factors. The primary factors in the post-war period were financial and image/atonement seeking, in connection with little identity discourse. During the 1970s and 1980s, economic depression, increasing immigration flows, political and popular discourse, and party power dynamics were the factors at play. In the 1990s, the conflicting forces of reunification, high immigration flows, identity discourse, and party power dynamics resulted in rapid policy shifts. Finally, in the early 2000s, the 9/11 terrorist attacks and the financial crisis prompted further changes in the conservative direction.

The first period that will herein be examined began in the post-WWII years and lasted through the 1960s. Starting in the late 1940s and continuing throughout the 1950s, the major immigration flow into Germany consisted mainly of German refugees. These were Germans who fled at the advance of the Red Army, as well as those who were expelled from the territories returned to Poland, Soviet Union, and Czechoslovakia. By 1950, close to 12 million of these refugees fled to FRG, GDR (Democratic Republic of Germany, or East Germany), and Austria, with eight million settling in FRG (Green 85). Between 1949-1961, 2.5-3 million of GDR residents also fled to FRG (Green 85). This wave of immigration was precipitated by the policy of ethnic German repatriation instituted by the Basic Law (the German Constitution) at the foundation of FRG in 1948 (Carle 149-150). The motivation behind this policy likely had at least in part to do with a moral obligation of the government to support its people. However, it cannot be separated from Germany's dire need for labor following WWII, which the newly arrived Germans helped to meet.

In addition to establishing the right of return for Germans, the Basic Law also laid down in Article 16 the right to asylum in the newly formed FRG (Green 89). This was a significant amendment to the German law, and, unlike the statute about repatriation of Germans, it was meant to be permanent (Carle 149-150). Until the 1980s, the number of applicants remained low, however, averaging 7,100 per year between 1953 and 1978 (Green 89). Green suggested that the main motive of the German government in guaranteeing asylum with generous welfare benefits and permission to work was atonement of guilt for the crimes against humanity committed during the war (89). This suggestion is plausible, given the country's need to rebuild and make peace with the rest of the world again. On the other hand, it is also plausible that due to strict control of Germany by the Allied forces immediately after the war, some of its legislation was imposed rather than internally generated.

The third and perhaps most famous policy implemented during this period was the active recruitment of foreign labor. Despite absorbing millions of repatriates, the German economy suffered from a large labor force shortage due to its rapid economic growth, known as the *Wirtschaftswunder* ("Economic Miracle"). In order to alleviate the labor shortage, the German government signed recruitment agreements with several Mediterranean countries and the former Yugoslavia. These agreements were to provide Germany with a sufficient number of *Gastarbeiter* ("guest workers") needed to promote economic recovery. Their numbers too remained low, however, until 1964, with the arrival of the one millionth guest worker (Münz & Ulrich 17). In the first years of recruitment, most workers came from Italy, Greece, and Spain. (Münz & Ulrich 17). In the later years, however, the overwhelming majority of them came from Turkey. The workers were almost always male and engaged in low-skilled labor (Carle 150-

151). The open immigration policy during this period was thus primarily due to the need of labor force.

The post-war period differs from other periods in that there was little opposition to immigration. On the contrary, Münz and Ulrich describe the reception of the millionth guest worker as a “warm and widely publicized welcome.” (17). One explanation for it is that during these years, the need for labor was the greatest, while immigration flows were low. This period was characterized by little discussion of German identity due to post-war shame and guilt. Germany experienced the need to build up its image for the same reasons. In addition, even if discourse of German identity were prevalent at the time, the immigrant flows would likely not have been perceived as a threat: foreign workers were expected to go back to their country of origin once their labor was no longer needed. They were granted employment rights and social benefits of German workers, but kept in isolation from German society: they resided in factory dormitories, disengaged from activities beyond the workplace (Carle 151). The number of refugees was low, diminishing any potential threat to German identity. It is the combination of these factors that provided for a favorable view of immigration in Germany at the time.

In the next period, during the 1970s-1980s, Germany enacted several important policy changes with regard to immigration. The first of these was the 1973 *Anwerbestopp* - a ban on continued recruitment of foreign labor. This policy was implemented in the context of the financial crisis that shook the world that year and the debilitating effects of which did not omit Germany: the country suffered from severe recession and high levels of unemployment (Carle 151). Halting inflow of foreign labor was thus an attempt to alleviate unemployment. This measure did not stop immigrant flows, however: families of guest-workers continued to immigrate in the years 1973-1988, although they only amounted to 0.8 million increase in the

total immigrant population (Stritzky 2). The German government was soon forced to recognize that the guest-workers did not intend to leave, but rather planned on staying and bringing their families to Germany.

In response, the first policy framework for foreigners, *Ausländerpolitik*, was developed in 1977. This policy recommended that workers either return to their countries or integrate into the German society (Green 87). According to Green, the contradictory nature of the policy had to do with different priorities of the two dominant parties at the time; while Social Democratic Party (SPD) favored integration, the Christian Democratic Party (CDU) was concerned about the effect that immigrants had on German identity (87). Former guest-workers now settled in separate poor districts and shopped in local ethnic stores of other immigrants (Andrejuk 43), creating a parallel society that to some extent persists to this day. By 1973, almost 4 million foreigners lived in FRG, constituting 7% of the population (Münz and Ulrich 17). In addition, the previously low number of asylum application shot up dramatically between 1976 and 1980, reaching its first peak of 100,000 in 1980 (Green 89-90). The change in immigration policy thus took effect in response to the economic crisis, coupled with the realization of the magnitude of the immigrant population.

At this time, discourse on immigration in Germany began to gain speed. In 1979, a Federal Commissioner of Foreign Workers, Heinz Kuhn, published a memorandum, in which he argued for redefining Germany as a country of immigration, granting foreigners local voting rights, and providing naturalization for second-generation immigrants (Carle 151). This memorandum, however, appeared to be a single voice in the midst of an already widespread xenophobic sentiment. In the early 1980s, CDU ran an anti-immigrant campaign, suggesting that reunifications of families of guest workers should happen in the countries of origin instead of

Germany, and blaming immigrants for their failure to integrate (Carle 151). In 1981, an anti-immigrant discourse occurred in the academic circles with the publication of a Heidelberg Manifesto, which called for an end to immigration and for maintenance of purity of German language and culture (Green 90). By 1982, 77% of German population thought that there were too many foreigners in the country (Carle 151), and the widespread fear of *Überfremdung* (being overrun by foreigners) was supported by the media (Green 90). The late 70s and early 80s were thus characterized by a heightened resentment towards immigrants, reinforced in some academic circles and by the CDU.

In 1983, the conservative CDU/CSU-FDP coalition won the elections, partially due to SPD's leniency on the issue of immigration. The coalition's leader, Helmut Kohl, promised during his campaign to reduce the number of foreigners by one million (Carle 151). In an attempt to be true to that promise, he later instituted a policy of providing immigrants with a financial incentive to leave (a temporary law aimed at encouraging voluntary repatriation) (Green 88). This so-called "get lost premium" for leaving Germany (Green 88) consisted of the pension funds of the immigrants and additional DM 10,500 (Carle 151). The policy had little effect and was suspended in 1985 (Carle 151). While guest workers were not quick to leave, the number of asylum applications was also growing in Germany: in 1988, there were 103,000 asylum applicants (Fijalkowski 858). The 1989 elections in West Berlin and the European Parliament elections saw an increase in extreme right representation due to their openly anti-immigrant platform (Clusmeyer and Demetrios 112), reflecting the growing concern with immigration.

Thus, there were several forces propelling Germany to undertake less friendly immigration measures in the 1970s-80s than in the 1960s. First, the 1973 oil crisis created high levels of unemployment and the continued inflow of foreigners threatened to exacerbate the

situation. Secondly, despite provided incentives, guest workers were not leaving – which evidently was unanticipated. In addition, a wave of immigration consisting of families of workers followed. The separation of guest workers from the German society backfired by encouraging the workers to hold on to their traditions, which effectively created a distinct cultural society within mainstream German society. As the size of this mini society grew, concerns about cohesion of German cultural identity began to spurt in various circles.

Burgeoning number of asylum applications added to the immigration anxiety, opening the doors of state and local governments to extreme right representatives. Thus, the policies of the post-war period collided with the new reality of the 1970s and 1980s, producing a set of these unfavorable factors, which interacted with each other.

The third period under consideration – the 1990s – was a turbulent time characterized by rapid changes in immigration and citizenship policy in Germany. At the end of the 1980s, it became clear that Kohl's policy of providing financial incentives to immigrants for leaving Germany had little effect in reducing the number of immigrants. In order to prevent more conservative parties from gaining power, Kohl's government devised a draft of a stricter foreigner's law, which depicted immigrants as a "grave threat" to Germany's "societal hegemony" (Carle 151). This document was leaked to *Der Spiegel*, a leftist political magazine in Germany, causing outrage of many political parties, churches, unions, and charities (Carle 152). Aiming to appease the center-left parties, the new draft of the law was drawn up. This new Foreigners law, the *Ausländergesetz* of 1990, allowed naturalization to foreigners residing in Germany for over 15 years, as well as to foreigners between 16-23 years of age, residing in Germany for over 8 years or attending a German school for 6 years (Carle 152). This reform was

the first major step in the direction of liberalization of citizenship criteria, but was still limiting due to the strict conditions it set for the acquisition of citizenship.

Discourse of identity and citizenship prevalent in those years might have been conducive to the strong reaction to the first draft and the development of the new law. Immigrants of German descent from Eastern Europe, who had never lived on German soil and possessed limited knowledge of the German language automatically received citizenship, according to the policy enacted after WWII (Andrejuk 47). Immigrants of other backgrounds, on the other hand, who had paid German taxes for years and spoke German, were not eligible (Andrejuk 47). Thus, the connection between descent and citizenship became questionable. Instead, the idea of “Leitkultur” (“leading culture”) was introduced by a Muslim scientist Bassam Tibi, who suggested redefining a “nation” as a “community based on common democratic values, mutual respect and tolerance, rather than on blood...” (Andrejuk 47). This term was later appropriated by the CDU, however, and used as a model for establishing the dominance of the German culture (Gould 409). These discourses were the first attempt to recognize the new reality of ethnic and cultural plurality in Germany and to readjust accordingly.

This promising change in naturalization criteria, however, was followed by the controversial amendment to the Article 16 of the German Constitution in 1993. The number of asylum applications in Germany, which started to rise in the late 1970s, reached 438,191 in 1992, comprising 80% of all refugees in Western Europe (Carle 152). Conflicts in Central and West Africa, Yugoslavia, and Turkey have contributed to this increase (Stritzky 2). The fall of the Soviet Union increased the inflow of ethnic German and Jewish immigrants (Stritzky 2). The latter were welcomed by Germany in an attempt to restore the Jewish community, and their numbers rose to 209,226 in 1991 (Stritzky 2). The German unification brought another 340,000

migrants from GDR in 1990 (Carle 152). Altogether, Germany took in three million immigrants between 1989 and 1992 - twice as many as entered the US in the 1920s (Carle 152). Such high refugee flows were hardly foreseen in the post-war era, when the Article 16 was drafted, and Germany was ill-prepared to deal with these unforeseen circumstances.

Since asylum seekers, Jews, and Eastern Germans had the right to housing and basic income, the new arrivals put much pressure on the local governments to provide these services (Stritzky 2). Public concern was stirred up, as Germany's asylum system was seen as being abused for economic reasons (Green 93). The concern with immigration was also aggravated by the financial burden of the reunification and a high level of unemployment (Stritzky 2). In 1992, three quarters of Germans demanded a serious action to slow the asylum flow, as evidenced by a national survey published in *Der Spiegel* (Carle 152). At this time, the electoral advantage of extreme right wing parties was coupled with a rise in xenophobic violence (Green 94). Rise in violence and increased support for right-wing radicals as a result of high immigration flow and precarious economic conditions appears to be a pattern which will further be explored in Sections II and III of this paper.

The CDU/CSU coalition and FDP thus argued in favor of a constitutional amendment to the asylum law, in order to resolve the crisis and to "take wind out of sails of the aggressive nationalists" (Fijalkowski 853). The SPD and the Greens, on the other hand, saw Article 16 as representative of Germany's core values, and condemned the proposed amendment (Carle 152). However, after a long debate, the amendment took place in 1993 and included the following restrictions: 1) exclusion of EU members from right to asylum in Germany; 2) reduction of social benefits of refugees; and 3) imposition of an annual quota of 225,000 for ethnic German immigrants from Central and Eastern Europe and requirement of a proof of persecution for

applicants from these countries (Carle 152). The imposition of stricter measures as a result of increased popularity of the extreme right groups appears to be a well-established pattern in Germany.

It is also important to place the changing policy in the context of the changing discourse. Whereas in the late 1980s, the discourse aimed to broaden the notion of German identity, the early and mid-1990s witnessed an upsurge in ethno-nationalist tendencies. The term “nation”, virtually absent from official discourse since WWII, gained prominence again in the 1990s (Gould 404). This change could be attributed to the shift from post-war guilt to new “self-assuredness” propelled by the unification (Gould 404). The changed German consciousness could also be attributed to the academic discourse started by W. G. Sebald in mid 1990s in the form of literature about the allied bombings of the German cities (Anton 8-9). This discourse contributed to acknowledgment of the German people as not only perpetrators, but as victims too (Anton 10). The new understanding of the role in the war was thus a result of finally openly facing the past, which for so long Germans were hesitant to do. Margarete and Alexander Mitscherlich criticized in their book “The Inability to Mourn” the refusal of Germans to honestly look into their past as early as 1967, albeit focusing on the national suppression of guilt for the war and its consequences (Rabitz). But when the confrontation with the past took place in the 1990s, it focused on the German victimhood, and this, coupled with the reunification, might have contributed to the new confidence in being German which drove the exclusion of immigrants.

The third important legal change implemented in the 1990s was the citizenship reform. Until 1999, when the reform was formulated, German citizenship was based on the 1913 Wilhelmine Citizenship Law and operated according to *jus sanguinis*, or descent principle of nationality (Carle153). Second generation immigrants did not acquire citizenship at birth.

Despite millions of immigrants living in Germany, the dominant CDU and other conservative parties denied that Germany was a country of immigration until the late 1990s. The SPD and the Greens, on the other hand, have supported multiculturalist policies and attempted to liberalize naturalization in 1982 and 1989, but were unable to implement any reforms due to conservative majority in the German government (Andrejuk 47). Starting in the 1994, the SPD, FDP, and the Greens insisted on granting citizenship to immigrants born in Germany (*jus soli* principle of citizenship) and allowing them to have dual citizenship, to which conservatives did not agree. (Andrejuk 47). Despite the stubbornness with which CDU held onto its ideals, the more liberal parties continued to insist on liberalizing the citizenship criteria, and, as will become evident next, eventually succeeded in doing so.

When Gerhard Schröder became Chancellor in 1998 and his SPD-Green alliance won a majority in the elections, they promised to fundamentally reform the citizenship law. They were unable to do so, however; the CDU/CSU started a public petition campaign, which attracted five million signatures and cost the SPD and the Greens majority in the parliament (Green 97). The citizenship reform was enacted in 1999, but had to take into account CDU/CSU reservations (Green 97). The new law introduced the *jus soli* principle, but with limitations: at least one parent had to have lived in Germany for at least eight years and had to have a residence permit during this time (Carle 153). Less than half children born to foreigners in Germany qualified for citizenship under this criteria. Foreigners on social security and unemployment were denied the right to naturalization, and the application fee was raised (Carle 153). However, even despite these limitations, the citizenship reform fundamentally changed the concept of German citizenship from *jus sanguinis* to *jus soli*.

The changes in German immigration and citizenship policy during the 1990s can thus be attributed to the following mixture of factors: international events, higher immigration flows, discourse on identity, reunification, and party dynamics. The *Ausländergesetz*, the 1993 amendment, and the citizenship reform were each born from a particular combination of these factors. When Kohl's government devised the highly contentious precursor to the *Ausländergesetz*, it was a response to the anti-immigrant sentiment of the late 1980s, designed to keep their majority in the government and to prevent ultra-conservatives from gaining advantage. However, the discursive ground for the radical language employed in the document was not ripe, providing an opportunity for leftist intervention and passage of the more liberal law. By the mid-1990s, the conservative change was possible due to a combination of high immigration flows and new identity discourse, both of which were in turn influenced by international events and the reunification. Finally, the citizenship reform was enacted by the leftist majority in the government and in the context of lower immigration rates.

The final period under consideration, 2000-2010, has witnessed a failed intention to move in a liberal direction with immigration and naturalization policies. At the beginning of the new millennium, the asylum applications fell drastically and Germany was experiencing a demographic decline (Münz and Ulrich 25, Carle 153). For the first time since 1973, the Interior Ministry of Germany recognized the need for foreign workers to relieve internal labor shortage (Stritzky 4). Despite unemployment, 150,000 vacancies needed to be filled in order for Germany to remain competitive (Carle 153). The SPD-Greens government first implemented a "Green Card" programme, aiming to attract IT experts from abroad. CDU/CSU originally disapproved of the programme, but declared support for it when they began to lose their business voters (Carle 153). Ultimately, the programme was not successful in attracting a significant number of even

high-skilled workers, because it required a high minimum wage guarantee and did not offer permanent residence (Stritzky 4). Although a failure, this policy was important in moving Germany in a more liberal direction, insofar as it recognized the fact that Germany's economic success was indeed dependent on openness to immigration.

In a further attempt to alleviate labor shortage, the government prepared a draft of a new immigration law that would override the 1990s law and constitute a significant liberal reform. However, the draft came out at the time of the 9/11 attacks, which had an impact on the following discussions. As a result, instead of an immigration-friendly law, a "law for managing and containing immigration and for the regulation of residence and integration of EU citizens and foreigners" came into force in 2005 (Stritzky 5). This law, also known as the 2005 Immigration Act, aimed at closing the door to unskilled workers and integrating immigrants via compulsory language courses (Stritzky 5). It also tightened deportation rules, making it much easier to deport anyone based on a suspicion of involvement in terrorist activities (Carle). On the other hand, however, it allowed permanent residence to highly qualified workers, thus improving the earlier Green Card conditions (Stritzky 5). This mixture of openness towards high-skilled labor and stricter measures towards the "lower strata" immigrants most probably reflect the upheaval of negative sentiments towards immigrants from non-EU countries, which was precipitated by the 9/11 events.

In addition to imposing a stricter immigration regime during this time, the German government also made naturalization more difficult. When Angela Merkel became a Chancellor in 2005, she called for a citizenship exam that would test the language skills and loyalty of immigrants to the German values (Carle 153). The parliament eventually agreed on a language test and an integration course, passing an amendment to the citizenship Law in 2007, which

included an obligation to provide a German language certificate in order to receive citizenship (Carle 153). Different *Länder* (German administrative unit) also had the freedom to implement stricter requirements, such as demanding knowledge of immigrants that even educated Germans might not possess (Carle 153). The 2007 amendment was thus a significant step back from the progress achieved in 1999 with the liberalization of the citizenship reform.

The above mentioned legal modifications, with their increasingly anti-immigrant sentiment, thus seemed to forebode the famous statement of Angela Merkel in 2010 about the “failed multiculturalism”. It is no doubt that the 9/11 attacks exacerbated the mistrust towards Muslim immigrants, creating both the need to restrict further immigration and to reduce manifestation of Islam in the country through integration of immigrants. Gould, for example, noted that CDU/CSU promoted rejection of foreigners by appealing to “xenophobic tendencies” of the population through representing foreigners as a threat to German identity in the paper they published in 2001 (406). He argued that CDU/CSU’s 2001 paper “Zuwanderung steuern und begrenzen: Integration fördern” (“Control and limit immigration: promote integration”, my translation), conjured up idea of the “German Nation” and used language that served to encourage intolerance (Gould 407). This action on the part of the CDU could be explained as seizing the opportunity to change the legislation back to reflect the ideal of the German cultural cohesion and dominance through reducing the numbers of immigrants.

These events, however, were taking place not only in the context of the 9/11 attacks, but also in the context of the 2008 financial crisis. Even before 2008, concerns among German population about high unemployment and reduction in public services made an overtly defensive position toward immigration a “vote-loser” for anyone (Stritzky 6). Extreme right-wing successes in the former GDR were also concerning, as these parties promoted notions of

ethnocentric nationalism, and racist violence was on the rise (Anton 13). The NPD (a far-right legal party) was winning 10-20 % in local elections in Saxony in 2009, and as many as 30% in some localities of Mecklenburg-West Pomerania (Langenbacher and Schellenberg 65). Extreme right wing and xenophobic crimes increased by 37% and 43% respectively (Anton 13). Germany initially even refused to participate in the Blue Card programme – an attempt by the EU to allow skilled workers permit to be valid throughout the EU - entering the agreement only after priority for the German workers and a minimum salary requirements were established (Stritzky 6). Thus, while it is possible that CDU used this rhetoric as an expression of its ideological tendencies, it also highly likely that it did so in view of the 2002 Bundestag elections, in order to attract voters, many of whom at the time were hostile towards immigrants.

Germany was thus headed in the direction of more liberal policies at the start of the century, but was pulled back by a mix of circumstances. The international events - 9/11 attacks and the looming financial crisis - had a profound effect on how immigrants, the majority of whom are Muslim, were viewed in Germany. By impacting views of Germans towards migrants, these events affected policies. It remains unclear, however, whether the ruling parties enacted restrictive legislation as part of following their own agenda, or in an attempt to keep their votes and fence against ultra-conservatives. Since CDU/CSU have traditionally been concerned with cultural cohesion and promotion of assimilation, the former is as plausible as the latter.

If there is one conclusion to be drawn from this modest attempt to understand the irregular trajectory of immigration and citizenship policies in Germany, it is that every time period considered was characterized by a complex constellation of economic, political, and discursive forces, which interacted with each other and uniquely affected how the issue of immigration and citizenship was handled. Importantly, the immigration policies implemented by

Germany in the post-war years produced unexpected results in the changing realities of the next decades. These unexpected negative results, such as high asylum flows and a separate immigrant society, continued to be an important issue which interacted with other political and economic factors in each period. Thus, unexpected political realities, such as high immigration flows, interacted with a financial crisis in the 1970s to produce a negative response to immigration. Restriction of asylum in the 1990s was caused by high immigration flows occurring in the context of financial strain and heightened discourse on ethnic German identity, both of which were a direct result international events. There appears to be, however, a causal relationship between the context, the expression of negative attitudes, the political party holding majority, and the enacted policies. The next two parts of this paper focus on disentangling some of these interactions. Section II takes a closer look at the relationships between political-economic circumstances, extreme right propaganda, public opinions about immigrants, and immigration policies.

Section II: The Interplay of Context, Attitudes, and Immigration Policy in Germany

Until now I have argued that immigration policy in Germany has been unstable, alternating between progressive policies and more restrictive measures. It was also established that multiple factors, such as changing levels of immigration flows, economic conditions, international events, and ideological tensions between parties had an effect on the variation in immigration discourse and policy. The aim of this part of the analysis is to understand just how and why these different factors have affected immigration policy. A particular point of interest is the role that attitudes of the German people towards immigrants play in the immigration politics in Germany. Because if these questions are answered, then an answer to the following question

can be inferred: are the current positive developments in German immigration policies likely to remain stable, or will they change as soon as more unfavorable circumstances take place?

The analysis will thus focus in particular on the political party dynamics and public attitudes in the changing economic and political contexts. As will become evident, when faced with the new reality starting in the 70s, some political parties recognized the need to change the way immigration has been handled, while others – most notable CDU/CSU coalition – refused to do so. Secondly, negative public views of immigrants, which were especially strong during the times of economic crisis and high asylum flows, enabled the rise of the right wing extremists. The CDU/CSU government in turn responded by further tightening immigration policy, in order to prevent right-wing extremists from gaining popularity. Finally, starting in the mid-80s, even the CDU/CSU was eventually forced to recognize that the model of the guest-worker was no longer liable in the new economic reality, and that it was the time to make changes in the immigration policy. However, the challenge of public opinion and right-wing extremism remained an obstacle to this change and this part of the paper will explore the factors that affected public perceptions of immigrants and stimulated xenophobia, hindering further development of the policy in the liberal direction.

One prominent problem frequently encountered in literature on immigration in Germany is the fact that for many years Germany was not considered a country of immigration. The very word for the foreign laborers recruited in the 50s and 60s reflects this attitude: they were called *Gastarbeiter*, or guest workers. These temporary workers were from the onset set apart from the German society, as they were expected to leave after having contributed their labor. This attitude was especially prominent in the 70s, when, faced with an economic crisis, the German government attempted to prevent more immigration by placing a ban on future recruitment of

foreign workers and encouraging repatriation of those already residing in Germany. These policies of the CDU, at that time dominant party in the government, were adorned by the logo “Germany is not a country of immigration!”, which resonated with the increasing anti-foreigner sentiments of the time (Clusmeyer and Demetrios 110). Thus, the acceptance of thousands of these workers after the war should not be equated with a progressive immigration policy. Similarly, the generous asylum law of the post-war era was based on a “superstition” that few would take advantage of it and that asylum flows to Germany would remain low (Clusmeyer and Demetrios 7). The two most generous and apparently progressive policies were thus based on a kind of naiveté on the part of the German government about the circumstances of these policies.

The economic and political realities of the 1970s finally gave rise to the conversation about the place of immigration in Germany. While the country was entering recession, the asylum flows were growing to unprecedented numbers and the families of guest workers continued immigrating, despite the 1973 Anwerbestopp. Recognizing that, contrary to widespread assumptions, immigration was not going to stop, Heinz Kühn warned of a crisis impending upon Germany, if the government did not change its immigration policy approach (Clusmeyer and Demetrios 101). Kühn’s memorandum argued for promoting permanent and unconditional integration of immigrants, liberalization of naturalization criteria, and reforming schools to reflect Germany’s multicultural society (Carle 151). Kühn emphasized that integration should be a two-way process, requiring “respect for, and not simply tolerance of, cultural diversity” (Clusmeyer and Demetrios 102). These proposals were heatedly debated and defended by SPD, Greens, trade unions, churches, and other civil organizations, but ultimately blocked by the CDU/CSU coalition (Carle 151). The memorandum thus started the conversation about

revising Germany's self-understanding as a non-immigration country, but did not result in any political changes.

Perhaps Kühn's proposals would have been implemented, if it were not for the impending elections of the 1980. Helmut Schmidt, who had originally appointed Kühn, had to let go of the issue in order to appeal to the German public opinion at the time. Due to recession and high levels of immigrants, the number of Germans who supported repatriation measures reached 68% in 1982 (compared to 39% in 1978) (Clusmeyer and Demetrios 104). The number of asylum seekers reached its first peak at 100,000 in 1980, and families of guest workers continued to immigrate into Germany, albeit in much small numbers (Clusmeyer and Demetrios 105). The CDU, traditionally perceiving immigrants as a threat to social and cultural cohesion, "dramatized" the foreigner issue in order to gain the majority in the government; Schmidt had to adjust his actions accordingly in order not to lose SPD's position (Clusmeyer and Demetrios 106). CDU's leaders such as Alfred Dregger contended that non-European immigrants, particularly Turks, could not be assimilated, and that Germany would be overrun by foreigners if immigration was not tightly controlled (Clusmeyer and Demetrios 106). Thus, progress was stalled due to the need of the parties to appear favorable to the German public during the elections.

However, discussions about the revision of immigration policy, which the publication of the Kühn memorandum stirred, continued into the 1980s. The Greens and the SPD advocated for liberalization of citizenship criteria, despite losing their votes in regional elections due to their position on the issue (Clusmeyer and Demetrios 109). Greens promoted ideas of multiculturalism and defended Germany's liberal asylum policy as a moral debt for the Nazi era (Clusmeyer and Demetrios 109). As the number of asylum seekers declined from its peak in 1980 and the

German economy was no longer in recession, public attitudes towards foreigners improved (Clusmeyer and Demetrios 108). By 1984, even some members of the CDU (younger moderates) recognized the need for reform to ease the citizenship criteria and promote integration of immigrants, as they did not agree with more conservative members that multiculturalism is a threat to German national identity (Clusmeyer and Demetrios 108). The conservative members, however, continued to oppose these measures and Kohl was unable to implement a reform of the Foreigner's law (Clusmeyer and Demetrios 108). Although the need for the change of policy was recognized even by the CDU members by the mid-80s and the conditions for reform in the mid-80s were thus quite favorable, the CDU conservatives prevented any action in the direction of a new policy.

Another factor that significantly delayed any reform was the CDU's stance against the right-extremist parties. CDU won the elections in 1983 running on an anti-foreigner, nationalist rhetoric (which, while reflecting public views also perpetuated this kind of discourse) (Carle 151). However, after winning the elections, CDU/CSU-majority government did not keep up to their promises of reducing the number of foreigners in Germany. This opened the door to extremist right-wing parties, support for which grew by the late 80s-early 90s. An especially prominent one among these, the Republikaner Party, riding on logos such as "Germany is for Germans" enjoyed growing support from 1986 onwards, gaining 7.1 % of the vote in 1989 nationwide elections for the European parliament, drawing most supporters from Bavaria (14.6 %) (Clusmeyer and Demetrios 112). Because right-wing extremists criticized CDU for being too lenient, CDU in turn harshened its anti-immigrant rhetoric to get support away from the Republikaner (Clusmeyer and Demetrios 113). The elections strategy of CDU/CSU of using the immigration issue as a winning card thus turned against them. This again delayed any reform due

to the rising popularity of the extremists, which was feared to attract all the more people if the government were to implement foreigner-friendly policies.

The conditions accompanying the reunification in the 1990 facilitated even more support for the right-wing extremists and a recoil on the part of the government from implementing an immigration friendly reform. East Germany, while struggling financially under the requirement to readjust its economy from socialist into capitalist form and experiencing high unemployment, was obligated to accept its quota of migrants, most notably refugees, the number of which grew considerably in the early 1990s (Clusmeyer and Demetrios 149). The West Germany suffered negative economic consequences of reunification as well, although to a lesser extent – higher taxes, which further plummeted the popularity of Kohl's government (Clusmeyer and Demetrios 150). Growing support for the right-wing extremists (reaching 10.9 % in Baden-Württemberg state elections) was accompanied by violence directed against foreigners (Clusmeyer and Demetrios 150). The number of violent acts rose from 200 per year in the late 1980s to 1489 in 1991 (Clusmeyer and Demetrios 150), comprising 3400 in the years 1990-1992 (Benjamin). The increase in xenophobic crime and support for extreme right-wing groups during the times of economic distress appears to be a commonly repeated trend in Germany.

Instead of condemning the violent acts, the government focused its efforts on tightening asylum rules and implementing stricter border control (Fijalkowsky 854). This response, which made immigrants into a problem and did not sufficiently decry the violent acts committed against them (Clusmeyer and Demetrios 151), was likely aimed at calming public fears and deterring further rise of right-wing extremists. However, it may also have been used as an excuse by the more conservative fractions of the CDU/CSU to run its own agenda with regard to immigration.

Whatever the case may be, immigration reform, as Kühn and others have envisioned it, was again prevented from taking place.

However, extreme cases of violence have finally brought the issue of integration to the fore again. Several bombings occurred in 1991 and 1992, aiming at foreigners' hostels and housing complexes of asylum seekers (Clusmeyer and Demetrios 151). In 1992, three Turkish women were killed by a firebomb in the city of Mölln (Benjamin). In 1993, an arson attack was perpetrated against a Turkish family in Solingen, murdering five people, among them two children, and injuring three more children (Clusmeyer and Demetrios 151-152). Both events brought many Germans to the street, in protest of the violence. Recognizing that it was not just the asylum seekers who were the target, but well-assimilated Turks, millions protested in various German cities (Clusmeyer and Demetrios 152). Officials too began to condemn violence and take action. The president Richard von Weizsäcker acknowledged at the memorial services for the victims in 1993 that the two instances – Mölln and Solingen were not isolated, and that this sprung from the “climate generated by the extreme right” (Clusmeyer and Demetrios 152). As a result of the attack in Mölln, extremist right-wing groups were banned and 51 houses of suspects were raided by the police, finding weapons and propaganda (Benjamin). These instances of outright murder, influenced by the right-wing extremist rhetoric, have crossed the line. The officials and the public alike recognized the need to act against the perpetrators.

This change was significant, as until now the suspects of violence had been charged with nothing more than “disturbing the peace”, reflecting leniency of the judges in such cases (Benjamin). And although some officials, such as the CDU mayor of Solingen contended that there were no right-wing radicals in the city (Göktürk 119), the issue of right-wing extremist was no longer “hushed up” as it had been in the past (Göktürk 135). However, as some have noted,

despite the efforts to counteract the extremist groups, not enough has been done until then to define their acts as unacceptable; if social circumstances which enable violence do not change, simply abolishing the groups will backfire (Benjamin). This proposition is supported by the fact that negative sentiments towards immigrants appeared to be a public phenomenon, with 25-40% of the population in states throughout Germany in 1992 reporting being able to empathize with the extreme right-wing views (Cooper 353). This in turn brought the issue of integration to the fore: president Richard von Weizsäcker acknowledged that public hostility towards immigrants was a result of a failure to include immigrants in the German society (Clusmeyer and Demetrios 152). As part of this realization, critiques of residential segregations gained strength (Göktürk 111). It appears that, after decades of denial and manipulation by the radical right, the German public and government were finally awakened to the dangers of inactivity (or counterproductive activity) with regard to its immigrants.

Thus, due to not farsighted post-war immigration policies, Germany was faced with a crisis starting in the 1970s. Immigrants were not considered to be rightful residents by the German public, which raised anti-foreigner sentiments, especially in the times of economic hardship and instability. CDU/CSU used the issue of immigration in its campaigning to gain victory over its opponents on the left, as well as to prevent the rise of the extreme right, who gained extraordinary public support in the times of crisis. However, since the late 1990s, Germany has done much progress in moving beyond the guest worker model toward inclusive immigration model, with the most prominent example of this being the Citizenship reforms of 1999. Even the CDU/CSU recognized that Germany is a country of immigration and that its outdated immigration policy is damaging to both the country and the immigrant population.

However, these positive developments in the area of policy were taking place while violence by extremist groups continued. One such Neo-Nazi group, calling itself “National Socialist Underground” (National Sozialistischer Untergrund, NSU) has particularly claimed both German and international attention. Its three members, Uwe Mundlos, Uwe Böhnhardt, and Beate Zschäpe, all in their mid-late 30s, committed 10 murders, 14 bank robberies, and two nailbomb attacks in the last decade (Pidd). 9 of their victims were immigrants (eight Turks and one Greek), and the last victim was a German police woman, killed in 2007 (Adler). It was the murder of the German police woman that finally shifted the police investigation in the right direction. The immigrant victims were mostly small business owners (Lindsey), which explains why the murders were coined as “Döner crimes”: Döner is the name of Turkish Kebab stands in Germany. This coinage also shows the dismissiveness on the part of the law enforcement, because the murders were thought to have been a result of some internal strife among the Turks (Mudde). The government actions undertaken as a result of the violence in the 1990s were thus not quite successful in preventing the extremist crimes in the 2000s. In fact, government / police failure contributed much to the on-going crimes of the group.

The lax attitude on the part of the authorities toward the activities of the group was also evident in 1996, when Böhnhardt hung a doll from a bridge in Jena with David’s star on it and placed a bomb inside of it. He was convicted for “inciting hatred” as a result, but did not receive a custodial sentence (Pidd). The German intelligence agencies were criticized for their failure to uncover the NSU trio for over ten years after they were assigned to monitor the group. Some suspicions were also raised about the possibility of cooperation on the part of some government officials, due to them having shredded the files containing sensitive information for the case (Lindsey). In addition, the overall Neo-Nazi murders amount to 180 cases in the last 20 years

(Adler). Perhaps it was in light of problems such as these that Angela Merkel desperately declared multiculturalism “dead” in 2010.

The NSU group had in fact been on the run from the police since the 1998, when their “bombmaking factory” was discovered (Pidd, Adler). Two of its members were found dead after not managing to escape successfully from the police after their bank robbery in 2011 (thought to have committed suicide or murder-suicide), while the third member, Zschäpe, turned herself in to the police three days later (Pidd). In a tape found in one of their previous hideouts, they boasted having committed all the nine murders of immigrants and threatened to perpetrate more if there will be “no fundamental changes in politics, the press and in freedom of speech” (Pidd), referring to the illegality of the right-extremist groups in Germany. The group is even known for having invented a game called “Pogromoly”, in which the winner succeeds in sending the most Jews to the gas camps (Hall). Although representative of a small minority, such facts show just how much Nazi ideology is still alive and active in the remote corners of the German society and continues to make its voice heard, despite legal prohibitions.

Importantly, there have been claims that the NPD (a legal far-right party in Germany) officials had links to the NSU and had known for a long time where the group was hiding (Pidd, Adler). This does not seem too surprising when one considers NPD’s rhetoric. Udo Pastoers, NPD’s official, is known for promoting the idea that German women should “reproduce” more, because the birth rate in Germany is too low, threatening the German nation with extinction (Adler). He was quoted in an interview: “Imagine a country that is filled only with Africans, Arabs, Asians. Biology is our priority” (Adler). However, as a xenophobic and anti-semitic party (Lindsey) the NPD has little success in the polls, except for having a few representatives in two out of 16 German regional parliaments (Adler). In addition, following the revelations of the NSU

murders and possible connection of the NPD to the NSU, there was a public outcry, causing Germany's ministers to attempt to ban the NPD (Adler). These attempts started already in 2001-2003, but were unsuccessful, because it was thought that the NPD was surrounded by enough infiltrators from the government (Mudde). In light of the NSU events, however, the *Bundesrat* is again appealing to the constitutional court of Germany to ban the NPD on the grounds of it presenting a threat to Germany's democracy (Mudde). Thus, just as in the 1990s, previous government measures were insufficient in preventing violence, but the public outrage in the face of extreme violence pushed the government to make more decisive steps.

These developments, as well as those described earlier, show that the attitudes of the German population play a large role in the ability of the government to change policies, and it is important to consider the fluctuation of these opinions. During certain periods, the public support for right wing parties would rise significantly, while in other times, it would be outraged by radical propaganda and violence. In view of the more positive developments that Germany has witnessed since 2000, and especially with regard to its current generosity in the face of the asylum crisis, it is important to ask: does the German public support the changes? Is it less prone to manipulation by the right-wing extremists than it was in the 1990s?

The news of Germany's asylum generosity in the face of refugee crisis last year were inspiring. On September 4th, 2015, Angela Merkel made a decisive move of suspending European asylum rules and allowing tens of thousands of refugees enter Germany (*The Economist*). Even more inspiring was the response from the German public: the refugees were warmly welcomed by the German citizens, who organized donation efforts for the newly arrived (Vasagar). However, only one year later, xenophobia, violence, and support for right-wing

extremists appears to be on the rise again. An anti-foreigner movement called Pegida¹ is growing, attracting thousands of adherents, protesting on the streets of German cities with xenophobic slogans (*The Economist*). There were instances of vandalizing shops and businesses owned by members of ethnic minority in Leipzig (Stone), as well as arson attacks on migrant centers throughout Germany (*The Economist*). In Bautzen, a building intended for the refugees, who were soon to arrive, was set on fire. Although no one was hurt, the roof of the facility was destroyed, preventing it from being inhabitable (*Spiegel*). Village mob in Clausnitz surrounded a bus with 15 newly arrived refugees, yelling “Wir sind das Volk!” (“We are the people”) and “Haut ab!” (“clear out”, or “go away”, my translation) (Geyer, Titz). Crying, petrified refugees would not get out of the bus until they were forced to do so by the police (Geyer, Titz). These instances are examples among the many more attacks: in 2015, over 600 attacks on refugee accommodation were recorded, as compared to “only” 18 in 2011 (Wagener). These events seem to be a replay of the violence of the 1990s. However, could they simply be reflecting the attitude of the radical minority, while the majority of the German population is accepting of refugees?

Unfortunately, although violence is perpetrated by a small minority, the general anti-foreigner sentiments currently apply to the wider population. In Clausnitz, for example, there were many onlookers present during the fire-setting, who did not hurry to report the deed to the police (*Spiegel*). This reflects the agreement and compliance of the local population with such acts. A more persuasive indication of the negative sentiments comes from nationwide opinion polls conducted in 2015: almost two thirds (61%) of Germans are against immigration to Germany from non-European countries, with only 5% reporting a “very positive” feeling about it (Monteforte). This is despite the fact that, while in the short term high refugee flows will cause

¹ Abbreviation for “Patriotische Europäer gegen die Islamisierung des Abendlandes” (Patriotic Europeans against the Islamization of the West). A German anti-immigrant movement based in Dresden that claims to oppose “Islamization” of Germany and Europe.

large expenditures, in the long run, their economic contributions in the form of labor force and consumer demand will pay off these costs, perhaps even benefiting the German economy (*OECD* and Karakas). It thus appears that reasons other than simply economic concerns might be driving negative attitudes towards immigrants. Whatever the case may be, it is clear that the majority of the German population does not assent to Angela Merkel's asylum policies.

Additional indicator of the public opposition to immigrants is the growing support of Alternative for Germany, or AfD². The party already holds seats in Hesse, Saxony, Thuringen, and Brandenburg (Connolly), and was predicted by a poll in one of Germany's popular newspapers to gain 11.5 % of the vote in federal elections this year (Stone). The same poll estimated that Alternative would come in third place after Merkel's CDU/CSU and before the Greens, the Left Party, and the FDP (Stone). Merkel's approval rates, on the other hand, dropped by 9 points (*The Economist*) and CDU/CSU parliamentary deputies demand of her to close the country's borders and speed up deportations (Rippert). This shows that, just as previously, the right-wingers continue to gain public support during the time of crisis. As journalists rightfully observe, this stands "in contrast to the welcoming policy of the German government and the images of Germans welcoming refugees and migrants last year" (Stone). The attitudes of the German public towards immigration thus appear just as unstable as they were in the previous decades. Since, as it has hitherto been shown, public attitudes play an important role in determining the direction of immigration policy, it is important to understand what accounts for the variation in attitudes. The aim of the following part of this paper is to discern the forces that drive the change in public opinion about immigration.

Section III. Factors Contributing to Negative Attitudes

² Alternative für Deutschland: a euro-sceptic right-wing party in Germany with strong anti-immigrant tendencies. The party is one of the strongest critics of Angela Merkel's friendly refugee policies.

The contrast between the welcoming attitude of the German public, which embraced the first arrivals of refugees last year, and the hesitant and fearful reaction of that public today is stark. The same public which not so long ago supported Angela Merkel's decision to open the borders to Syrians, today condemns her actions and calls for closing of the borders (Smith). Such shifts in public opinion are quite characteristic of Germany, and are often responsible for the corresponding shifts in policy. What forces shape the German attitudes towards immigrants and refugees? Scholarship in this area usually points to different factors, among these the ideological dispositions of the people, and contextual factors, such as large immigrant waves, economic instability, negative media portrayals, and conservative manipulations. This part of the analysis evaluates the relevance of these factors in shaping the attitudes of the German public towards immigrants. I will argue that ideological and contextual factors, in concert with one another, rather than independently, play a role in shaping the attitudes of the German public towards immigrants. Furthermore, I will show that contextual factors have an effect on the expression of negative attitudes. Finally, I will argue that since Germany's previous immigration policy is responsible for fostering conditions in which negative perceptions of immigrants are reinforced, in order to diminish these negative perceptions a new policy direction must be adopted.

The first factor to consider is the ideological dispositions prevalent in the German population. I have previously argued that the German understanding of the nation has been and continues to be primarily defined in ethnic terms. The most prominent support for this argument is the fact that the right to German citizenship was only very recently extended to persons without German ethnic roots. It is only in the early 1990s that, under serious restrictions, German citizenship first became an option for immigrants (Howard 53). And it is only in 2000 that substantial revisions to the German nationality law were made, which included the right to

citizenship according to the principle of *jus soli* (birth on the German territory) (Howard 53). Accounts of immigrant experiences in Germany also support this argument: despite the efforts some of them, especially the second and third generation immigrants, have put into becoming “German”, they were still seen as other country nationals. As a granddaughter of a Turkish guest-worker put it, the most integrated among them, including herself and her family, were only regarded as “Modern Turks. Nice Turks. *Almost Germans.*”(Gezer; *my emphasis*), but not Germans indeed. This naturally leads to a conclusion that the different ethnicity of the immigrants is the reason behind their exclusion.

However, recent findings show that in the new millennium cultural compatibility is more important to Germans than ethnicity of the immigrants. A national study comparing attitudes of Germans between 1996 and 2006 has shown that in 2006, the mastery of the German language and general cultural compatibility were far more important, whereas the importance of ethnicity has declined (Diehl and Tucci 6). While in 1996, 12 % of West Germans and 17% of East Germans agreed that ethnicity is an important factor for acquisition of citizenship, only 4% thought so in 2006 (Diehl and Tucci 7). The percentage of respondents favoring cultural compatibility has, on the other hand, slightly increased, and in 2009, 80% of the respondents agreed that Germany is a country of immigration (Diehl and Tucci 8). It should then be no surprise that Thilo Sarrazin’s book proved such a success with the German public. In “Deutschland schafft sich ab”, he argues that Muslim “notions of society and values are a step backwards” (Kern). Appealing to the public anxieties, Sarrazin presents a dystopian futuristic image of Germany, in which “...Turkish and Arabic are widely spoken, women wear headscarves and the day’s rhythm is determined by the call of the muezzin” (Kern). This clearly demonstrates that while ethnic concerns have quieted down, the fear of losing cultural cohesion

and dominance as a result of *Überfremdung* (being overrun by foreigners) are at the forefront in the German society.

This perception of danger which immigrants bring with them extends beyond culture and language; it also includes the socioeconomic status of immigrants. In fact, the German author Christoph Hein, while giving expression to anti-foreigner sentiments in Germany, negated the role of difference in culture altogether. He wrote: “No, we are xenophobic. We are not afraid of your skin color or religion, and we respect your foreign culture and are interested in it. But we hate poverty” (Göktürk 125). This strong reaction to poverty could be a result of Germany’s pride in its economic performance. Germany’s superb global economy has become as important an element of its identity as its rich culture (Gould 407). Immigrants, who are seen as abusing Germany’s welfare instead of contributing to the economy, are thus perceived to be a threat to Germany’s economic identity, in addition to posing a cultural threat (Gould 407). Poverty, by implication, is considered an inalienable part of the immigrant, instead of resulting from the immigrant’s circumstances created and sustained by the host-country. This notion is problematic, considering that refugees are not permitted to work until their asylum status is confirmed – a process which can take months and even years. Yet it explains the logic behind the formerly mentioned policies of return preferred by the German government: if Germany is to keep itself prosperous, it must rid itself of those “breeding” poverty – the immigrants.

Another important dimension of threat represented by the immigrants is criminality. In a study comparing different countries Sarrasin et al. found that negative attitudes towards immigrants were generally particularly strong in countries where immigrants are considered to greatly contribute to crime (3). Conducting their research in Germany, they showed that feelings of collective insecurity relate to a stronger support for expulsion of immigrants from the country

(Sarrasin et al. 10). Another study conducted with German respondents also found that apprehensions about crime is a “significant predictor of anxiety over immigration” (Fitzgerald et al. 477). Although objective studies show little impact of immigration on crime rates (Fitzgerald et al. 478), more than 77% of German respondents think that immigrants increase crime rate in Germany – a number higher than in other Western European countries (Fitzgerald et al. 480). The study concludes that fear over crime is a stronger predictor of negative attitude towards immigration than concerns about economy (Fitzgerald et al. 491). It is thus no wonder that the title of CDU’s 2001 paper on migration includes the words “Leistung und Sicherheit” (Performance and Security), and refers to immigrants as “terroristic and criminal groups” (Gould 406). Similarly, the news in Germany currently emphasize growth of crime rates among refugees. The report by the Federal Criminal Office in Germany (BKA) states that the number of crimes committed by asylum seekers has risen to 208,344 in 2015 (92,000 more than in 2014), causing public outcry against asylum seekers (Hall). The association of immigrants with criminality is an important factor in shaping negative public attitudes towards immigrants.

However, the above described perceptions of immigrants are likely to remain stable over time. What, then, explains the sharp fluctuations in the public opinion towards immigration, which sometimes occur in a matter of a few years, or even months in Germany? The two contextual factors that were found to influence the expression of negative sentiments are economic fluctuations and increased size of immigrant population (Semyonov et al. 2008: 21). Economic conditions are generally recognized to contribute to the attitudes towards immigrants. When economic conditions decline, immigrants are blamed either for the decline, serving as scapegoats, or for being competitors in the labor market (Semyonov et al. 2008: 9). The increase in the size of immigrant population should produce the same response, following this logic.

Using data from 12 EC countries between 1988 and 2000, Semyonov et al. study confirmed that these two factors indeed relate to shifts in attitudes: anti-foreigner sentiment was found to decline during economically prosperous periods and rise with increases in immigrant population (2006: 444). The outline of policies and attitudes in Germany reproduced in the first part of this paper also supports this data: restrictive policies and negative attitudes indeed seem to occur during the economically precarious times, as well as in response to high immigration flows.

The higher immigrant flows and deteriorating economy might also represent only one part of the story, however. The political-ideological climate might play a role in affecting attitudes as well: negative attitudes towards immigrants are highest in areas where right-wing parties receive most support (Semyonov et al. 2006: 444). Although the causal relationship between the country's political-ideological climate and the rise in negative perception has not been determined, it is likely that the right-wing parties mobilize negative sentiments towards foreigners (Semyonov et al. 2006: 444). This conclusion is supported by the fact that it is precisely the extreme right politicians who blame the immigrants for the declining economy and unemployment (Semyonov et al. 2008: 9). These findings and hypothesis have also been supported in the second part of this paper: right-wing groups indeed focus on denouncing immigration and multiculturalism and gather most support in the context of higher immigration flows and/or deteriorating economy. In doing so, the radical right politicians win support of the masses by both providing the source of the problem (immigrants) and the solution to it (deportation and tightening of restrictions). Immigrants, who already have a bad reputation among the German population for being impoverished and dangerous, are a good target for discharging blame.

Another contextual factor that appears to influence the fluctuations in attitudes towards immigration is the negative portrayal of immigrants in the media. A study conducted in Spain showed that negative media portrayals of foreigners on topics such as acts of delinquency or crime, illegal immigration, conflicting cultural differences, or labor market competition increased the perception of threat from foreigners among the native population (Schlueter and Davidov 9). A study done in Germany as recently as 2015 supported this conclusion: political posters that portrayed immigrants as criminals induced feelings of collective insecurity and caused greater support for expelling immigrants (Sarrasin et al. 7-10). Individual cases, such as an instance of a Muslim killing his sister for marrying an ethnic German, are usually broadcasted extensively (Klusmeyer and Papademetriou 271) and gather much public attention, confirming the fears and prejudices of Germans towards immigrants.

It is thus not surprising that popular revolt against Merkel's open door policy towards refugees became especially pronounced after the news reports of the sexual assaults in Cologne were released (Rippert and Allen-Mills). Reports in the German media about the increase of crime rates among the asylum seekers by 79% between 2014 and 2015, and particularly the connection of asylum seekers with the sexual assaults is responsible for much of the anti-refugee sentiments on the part of the Germans (Hall). However, what the media first failed to note was that, on the other hand, the number of the asylum seekers increased by 440% (Hall). This indicates that the crime rate has not increased; the higher number of crime instances is simply due to the increase in population. In addition, crimes of sexual nature accounted for less than 1% of all crimes (Hall). However, it is difficult to dispel the impression created by the media that refugees increase crime rates. When describing this effect of the media portrayals, social psychologists refer to it as the "'activating' effect of threatening representations", currently a

topic of interest (Sarrasin et al. 3). According to this idea, the prejudices that the population already holds towards minority groups become *activated* as a result of threatening portrayals of members of these groups (Sarrasin et al. 3). This also explains why later clarifications, such as overall increase in numbers of refugees and their little involvement in crimes of sexual nature had little effect in softening the hostilities towards refugees. People are eager to accept evidence that confirms their existing beliefs, and are likely to dismiss evidence contradicting those beliefs – a well-known psychological phenomenon.

This explanation of “activating effect” also provides an answer to the question previously posed in this paper: if certain perceptions (prejudices) towards immigrants are constant, how does one explain the fluctuation in the expression of negative attitudes towards immigration that is observed in Germany? It is conceivable that perceptions of immigrants as a threat to culture, economic prosperity, and, most importantly, security, are simply not expressed until structural circumstances “awaken” these prejudices and “energize” them into action. Thus, when the economy is prospering and the immigrant flows remain low, the negative attitudes towards immigration are not publicly expressed. However, when the economic situation worsens or the immigrant flows increase, the perceptions of immigrants as the breeders of poverty are “called out”, or “activated” by the radical right politicians. Similarly, criminal acts perpetrated by immigrants get disproportional attention in the media because they confirm the deep-rooted perception of immigrants as threat to security. Thus, both the ideological dispositions of the population and the structural variables work together to produce the fluctuations in the expression of attitudes.

If the negative attitudes are so easily brought up to the surface by the right-wing propaganda and media portrayals during unstable times, does it mean that Germany is doomed to

continuous shifts in public opinion with regard to immigrants? Does it mean that any liberal policies enacted during the times of economic and political stability are in danger of being reverted back to policies of restriction and exclusion once the times get tough? Not if the concerted action of both – latent attitudes in the population *and* the activation of those by radicals and the media is considered as responsible for such shifts. The activation hypothesis of negative attitudes states that “representations of out-group members as threatening activate prejudice *among those predisposed to it...*” (Sarrasin et al. 3; *my emphasis*). That is, prejudices must already be in place, in order to be activated by the right-wing radicals. If that were not the case, the people would not suddenly be motivated to speak against immigration as a result of simply listening to a persuasive speech of a right radical politician. Thus, if the activation hypothesis is true (which the common sense and the data so far provided in this paper show to be), the right-wing and media effect will be diminished if the underlying prejudices towards immigrants are decreased among the German population.

However, such prejudices are usually considered rigid and enduring, as well as not resulting from any external circumstances, but rather from beliefs inherent to the society in view. This view needs to be reevaluated, however: to what extent are such attitudes indeed inherent, and to what extent are they, too, influenced by other factors? Research in this area suggests that while attitudes affect policies, policies in turn can have an effect in shaping attitudes. In one study comparing immigration policies and attitudes towards immigrants, Australia was found to have both more proactive immigrant integration policy and an increased societal acceptance of immigrants than Germany (Ueffing et al. 456-457). Using data from 25 European countries (Germany among them), another study found that permissive/liberal integration policies are related to decreased perception of threat from immigrants (Schlueter et al. 670). The integrative

policies the study takes into consideration are: access to the labor market, family reunification, political participation, anti-discrimination, access to nationality, and long-term residence. The respondents in countries rating high on these measures of integration perceived immigrants less threatening compared to respondents from countries with more restrictive integration policies (Schlueter et al. 676). The authors conclude that this improvement is a result of integration policy effects on shaping societal norms for appropriate intergroup relations, which then affect the attitudes towards immigrants (Schlueter et al. 680). In other words, if people are permitted to treat immigrants as second-class citizens, they will do so, and eventually come to believe that the immigrants are indeed second-class citizens. This is also an old psychological phenomenon that has been historically tested (as much as one would like to avoid referencing the Third Reich, it is a very illustrative case of this phenomenon).

There might be more than one mechanism, however, through which friendlier integration policies induce more positive perceptions of immigrants. Prejudices and stereotypes do not usually arise out of thin air: they are indeed based on empirical observation. As has been described above, the prejudices held by the Germans towards immigrants usually have to do with their negative impact on economy (poor, in need of welfare), their criminality, and their cultural incompatibility. The question is thus: to what extent are these traits affected by the immigration and integration policies? Klusmeyer and Papdemetriou argue that Germany had weak “opportunity structures” for immigrant integration (263). These opportunity structures refer to the ability of immigrants to integrate economically, socially, and politically. As a result of early separation in education, according to which those with lower achievement attend Hauptschule or Gesamtschule, while those with high achievement attend Gymnasium, many immigrant children were unable to later pursue higher education and thus find jobs (since most jobs now require a

university degree) (Klusmeyer and Papdemetriou 265). The lack of integration thus produced the very conditions creating the poverty of immigrants, which is one of the reasons immigrants are condemned.

Similarly, ban on dual citizenship prevents many from becoming citizens and integrating politically (Klusmeyer and Papdemetriou 268). The general exclusion of immigrants in other spheres of social life, or the “environment of immigrant distrust” further promotes their self-alienation (Klusmeyer and Papdemetriou 268). After slogans such as “Will Turks decide the elections?” the immigrants inevitably feel unwelcomed and excluded (Klusmeyer and Papdemetriou 267). As a result of not being accepted, they are less likely to be loyal and to integrate, and are more likely to be interested in politics and social life of their homeland (Klusmeyer and Papdemetriou 268). Policy thus shaped attitudes of the Germans towards immigrants in two ways: directly, by separating them from the German society and thus “othering” them from the beginning in the minds of the Germans, and indirectly, by establishing conditions which increase the likelihood of immigrants being poor, culturally incompatible, and religiously radical. Bad economic conditions then serve as a perfect environment in which to mobilize the concerns in the population, which the right-wing radicals used. This, in turn, reinforces the perceptions of them as different and harmful for the German society, producing a kind of a vicious cycle. This dismal conclusion has a positive aspect to it, however: just as the lack of integrative policies created these conditions, so can introduction of thoughtful integrative policies revert this development.

Since integrative policies appear to have an effect on the levels of prejudice towards immigrants in the population, the needed course of action is to align the policies to promote integration. In addition to evidence previously presented to support this approach, citizenship

attainment by immigrants in Germany has shown to be higher in those *Länder*, where the attitudes towards foreigners are the friendliest (Klusmeyer and Papdemetriou 268), again pointing to the fact that immigrants begin to participate in the German society when they feel more welcomed. Additionally, as has been noted at the beginning of this section (III), ethnicity no longer seems to be the determining factor of the right to citizenship, and this change in attitude can be related to the change in the immigration law of 2000 (Diehl and Tucci 6). The change in policy thus has powerful effects on attitudes.

Placing immigrants in a better economic position and encouraging their political participation has the power to reduce prejudices against them and thus repair the damages which Germany's earlier immigration policy has done. With this in view, legislations such as the 2007 Act should be reconsidered. Instead of focusing on what the immigrants must first do to integrate (i.g. learn the language), it should focus on what can be changed structurally in order to accommodate them better (better educational opportunities, more political participation), thereby encouraging their integration in an active, rather than passive way. Education can also play an important role in improving the attitudes towards immigrants. Psychology research shows that values are shaped during adolescence and, with the exception of trauma or therapy, remain stable throughout adulthood (Davidov et al. 281). Thus, Kühn's recommendations about multicultural education in Germany are very important for raising the new German generation with notions different from the misconceptions of the past generations.

In conclusion, I will summarize the main points of this section as well as point to future directions with regards to immigration policy in Germany. As has been shown, negative attitudes towards immigrants are based on their perceptions as a threat to the economic performance, crime rates, and cultural cohesion. These attitudes, however, while not expressed most of the

time, tend to be “activated” during the times of economic instability, when the extreme right focuses its propaganda efforts on the issue of immigration. It is this pattern that is responsible for negative shifts in immigration policy and that has forestalled the progress of Germany in the direction of a more liberal immigration and citizenship policy throughout the years. However, while neither economic crises, nor radical propaganda can be prevented, the negative attitudes of the German population towards immigrants can be changed through policy. A stable development in the direction of enduring acceptance of immigrants can be achieved if Germany readjusts its policy without waiting for immigrants to change first or the public opinions to support this course of action. This conclusion is based on the evidence that friendlier immigration policy appears to have an effect on encouraging immigrants to integrate and on decreasing negative perceptions of them.

However, such change in the course of policy requires a decisive, stable action of the government even in the times of economic turmoil, when the right-wing politicians gain sway. In order for such stability in action to ensue, the major German political parties have to align themselves on the issue of immigration and together represent a large enough majority, so that they are not threatened by the temporary gains of the radical right. Such a coalition, in turn, requires the traditionally conservative fractions of CDU and CSU to give up their ideas of preserving the “traditional” culture, and accept the new reality in which Germany finds itself in the twenty first century: that it is a land of immigration, and that its immigrant population will likely only increase from now on.

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