How to Define a Foreigner? The Symbolic Politics of Immigration in German Partisan Discourse, 1978–1992

THOMAS FAIST

This article tries to answer two questions. First, how did Germany, a de facto country of immigration, manage to espouse a counterfactual ideology in the 1980s and early 1990s? Second, what have been the political consequences of upholding a political discourse that denied the reality of immigration? In a polity that officially denies migration and the development of a multiethnic society, issues such as immigration regulation and the settlement of the regulation of labour migrants' immigration have not been directly addressed in partisan discourse. An ethno-cultural conception of citizenship has facilitated a politics of exclusion of 'guestworkers' from voting rights, but inclusion of ethnic Germans, and a redefinition of asylum as labour migration. This has reinforced the symbolic uses of politics by Christian Democratic and populist parties and politicians: immigration, asylum and the multiethnic polity have come to be meta-issues that can be referred to as causes of manifold problems in a context of rising unemployment and a 'crisis of the welfare state'. Moreover, the main alternative to the dominant partisan discourse - 'multiculturalism' - has remained a mirror image of an ethno-cultural conception of membership by advocating a similar one-dimensional positive image of cultural autonomy of ethnic groups in multiethnic states, excluding issues of socio-economic and political participation.

THE PARADOX OF DE FACTO IMMIGRATION AND THE IDEOLOGY OF A NON-IMMIGRATION COUNTRY

Between 1945 and 1989 net immigration into the old Federal Republic of Germany amounted to more than 18 million people. During the same period about 16 million immigrated into the United States, one of the classical countries of immigration. If we take the proportion of immigrants as a percentage of the total population, it is higher in Germany

than in the United States. In the German case, immigrants include expellees and refugees from Eastern Europe (ethnic Germans) and migrant labour from the Mediterranean ('guestworkers'); in the American case all those immigrants are counted who entered legally. Thus, it is remarkable that the government of the Federal Republic has clung to the idea that Germany is not a country of immigration. There has been no public discourse on immigration regulation. Instead of immigration, conflicts over the constitutional right to political asylum have occupied centre stage. Thus, we are left to explain a political paradox: How did a de facto country of immigration manage to espouse a counterfactual ideology in the 1980s and early 1990s? More specifically, what have been the politics of de facto immigration? And what have been the political consequences of upholding a political discourse that denied the reality of immigration?

In a polity that officially denies the reality of immigration, issues that arise from the settlement of guestworkers, for example, citizenship rights, and immigration regulation have not been directly addressed. Instead, immigration has figured prominently in the politics concerning unemployment and cutbacks in the welfare state. In this situation, political parties try to define the terms and images that serve above all tactical purposes in inter-party competition. Those political parties that are successful in defining issues have more chance of succeeding in the electoral arena. Political actors are not only or primarily interested in solving issues and problems that arise from policies: they also strive to originate events. Conflict between the major actors in the German political system, political parties, can be seen as a discourse in symbolic politics. Symbolic politics uses substitutes to address substantive policy problems.

In Germany, as in all other West European countries, immigration has moved from 'low politics' to 'high politics', as immigration came to be a highly politicised issue during the 1980s. For German political parties, the symbolic politics of immigration and integration may have been attractive for at least two reasons. Symbolic politics that promoted the return of guestworkers to their countries of origin in the early 1980s offered a way to avoid discussions of membership and citizenship of settled migrant labour. And the inter-party conflicts that resulted in restrictions placed upon the right to political asylum in the early 1990s allowed political actors to bypass fundamental questions of immigration control and distributional conflicts in the welfare state.

First, immigration of guestworkers and ethnic Germans raises issues of political membership. Those political parties interested in incorporating ethnic Germans (CDU, Christlich Demokratische Union and CSU,

Christlich Soziale Union) tried to cast membership in cultural terms, engaging in the symbolic politics of the 'foreigners' problem' (Ausländerproblem). The CDU and CSU pursued policies that centred upon 'assimilation' of guestworkers to German society, or their 'return' to the sending countries. In 1983 the German government implemented a short-lived return policy. This policy effort was symbolic. Based on earlier French efforts it could be predicted that only few guestworkers would return to the country of origin after having settled in Germany. This 'assimilation' versus 'return' strategy also impeded efforts of the social democrats (SPD, Sozialdemokratische Partei Deutschlands), interested in including settled guestworkers into the electorate. Second, immigration raises issues of admission to the territory of the national state. In particular, problems of transnational border control became apparent after the fall of the 'Iron Curtain' and 'The Wall.' The rapid increase in the number of immigrants in the late 1980s and early 1990s—ethnic Germans and asylum seekers—called into question the ability of the federal government to control Germany's borders and regulate immigration (see Table 1). During the 1980s administrative efforts to greatly restrict the right to asylum had not substantially altered the number of refugees entering Germany. The high number of refugees may have even been in part an unintended consequence of de facto immigration policies. To apply for political asylum was for many migrants the only way of entering one of the richest countries in the world. Eventually, in 1992, the major political parties settled on a compromise to change the constitutional right to political asylum. Even though the latest changes in the constitution appear to have resulted in a decline of asylum seekers, other migratory flows could increase, for example unauthorised migration. Thus, although various policies have curbed the admission of particular groups, it is hard to see how, short of rigorous border control through police-state methods, Germany can substantially decrease the total number of immigratory agree in the constitution. substantially decrease the total number of immigrants, especially with

respect to clandestine population movements.

Symbolic politics meant that immigration gained the status of a metaissue.³ Immigration and asylum could be referred to as a cause of manifold problems. For conservative parties and the emerging rightwing populist *Republikaner*, the symbolic politics of asylum was appealing because certain groups of immigrants and asylum seekers could easily be connected to a host of domestic issues. For example, distributional struggles over social goods during the periods of relatively high unemployment since the late 1970s, and after German unification in 1990, made it easier for politicians to refer to immigrants as competitors in the economic realm. Conservative and populist groups have also

TABLE 1
ADMISSION OF ASYLUM SEEKERS AND ETHNIC GERMANS, 1980–1992

Year	ASYLUM SEEKERS		AUSSIEDLER
	Number	Recognition Rate (per cent)	Number
 1980	107,818	12.0	 1968–1984:
1981	49,391	7.7	652,897
1982	37,423	6.8	
1983	19,737	13.7	
1984	35,278	26.6	
1985	73,832	29,2	38,968
1986	99,650	15.9	42,788
1987	57,379	9.4	78,523
1988	103,076	8.6	202,673
1989	121,318	5.0	377,055
1990	193,063	4,4	397,075
1991	256,112	6.9	221,995
1992	438,191	4.3	

Source: Statistisches Bundesamt 1992, p.91; and Bundesminister für Arbeit und Sozialordnung, 'Ausländer – Daten: Bevölkerung, Beschäftigung, Arbeitsmarkt' (1993), p.13.

emphasised the threat of immigrants to the alleged ethnic homogeneity of the German national state.

The symbolic uses of politics regarding immigration can be found in all West European countries. Since the late 1970s political discourse in Western welfare states has been full of references to immigrants as economic competitors and as unwilling to assimilate culturally. Also, the gradual restrictions placed upon immigration and political asylum have not been a peculiar feature of German policy. Indeed, the emergence of restrictive policies has been the hallmark of politics in all West European and North American nation-states since the early 1970s. Increased xenophobia has not been a peculiarly German phenomenon, either. For example, in 1991, more violent attacks against immigrants were recorded in Great Britain than in Germany.⁴

The specific nature of the German situation has been that the legally defined ethno-cultural understanding of citizenship has eased the symbolic use of immigration in political conflicts. The fiction of a country of non-immigration could only be upheld by a political discourse of symbolic politics that defined membership exclusively in ethno-cultural terms. The German polity at once demands that immigrants assimilate culturally and, at the same time, denies the opportunity for cultural assimilation and political participation through an ethnic understanding of membership. This understanding is codified in German citizenship

law, the Reichs- und Staatsangehörigkeitsgesetz that dates back to 1913. This law is explicitly based upon an ethnic concept of membership that defines belonging to a polity in cultural terms, that is, language, customs, and ancestry. The ethno-cultural understanding of membership could be used to reinforce a discourse that portrayed certain groups of guestworkers and asylum seekers as causes of unemployment during economic recession and as welfare cheaters. These exclusionary efforts appealed to the ethnic solidarity of the native population.

Beginning with the writings of Friedrich Meinecke and Hans Kohn,⁵ this ethno-cultural principle has been contrasted to a republican principle that grounds membership in a polity in political participation instead of cultural assimilation. In Europe, these writers claimed, France comes closest to this type. Yet, these two different versions of national identity – ethno-cultural versus republican, Eastern versus Western nationalism – can be found to varying degrees in all Western national states, and are not exclusively limited to either Eastern or Western versions of nationalism and citizenship. Whereas this earlier literature has referred to ethno-cultural and republican concepts of citizenship as real types that can be found in specific countries,⁶ this analysis uses these notions as principles that guide empirical analysis. In Germany, the CDU and CSU have vigorously supported the ethnocultural concept of citizenship, while the SPD has taken steps to advance the republican principle.

Three main groups of immigrants and asylum seekers have played different roles in the calculus of political party strategists (Table 2). First, a settled immigrant population, mainly guestworkers from southern and south eastern Europe, emerged in the course of the labour migrant recruitment and settlement, accompanied by family reunification. Second, owing to the constitutionally guaranteed right to asylum, refugees from Eastern Europe and developing countries have applied for political asylum in the Federal Republic. Third, special provisions have brought refugees (Flüchtlinge) and expellees (Vertriebene) from Eastern Europe in the 1940s and 1950s to the Federal Republic. Based on legislation passed in the 1950s, large numbers of ethnic Germans (Aussiedler) could come to Germany in the late 1980s and early 1990s after the opening of borders in eastern Europe.

The first section deals with symbolic politics and the ethno-cultural understanding of membership and political citizenship. It is about conflicts over immigrants as bearers of political rights. In the second section, the analysis focuses on how immigration came to be a meta-issue in a period of economic recession and the 'crisis of the welfare state.' It discusses 'welfare chauvinism,' namely, the role of symbolic politics in

TABLE 2
THE POSITION OF DE FACTO IMMIGRANTS GROUPS AND ASYLUM-SEEKERS
IN PARTISAN DISCOURSE

category	labor migrant	rofugees (political	ethnic Garmans
dominant label in public debate	"Gasterbeiter"	'Asylant'	"Aussiedlor"; "Vertriebaner" (expellee) "Flüchtling" (refugee)
period of main immigration		sinco late 1980s	1945-1953; 1988£f.
numbers (1992)	7.3% of the population	See Table 1	ca, one fourth of the population (old FRG)
claim to political rights	via a long and arduous process of naturalization	via a long and arduous process of naturalization	quasi-automatic
claim to social rights	pormanent residents (accure legal status): similar to German citizens (exception: extracommunitari in labor markets)	asylum seekers: social assistance in kind; recognized asylees: similar to labor migrants	same claims as native citizens
key terms in the partisan dobates	'integration' (SPD); 'assimilation' or 'return' (CDU/CSU)	'abuse' of the right to asylum; 'abuse' of social rights and services	'raturn' to homo country
period of politicization (mota-issue)		late 1970s/corly 1980s: 1989ff.	
	potential electorate for SPD		
	meta-issue for CDU/ CSU and Republikanor	meta-issue for CDU/ CSU and Republikanor	. S

the debate over social rights of immigrants and asylum seekers. The third section analyses the consequences of symbolic politics for the general political discourse on immigration and examines the dominant alternative to the ethno-cultural concept of membership in German political discourse, multiculturalism.

SYMBOLIC POLITICS AND POLITICAL CITIZENSHIP: VOTING RIGHTS FOR GUESTWORKERS AND ETHNIC GERMANS

The symbolic politics of immigration prohibited a debate over political

participation of immigrants in the German polity and emphasised cultural assimilation. Nevertheless, guestworkers and ethnic Germans have played important roles as potential electoral support groups for the CDU/CSU and the SPD. However, while the CDU/CSU successfully incorporated ethnic Germans as voters, the SPD failed to include settled guestworkers. Based on an ethnic understanding of membership in the German polity settled guestworkers were denied political rights, while the very same principle served to legitimate immigration of ethnic Germans from Eastern Europe.

Extrapolation from historical evidence and public opinion polls suggests that guestworkers would constitute a prime electoral clientele for the SPD. Blue collar workers have formed a classical support group of social democracy in Germany. In the 1980s up to 20 per cent of the blue-collar working class in major industrial areas were guestworkers (e.g., in the Ruhr metropolitan region). If settled foreigners had the right to vote in local elections, the magnitude of change would be considerable: in Frankfurt, the city with the highest proportion of immigrants in the Federal Republic (more than 20 per cent), voting rights for settled foreigners would increase the populace by more than 15 per cent.⁸

The major unanticipated effect of migrant worker policy has been the emergence of a multi-ethnic society in the Federal Republic during the last three and a half decades. In the late 1970s SPD politicians began publicly to emphasise policies to further integrate the guestworker population that had come to settle in Germany. Gastarbeiter recruitment policy was an active policy of the German federal state, carried out by the Federal Employment Agency. Until the mid-1970s policy-makers in federal government were able to cast labour migration in exclusively economic terms. When a substantial part of the guestworker population stayed on and did not return to the country of origin, and a second and third generation of foreigners grew up in Germany, incremental policy changes occurred. The originally dominant Ministry of Labour began to share responsibilities with the federal Ministry of Interior and its counterpart in the Länder.

At this time, the Kühn Memorandum (1979) proposed policies to address both socio-economic problems of settlement (e.g., integration of second-generation immigrants in schools and labour markets) and naturalisation, a move from ius sanguinis to ius soli. Heinz Kühn (SPD), a former prime minister of North Rhine-Westphalia and the first federal ombudsperson for foreigners' affairs, recommended active policies of anti-discrimination in the workplace, schools, housing and social services. Groups within the SPD suggested a 'right to settlement' (Nieder-

lassungsrecht), a policy suggestion that avoided any reference to citizenship.9

Many of the proposals of the Kühn Memorandum found their way into SPD campaign platforms in 1980. In particular, the SPD committed itself to grant local voting rights to settled immigrants. Nonetheless, the SPD was careful not to play into the hands of CDU/CSU campaigns that seized upon the issues of voting rights and asylum for campaign purposes. The CDU and CSU party leadership kept a low profile and accused the SPD/FDP government of not handling problems of asylum and foreign workers well. Less prominent CDU/CSU politicians went further to dramatise the issue, introducing terms such as 'overflooding', 'too many foreigners,' and 'abuse of asylum'. SPD Chancellor Helmut Schmidt took great care to avoid the issue of election rights for foreigners, fearing that this would advantage the CDU/CSU candidate for chancellor in 1980, Franz-Josef Strauss (CSU). 10

In the late 1970s, when the settlement of guestworkers became more and more obvious, both the CDU and the CSU framed the integration of guestworkers as the 'foreigners' problem' (Ausländerproblem). The CDU and CSU emphasised the Ausländerproblem in their return to power on the federal level in 1982/83. In his first governmental declaration in autumn 1982, Chancellor Helmut Kohl (CDU) declared 'foreigners' policy' to be one out of the four most urgent issues to be addressed in his emergency programme. Speaking to steelworkers in Dortmund, Kohl declared that he intended to reduce the number of foreigners in Germany by about one million. Modelled on the French example, the new CDU/CSU-FDP government gave financial incentives for guestworkers to return to their countries of origin (1983-84). Few returned. Moreover, the government set up a commission to study the 'foreigners' problem.' Nothing happened. In his second governmental address in spring 1983, Kohl did not even mention the 'foreigners' problem.' The symbolic uses of this strategy were obvious: There was not much difference between the actual policies the Social Democratic/ Liberal federal government (SPD and FDP) pursued until 1982, and those of the succeeding Christian Democratic/Liberal coalition government.11

While this symbolic use of politics may have paid off for the CDU in competing with the SPD for votes in the 1980 and 1983 elections, its success in addressing the challenge of right-wing populist parties turned out to be much more ambiguous. Conflicts over immigration were connected to structural changes in the postwar German party system. Three factions have been integrated within the CDU: the economic liberals have organised in the Wirtschaftsausschüsse (interests of

entrepreneurs), Catholic and Protestant labour in the Sozialausschüsse (interests of unions and churches); and national-conservatives were well represented in the Bavarian CSU. For a long time this setup constituted the hallmark of the CDU/CSU as a 'catch all party' (in Otto Kirchheimer's phrase) that differed from other conservative parties in other European countries, for example the British Tories. Since 1983, national-conservatives have had other choices available, for example the Republikaner. The party was founded by two estranged members of the CSU.12 The Republikaner has exploited the fact that CDU and CSU made promises to cut down on the number of foreigners (and 'assimilate' those remaining). Although the CDU and CSU had used the Ausländerproblem as a campaign issue before the emergence of the Republikaner, the rise of a right-wing competitor may have accelerated the symbolic uses of politics by the CDU and the CSU. After all, immigration was a prime rallying issue for the populist Republikaner. 13 Although the Republikaner did not succeed in entering the federal parliament in 1987 and 1989, they managed to surpass the crucial five per cent threshold in the 1989 European election and to enter the parliaments in several Länder. In the Landtag elections in Baden-Württemberg in 1991, the CDU, along with tabloids such as Bild, strongly exploited xenophobic tendencies. However, the CDU experienced heavy losses while the Republikaner entered the Landtag. Election analysts concluded that votes for right-wing parties came from voters who normally considered themselves followers of one of the big parties: the CDU/CSU (and the SPD).13

Although the conservative and right-wing parties have been most successful in defining the issues regarding immigration and integration, the SPD has been the most active party in incorporating guestworkers in the political realm. The SPD has organised most immigrant members of all parties, especially Turkish workers. Also, the Turkish Social Democrats co-operate with the SPD. Co-operation between Turkish organisations and German parties has flourished above all on the local level. Membership overlap between German parties and Turkish organisations also seems to be most widespread in social democratic organisations. In Berlin and in the Ruhr area, for example, many members of the Türkische Sozialdemokraten are also members of the SPD. This co-operation has become closer over time, because Turkish organisations have moved from an orientation towards the country of origin to the politics of interest articulation in the country of settlement. The successive successful to the politics of interest articulation in the country of settlement.

However, the SPD did not succeed in securing voting rights for foreign residents with unlimited residence permits. In 1989 the Länder of Hamburg, Bremen, and Schleswig-Holstein, all governed by a social

democratic majority or plurality, introduced laws to grant voting rights in local elections to foreigners that had resided in the Federal Republic for more than five years. The CDU Land Baden-Württemberg and the CSU Land Bayern appealed to the Federal Constitutional Court. In order to prevent enfranchisement of guestworkers, the CDU used the argument that 'the people' (das Volk) is constituted by citizens. Arguing that guestworkers do not belong to the Volk, the CDU and CSU rejected proposals such as voting rights for settled migrants. ¹⁸ The Court revoked the regulations of the SPD states. The central argument of the court's majority opinion was that 'all state power derives from the people'. Since the constitution (Basic Law) does not include foreigners in the Volk (ethnos), the judges declared the Länder laws unconstitutional. Thus, ultimately, the court denied voting rights to permanent foreign residents because they do not belong to 'the people' (das Volk). ¹⁹

While the CDU and CSU managed to exclude guestworkers from voting rights, these parties have also benefited from the quasi-automatic political integration of expellees and refugees in the 1940s and 1950s, and of ethnic Germans since the late 1980s. The CDU/CSU federal government reaffirmed frequently that ethnic Germans are not immigrants but returnees. Ethnic Germans have had an automatic right to enter the Federal Republic, analogous to the law of return in Israel and Japan. It has practically guaranteed access to German citizenship to all those refugees from Eastern Europe who can make some distant claim to German ancestry. Because they were automatically enfranchised, ethnic Germans could be easily incorporated into political parties. The CDU/CSU had a special interest in incorporating large numbers of ethnic Germans. As election analyses have documented, the CDU/CSU was able to catch most of the votes of ethnic Germans, expellees, and refugees since the late 1940s. 21

The CDU/CSU could justify the quasi-automatic admission of numerous ethnic Germans since the mid-1980s for various reasons. First of all, until 1989, the reception of ethnic Germans served as a reminder of the continuing communist threat to the Federal Republic of Germany during the Cold War. Unless the SPD wanted to be denounced as a communist junior partner, the party had to consent unconditionally to the policies of invitation for ethnic Germans.

Second, as long as ethnic Germans suffered the fate of expulsion, it could also be implicitly used as a reminder of the 'lost territories' in the East. It was only after the successful implementation of the Ostpolitik initiated by Chancellor Willy Brandt (SPD) that the CDU/CSU gradually started to soften its rhetoric on a Germany returning to the borders

of 1937. It was not until 1991 that CDU-chancellor Helmut Kohl signed a treaty with Poland recognising the Oder-Neisse line as the border between Germany and Poland. Resistance to Ostpolitik in the CDU/CSU was also based on the fact that expellees and refugees had a powerful political lobby in the 1950s. Compared to guestworkers, they experienced swift political incorporation. Politically, refugee organisations (Vertriebenenverbände) have acted as pressure groups within the CDU and CSU.²²

Third, the CDU and CSU have consistently pointed out that ethnic Germans are Germans as defined by the Basic Law. The category 'ethnic German' is a legal construct of the Cold War, 23 based upon the citizenship law of 1913. According to the current thinking, ethnic Germans should be allowed to enjoy the same constitutional rights and duties as all other Germans, for instance, admission and mobility in the Federal Republic. Ethnic Germans deserve special help because they are compatriots who had to suffer tremendously under the harsh effects of World War II. They adhered to the German language and culture in adverse circumstances. In short, the powerful principle of ethnic solidarity is paramount in justifying a special status for ethnic Germans. Immigration policies toward ethnic Germans are based on Article 116 of the Basic Law. According to this article, specified by the Federal Law on Expellees and Refugees (1953), Germans are all those who either hold German citizenship or who are German refugees and expellees who migrated to the German Reich (in the borders of 1937) until the end of World War II. Since 1949 successive federal governments based their policies on the assumption that all ethnic Germans in the communist 'Eastern bloc' have been subjected to 'pressure of expulsion'. The Law on Expellees and Refugees has constituted a foil for numerous administrative orders that enlarged the group of ethnic Germans eligible for return to those citizens of East European countries who were born after 1945 and could show some proof of German ancestry. The refugee policies of the Federal Republic's have contributed to a reinvigoration of a feeling of German ethnic identity among citizens of German descent in Eastern European countries.

In sum, while political inclusion of guestworkers has been contested, political incorporation of ethnic Germans has remained almost undisputed. Underlying the conflict over voting rights for guestworkers and the unquestioned incorporation of ethnic Germans has been a debate over the definition of the ethno-cultural concept of citizenship. The CDU and CSU used the symbolic politics of 'return' or 'assimilation' of guestworkers to circumvent questions of political citizenship. To justify exclusion of guestworkers and inclusion of ethnic Germans, the CDU

and CSU were able to draw upon German citizenship law. The SPD failed to advance the principle of 'no taxation without representation' to promote the political rights of settled migrants.

SYMBOLIC POLITICS AND SOCIAL CITIZENSHIP: 'WELFARE CHAUVINISM' AND THE DEBATE OVER ASYLUM

The ethno-cultural concept of citizenship and the symbolic politics of immigration have reinforced each other. In particular, the political debate over asylum turned into a substitute debate on two issues, on rights and membership in the welfare state, and the regulation of immigration without really addressing immigration as an issue. The question raised by conservative and right-wing parties was also to what extent asylum seekers and certain groups of immigrants have a claim to social rights. Thus, the symbolic politics of asylum included the politics of 'welfare chauvinism', the unwillingness of natives to share welfare state benefits with certain immigrant groups and asylum seekers who are perceived as 'intruders'. Above all the CDU, CSU, and the Republikaner focused on political asylum as a meta-issue in the context of high unemployment rates among the native population and alleged welfare fraud by asylum-seekers. By contrast, the SPD unsuccessfully tried to separate the issues of immigration and integration, on the one hand, and political asylum, on the other. In order to separate immigration and asylum, the SPD proposed explicit immigration laws.

Asylum-seekers from developing countries, those granted asylum (Asylberechtigte), and certain groups of immigrants could be framed as being 'different' in crucial realms. These groups were perceived to be culturally different. Cultural difference was equated with a rejection of assimilation on the part of immigrants and asylum seekers. Even before the number of asylum-seekers drastically increased in the latter part of the 1980s, it was elevated to a key issue in electoral campaigns by the CDU and CSU in the late 1970s. At that time the negative term Asylant entered political debates and since then has been applied to unwanted refugees, particularly those from developing countries.

The tactical use of the asylum question in inter-party conflicts is obvious in a phrase coined by CDU general secretary Volker Rühe: 'Every additional Asylant is a SPD-Asylant'. 24 The Christian parties introduced key terms into political debate, such as 'over-foreignisation', introduced key terms into political debate, such as 'over-foreignisation', 'flood of asylum-seekers', 'limits of endurance' and 'the boat is full'. Former interior minister of Bavaria, Edmund Stoiber (CSU) even spoke of 'racialised society' (durchrasste Gesellschaft). The expression brought back memories of racial categories used during the Nazi regime. The

head of the CDU parliamentary group in the Bundestag, Alfred Dregger, introduced the term 'flooding' in parliamentary debates in the mid-1980s. 'Flooding' in this context alludes to the Muslim threat to Europe in past centuries. The continuity of the juxtaposition of 'Islamic' (oriental) versus 'Christian' (occidental) culture in symbolic politics has been striking. For example, Turkish immigrants are thought to be unwilling to 'assimilate' because they belong to Islam, a perception aided by the Islamic fundamentalism that gained influence in Turkish and North African immigrant communities in Europe during the 1970s. When the inter-party debate on migration turned again from guestworkers to asylum seekers in the late 1980s, the same dichotomy was being seized upon, although most asylum seekers from Asia and Africa were not Muslims. Alluding to the infiltration of Muslim values, Edmund Stoiber entitled one of his contributions to the daily newspaper Die Welt: 'And German judges turn over the leaves of the Qu'ran'.25 The important distinction here is European versus Non-European; a distinction that has increased in importance due to the opening of borders in Eastern Europe and European integration within the European Union ('Fortress Europe').

Thus, the flow of asylum seekers was portrayed as one of 'economic refugees' from developing countries (Armutsflüchtlinge) although most refugees actually were citizens of east European countries, such as the former Yugoslavia, fleeing war-torn and devastated regions (Table 3). In short, portraying immigration and asylum as a cultural problem and equating non-European cultures with Islam allowed party politicians from the CDU, CSU and the Republikaner to conflate two groups of immigrants, guestworkers from Turkey and asylum seekers from developing countries.

The language that accompanied German unification may have spurred the discourse of cultural difference. Among other things, it raised the issue of a collective identity as national identity. In the aftermath of German unification a rhetoric of national and ethnic identity, 'we' versus 'them', has resurged and may also have affected the perception of immigrants and asylum seekers as competitors for scarce goods such as jobs, housing and social services. Insofar as 'welfare chauvinism' and violence against foreigners is concerned, we are left with a paradox that points toward the crucial role of immigration and asylum as a meta-issue: in East Germany xenophobia exists without foreigners. The unification of Germany connected two states with different histories of immigration after World War II. The Federal Republic had a much higher percentage of immigrants (8 per cent) than the German Democratic Republic (1 per cent).

TABLE 3
ASYLUM SEEKERS AND ETHNIC GERMANS – COUNTRIES OF ORIGIN

asylum seekers (1992)			ethnic germans (1991)	
Country	Number	Percentage	Country	Number
former Yugoslavia Romania Bulgaria Turkey Vietnam CIS Nigeria Zaire Algeria Ghana Afghanistan	122,666 103,787 31,540 28,327 12,258 10,833 10,486 8,305 7,669 6,994 6,351 438,191	28.0 23.7 7.2 6.5 2.8 2.5 2.4 1.9 1.7 1.6 1	Poland former USSR Romania Hungary CSSR Yugoslavia Other	40,129 147,320 32,178 952 927 450 39 221,995

Note: The figures do not measure substantial numbers of guestworkers' and asylum-seekers' out-migration during these years. The number of refugees applying for political asylum fluctuated between 4,000 and 9,000 in the mid-1970s.

Source: Statistisches Bundesamt 1992, p.91; and Bundesminister für Arbeit und Sozialordnung, 'Ausländer – Daten: Bevölkerung, Beschäftigung, Arbeitsmarkt' (1993), p.13.

Openly racist statements have been rare. This tendency has been visible above all among the *Republikaner*. They are more moderate in tone than their model, the French Front National and their German predecessors in the late 1960s, the NPD. The *Republikaner* have been so international as to borrow key terms such as 'difference' from the French New Right, whose ideologists (e.g., Alain Benoist) are indebted to German writers such as Moeller van den Bruck and Carl Schmitt. The symbolic politics of difference does not rest upon ideologies of racial superiority that connect physical and mental characteristics. In the language of the New Right, 'culture' and not 'nature' serves as the key distinction between 'civilisations'. Behaviour is thought to be based upon cultural differences. Although they are by no means identical, the late twentieth century rhetoric of difference did fit in easily with ethnocultural concepts of membership to justify exclusion of 'intruders' from scarce goods.

The campaign rhetoric of the CDU, CSU, and the Republikaner suggested that asylum-seekers and selected groups of guestworkers could be held responsible for causing politico-economic problems such as unemployment and cutbacks in social services. Frequently, politicians

of the Republikaner, such as party chairman Franz Schönhuber, have criticised policies that integrate guestworkers into the German welfare state as attempts to deprive German citizens of deserved social provision and give it instead to unworthy welfare cheaters, among them guestworkers and asylum seekers. Asylum seekers offered an even easier target than settled guestworkers because the former group has not yet contributed to social insurance schemes, such as health, unemployment, and pension funds. Rather, asylum seekers receive non-contributory benefits, that is, social assistance in kind.

In this way the symbolic politics of cultural difference has been inextricably connected to the politicisation of welfare state politics. Both asylum seekers and ethnic Germans are newcomers who have not contributed to social insurance funds. ²⁶ Based on the ethnic definition of citizenship, ethnic Germans are treated as if they had paid into these insurance schemes. Asylum seekers only have claims to social assistance benefits in kind. Social assistance benefits in kind for asylum-seekers were further decreased in the early 1990s. One of the justifications used was that asylum-seekers increasingly were abusing their rights by making multiple applications for social assistance. Thus, the abuse of welfare services insinuated the alleged 'abuse' of the right to asylum and vice versa.

These allegations strengthened the distinctions made between 'economic' and 'political' refugees, a widespread dichotomy in the political discourse of all Western welfare states. The conclusion drawn by CDU and CSU politicians was that only the latter group had a legitimate claim to asylum.²⁷ Low recognition rates of asylum seekers in the first instance (below ten per cent) were taken as an indicator that most asylum seekers were 'economic refugees' who came to compete with Germans for jobs, housing and social services. It is striking that recognition rates further decreased in the early 1980s and have since then dropped again in the late 1980s, two periods in which the symbolic politics of asylum were prevalent (Table 1).²⁸

The rhetoric of deterrence toward asylum-seekers and the welcoming of ethnic Germans accompanied the policy debate on asylum. The numbers of ethnic Germans were curbed by non-publicised bureaucratic means. The increasing numbers of ethnic Germans seeking shelter in the Federal Republic led to the new, more restrictive Law to Adapt Integration (1990) and the Ethnic German Reception Law (1991). For example, according to the new laws and regulations, application for acceptance has to be made before leaving the home area in eastern Europe. Thus, the Federal Office on Aussiedler Affairs has effectively implemented a de facto quota system.

The issue of political asylum, however, took centre stage in interparty conflicts in 1991–92, rivalled only by the follow-up problems of German unification. Until 1993 asylum seekers came to Germany by asking for political asylum under Article 16 (II, 2) of the constitution: 'Every politically persecuted individual has a right to asylum.' Germany was unique in that it granted an individual claim to asylum for all those who are politically persecuted. Thus, the constitution obliged the Federal Republic to receive all those individuals who could show that they had been persecuted by state authorities on grounds of political belief, race, religion or membership in a certain social or ethnic groups in the country of origin. In short, German Basic Law gave individuals a claim to asylum. By contrast, the Geneva Convention grounds asylum in the prerogative of sovereign states.

After a protracted debate, the major political parties reached a compromise on the asylum issue (in December 1992; changes went into effect in July 1993). It was agreed that Article 16 should be replaced by a new Article 16a. Among other restrictions, all asylum-seekers now can be turned back at the border who enter the Federal Republic from neighbouring 'safe countries' (e.g., Austria, the Czech Republic and Poland); who come from countries declared to be 'free of persecution' (including Romania and Ghana, i.e., countries where many asylumseekers came from in recent years, see Table 3); and those asylumseekers whose application was already denied in other countries of the European Community. Effectively, the constitutional amendment implies that refugees who access Germany via land can be turned back without having the opportunity to enter the regular asylum process. One of the main attractions for politicians of all parties of supporting the changes of Article 16 was that the amendment promised immediate reductions in the number of asylum-seekers.²⁹

While the conservative and populist parties heavily emphasised the fact that asylum seekers are both culturally different, that they are economic competitors, and that many abuse the social assistance granted by the German welfare state, the SPD wavered on the asylum issue, experienced lengthy internal conflicts, and finally accepted the position of the CDU and CSU. Originally, however, SPD politicians defended the right to asylum as a humanitarian obligation of the Federal Republic to politically persecuted individuals. The SPD faced a dilemma. On the one hand, the SPD followed an integrationist strategy for those migrants already in the country. On the other hand, the SPD was interested in controlling the flow of new immigrants to avoid undercutting wages and a potential downgrading of working and living conditions of native and settled migrant workers. The symbolic politics

of immigration successfully portrayed political asylum as unlimited 'open border' policy with harmful consequences for the native population. During the recruitment of guestworkers in the 1960s, unions and the SPD had partly diffused the perception of immigrants as economic competitors undercutting wages by insisting that they received the same rights and duties as German workers in the workplace. Moreover, the economic climate in the 1960s was still one of expansion and growth, in which many German workers may have experienced upward occupational mobility; this was perhaps even facilitated by a massive influx of guestworkers who came to occupy unskilled and, increasingly, semiskilled blue collar positions. In the 1980s, however, a growing number of SPD voters perceived guestworkers as a threat to job security, and asylum-seekers as competitors for scarce housing and social benefits.³⁰

Since the absence of channels other than asylum for potential migrants had contributed to the overburdening of the asylum process, the SPD tried to solve the dilemma in proposing an immigration law that controlled the admission of non-refugees. However, the continued immigration of ethnic Germans already constituted a substantial annual intake of newcomers and thus partly foreclosed options for establishing other immigration channels. In this situation, the SPD leadership chose to give priority to populist trends within its (potential) electorate. It tried to satisfy those groups that were considered potential voters of the CDII.

MULTICULTURALISM: A MIRROR IMAGE OF ETHNO-CULTURALISM

One of the major alternative views to an ethnic understanding of membership has been the German version of multiculturalism. The debate on multiculturalism has surfaced in all West European and North American polities that have been faced with the incorporation of immigrants. Yet, it is no coincidence that the major alternative to an ethnic understanding of membership also carries the label 'cultural.' In Germany, the term did not refer to the political and economic realms of integration. Rather, it denoted the sphere of cultural assimilation and did not transcend cultural 'difference' or similarity as the main criterion of integration. Overall, proponents of multiculturalism primarily espoused a rather naive vision of non-conflictual ethnic relations.31 Multiculturalism emphasised the cultural autonomy of ethnic groups over 'assimilation.' Intellectually, this position simply mirrored the ethno-cultural understanding of membership in a polity. It substituted a mono-cultural völkisch understanding with a similarly one-dimensional multicultural concept of membership. It is one-dimensional because it completely ignores the complex set of issues raised by politics in multiethnic polities. For example, there has been no debate on the extent of rights for minorities in the political and economic realms, such as, in the workplace and the housing market. In other European countries, like France, the United Kingdom, the Netherlands and Sweden the debate on multiculturalism has progressed beyond one-dimensional cultural concepts, due to policies that have recognised the reality of immigration and integration.

The term multiculturalism has also been used in a rather inconsistent way by all those who have rejected the 'assimilation' versus 'return' rhetoric of the conservative-liberal federal government.³² In Germany, the term first circulated in church, union, and social democratic circles in the late 1970s. During the 1980s the term gradually spread within the community of experts on foreigners' issues, especially those who dealt with social and labour market policy, but also social workers, and teachers. Although the term 'multiculturalism' has been debated within political parties, it has never become an issue in inter-party debate. Nonetheless, there were attempts to frame political issues by using the term. Those CDU politicians who aimed to appeal to voters of the 'centre,' or who argued that metropolitan areas needed migrants as workers in order to compensate for demographic decline among the German population, were the main adherents of multiculturalism within the CDU (e.g., the former general secretary Heiner Geissler and the mayor of Stuttgart, Manfred Rommel).

Also, groups within the SPD and the Green Party were adherents of multiculturalism. For example, the Greens did not only reject an ethnocultural understanding of citizenship.33 Sections within the Green Party took the high moral ground of seeing Germany as a haven for the world's refugees in an international state system with increasingly restrictive immigration and asylum laws. They even went beyond the constitutionally guaranteed right to asylum. The position could be considered more a matter of political confession than an actual policy proposal. The underlying argument was that the concept of persecution for reasons of race, religion, nationality, social group or political opinion no longer captured the needs of today's refugees in all cases. Therefore, Article 16 should be expanded to include all those who fled because of gender, sexual orientation, (civil) war, the death penalty, and other threats to life and political convictions. The normative justification vindicated a principled commitment to address the causes of flight and asylum on a global scale. The specific arguments made pertain to the German historical legacy and a general responsibility towards the peoples of the developing countries. Yet, this position has been plagued

by a rather straightforward 'open border' policy. Possible political and economic consequences of a rigorous 'open border' policy have not been addressed.

CONCLUSION: TOWARDS A RECOGNITION OF IMMIGRATION

The successful use of symbolic politics in upholding the fiction of a non-immigration country has had various consequences for the political discourse on the politics of immigration and integration. First, immigration regulation did not develop as a legitimate policy objective. Instead, discussions focused on political asylum. Most of the arguments used by political parties in the debate over the constitutional issue of asylum – uneasily settling between the poles of 'not a country of immigration' and 'open borders' – did not move the public discussion to questions that form the cornerstones of any immigration policy, namely, admission and selection of immigrants. Immigration is not a legitimate policy objective that could be operationalised in laws and regulations of immigration. Indeed, the opening of the eastern borders has also spurred a new guestworker system, albeit on a smaller scale, Werkvertrags-Arbeitnehmer. The is a reprise of the guestworker policies of the 1960s.

Second, the symbolic uses of politics helped to construct migration as a meta-issue: by not recognising the reality of immigration, it could be successfully used as a factor explaining the deleterious effects of economic crisis and policy failures. Ultimately, immigration as a meta-issue means that the reference to immigration as a root cause of policy failures, socio-economic and political problems has gained currency to such an extent that it can be used to legitimate changes in the constitution without having to draw upon and present substantive policy solutions.

Third, it is no coincidence that alternative concepts to the prevailing public German discourse of ethno-culturalism, that is, various versions of multiculturalism, have simply mirrored the ethnic-cultural understanding of membership in the German polity by advocating a similarly one-dimensional positive image of cultural autonomy in multi-ethnic states and excluding issues of social and political citizenship. Yet, as the discussion on voting rights and asylum showed, the ethno-cultural concept has not gone unchallenged. The position taken by the advocates of voting rights for immigrants corresponds to intellectual positions of an 'open republic' or an 'unfinished republic' that grounds citizenship in a republican tradition. The position in this context means that membership in a polity is not a derivative of culture and heritage. Instead, active

participation in political and economic life form the basis of membership and citizenship rights and duties.

To ground citizenship rights and membership in a polity in political participation and not in cultural assimilation could be a promising way to challenge the dominant ethno-cultural concept of membership and its use in symbolic politics. To the extent that the symbolic uses of politics have framed immigration as a meta-issue, it will prove exceedingly difficult to introduce politically viable alternative agendas. An ethnocultural resurgence in all Western welfare states since the late 1970s suggests that immigration is a meta-issue common to all developed welfare states. Yet, to root membership in political participation would probably weaken the dominance of ethno-cultural concepts in German political discourse. An important implication could be that the very concept of membership would be less likely to reinforce the use of immigration as a meta-issue. In other words, the political discourse could move from the now dominant question of 'How to define a foreigner?' to 'How to define a citizen?'

NOTES

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1. Calculations based upon Statistisches Bundesamt, Statistisches Jahrbuch für die Bundesrepublik Deutschland (Wiesbaden: Steiner, various years), and Jeffrey S. Passel and Barry Edmonston, Immigration and Race: Recent Trends in Immigration to the United States (Washington, DC: Urban Institute, 1992).

2. Murray Edelman, The Symbolic Uses of Politics (Urbana: Univ. of Illinois Press,

3. Harold D. Laswell, Power and Personality (NY: Harper & Row, 1948).

4. Dietrich Thränhardt, 'The Political Uses of Xenophobia in England, France, and Germany' (Paper presented at the ECPR Joint Session of Workshops. Leiden/ Holland, April 1993).

5. Friedrich Meinecke, Cosmopolitanism and the National State (Princeton: Princeton UP, 1970; orig. 1909); and Hans Kohn, The Idea of Nationalism. A Study of Its Origin

and Background (NY: Collier, 1967; orig. 1944)

6. See, e.g., William Rogers Brubaker, The Politics of Citizenship in France and

Germany (Cambridge, MA.: Harvard UP, 1992).

- 7. Two groups with different legal status have to be distinguished: labour migrants from EC countries and those from non-EC countries. The former group faces few restrictions in regard to labour market access while the latter's legal status is clearly inferior. E.g., EC-nationals have the same labour market status as German citizens while extracommunitari get work permits only for jobs for which no German citizens and EC-citizens are available. In 1991 workers from EC-countries comprised about 510,000 workers, those from non-EC (Turkey and former Yugoslavia) countries about twice as many, about 1,200,000 - more than half of them from Turkey (Statistisches Bundesamt 1992, p.125).
- 8. Claudia Koch-Arzberger, 'Wahlverhalten von Ausländern Chance oder Gefährdung

der Demokratie', in Karl Starzacher et al. (eds.), Protestwähler und Wahlverweigerer. Krise der Demokratie? (Köln: Bund Verlag, 1992), pp.113-30.

9. However, in a political climate, in which the asylum issue played an important role in electoral campaigns (1980), the proposals in regard to political rights were not implemented. Nevertheless, some of the changes brought about by the new 'Foreigners' Law' (1990) finally eased the process of naturalisation for the 'second' generation although the principle of ius sanguinis was not removed. The new law gives a claim to naturalisation to all those who have lived in Germany for 15 years. Young foreigners between 16 and 23 years of age can be naturalised if they have attended four years of school in Germany. The number of naturalisations increased by a factor of four from 34,913 (1985) to 141,630 (1991).

10. Dietrich Thränhardt, 'Politische Inversion. Wie und warum Regierungen das Gegenteil dessen erreichen, was sie versprochen haben', Politische Vierteljahresschrift

2/4 (1984), pp.440-61.

11. Karl-Heinz Meier-Braun, Integration oder Rückkehr? Zur Ausländerpolitik der Länder, insbesondere Baden-Württemberg (Mainz: Grüncwald, 1988).

12. See Claus Leggewie, Die Republikaner (Berlin: Rotbuch Verlag, 1989).

13. Eike Hennig et al., Die Republikaner im Schatten Deutschlands. Zur Organisation der mentalen Provinz (Frankfurt: Suhrkamp, 1989), pp.32-9.

14. Dieter Roth, 'Die Republikaner. Schneller Aufstieg und tiefer Fall einer Protestpartei

am rechten Rand', Aus Politik und Zeitgeschichte, B 37-38/90 (1990).

15. An important pressure group within the SPD, unions, have supported the SPD in these demands. The integrationist strategy is most obvious at the firm level, where immigrants have participated in economic democracy. They have the right to vote in works council elections and can become members of these councils. See Peter Kühne et al., 'Wir sind nicht nur zum Arbeiten hier . . . ' Ausländische Arbeiterinnen und Arbeiter in Betrieb und Gewerkschaft (Hamburg: VSA, 1988).

16. Estimates of foreigners in the SPD range widely from 6,000 to 50,000. In the CDU foreigners constitute 0.5 per cent (N = 3.689) (EC-citizens) and 0.1 per cent (N = 419) (extracommunitari). The CSU does not allow foreigners to become party members (Section 3 of the party constitution). (Source: Written correspondence with party

17. Ertekin Özcan, Türkische Immigrantenorganisationen in der Bundesrepublik Deutschland (Berlin: Hitit, 1989), pp.337-49

18. These parties also blocked attempts to ease the process of naturalisation. For party documents on immigration and integration, see Bernhard Blanke (ed.), Zuwanderung und Asyl in der Konkurrenzgesellschaft (Opladen: Leske + Budrich, 1993), pp.339-

19. In essence, this conflict is a reprise of the debates on the German citizenship law in 1913, when SPD members of the Reichstag argued that economically active foreign

residents should have suffrage.

20. About a quarter of the West German population in 1989 was made up of refugees and expellees, including not only ethnic Germans but also citizens from the former GDR. About 13 million came between end of World War II and 1960. Closed borders ensured that the numbers of ethnic Germans who were actually able to emigrate remained quite small, on an average about 35,000 annually. But with the dissolution of communist regimes in Eastern Europe, the numbers grew dramatically.

21. Helga Grebing, Flüchtlinge und Parteien in Niedersachsen. Eine Untersuchung der politischen Meinungs- und Willensbildungsprozesse während der ersten Nachkriegszeit

1945-1952/3 (Hannover: Verlag Hahnsche Buchhandlung, 1989). 22. Dietrich Strothmann, "Schlesien bleibt unser": Vertriebenenpolitiker und das Rad der Geschichte', in Wolfgang Benz (ed.), Die Vertreibung der Deutschen aus dem Osten. Ursachen, Ereignisse, Folgen (Frankfurt: Fischer, 1985), pp.209-18.

23. Karl Otto (ed.), Westwärts - Heimwärts? Aussiedlerpolitik zwischen 'Deutschtümelei'

und 'Verfassungsauftrag' (Bielefeld: AJZ, 1990), pp.11-68.

24. Letter of Rühe to all CDU party branches in 1992, quoted in Thränhardt (note 4).

25. Die Welt, 17 Jan. 1989, p.17.

26. E.g., many laws in education and social services are not dependent upon citizenship status. Foreigners who have unlimited residence permits are not significantly disadvantaged vis-à-vis Germans with regard to social rights. See Hubert Heinelt, 'Immigration and the Welfare State . . . in Germany', German Politics 2/1 (April 1993), pp.78-96.

27. See also Klaus J. Bade (ed.), Deutsche im Ausland. Fremde in Deutschland. Migration

in Geschichte und Gegenwart (München: C.H. Beck, 1992), pp.411-22.

28. On the politics and policies of asylum, see Ursula Münch, Asylpolitik in der Bundesrepublik Deutschland. Entwicklung und Alternativen (Opladen: Leske + Budrich, 1992).

29. In Europe, most asylum seekers during the 1980s have come to the Federal Republic; only Switzerland and Sweden have received similar levels of refugees on a per capita

basis.

30. Roth (note 14).

31. For a critique, see Thomas Schmid: 'Multikulturelle Gesellschaft – großer linker Ringelpiez mit Anfassen'; Die Neue Gesellschaft. Frankfurter Hefte 6 (1989): pp.541-46. For a 'multiculturalist' approach that self-consciously discusses problems of multiethnic politics, see Daniel Cohn-Bendit, Heimat Babylon. Das Wagnis der multikulturellen Demokratie (Hamburg: Hoffmann und Campe, 1992), pp.283-348.

32. For an example, see Claus Leggewie, Multi Kulti. Spielregeln für die

Vielvölkerrepublik (Berlin: Rotbuch Verlag, 1991).

32. The Greens have consistently brought up the issue of political citizenship and voting rights for foreigners. Their bill of settlement went further than SPD proposals. E.g., the party has suggested a claim to naturalisation after five years of residence in Germany. See Die Grünen, Argumente: Die Multikulturelle Gesellschaft (Bonn,

1990), pp.72-84.

34. Since the mid-1980s labour migrants have been recruited from Eastern European countries. The guestworkers of the 1960s and 1970s have thus been followed by contract labourers from Eastern Europe (Werkvertrags-Arbeitnehmer). Contracts were agreed upon with Poland, Hungary and the former Yugoslavia and the Czech Republic. About 30,000 contract labourers a month were employed in the early 1990s. See Amtliche Nachrichten der Bundesanstalt für Arbeit, Ausländische Arbeitnehmer, No.5 (Nürnberg: BfA, 1992), p.719.

35. Lutz Hoffmann, Die unvollendete Republik. Zwischen Einwanderungsland und deutschem Nationalstaat (Köln: Papyrossa Verlag, 1990); and Dieter Oberndörfer, Die offene Republik. Zur Zukunft Deutschlands und Europas (Freiburg: Herder, 1989).