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The New Differentialism: Responses to Immigrant Diversity in Germany

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There is widespread agreement among scholars that the 1990s and 2000s witnessed a re-orientation of immigrant policies across western European countries. According to the literature, this re-orientation featured a new and strong focus on encouraging the adjustment of immigrants to the mainstream cultures and political norms of receiving societies. Our article looks back on the developments in Germany since the mid-1990s to examine these assumptions. We maintain that immigrant and immigration policy has shifted since the 1990s but that this shift is not as clear cut as many academic discussions would suggest. While there were good reasons to diagnose a (re) turn to assimilationism in the first half of the 2000s, we overestimated the strength and persistence of such trends. We draw on Rogers Brubaker's terminology in referring to current policies as a 'new differentialism'. The new differentialism represents a novel trend in policy, reflective of broader societal transformations. These developments may complicate the place of the 'German case' in cross-national research – it has outgrown its status as Europe's maligned ethno-exclusionary pariah and does not easily conform to models focusing on the departure from, or transformation of, multiculturalism.

There is widespread agreement among scholars that the 1990s and 2000s witnessed a re-orientation of immigrant policies across western European countries. According to the literature, this re-orientation featured a new and strong focus on encouraging the adjustment of immigrants to the mainstream cultures and political norms of receiving societies. Developments such as the very public and symbolic refutation of multiculturalism and the introduction of mandatory integration courses, agreements and tests as preconditions of long-term residence and naturalisation, as well as a new emphasis on 'social cohesion' and 'western' values, often accompanied by criticism of the alleged non-integration of Muslims, attest to this shift in discourse and policy.[1]

Our article looks back on the developments in Germany since the mid-1990s to examine these assumptions: did immigrant policies take on a more assimilationist bent? Have 'differentialist' policies that look more favourably towards the positive

valuation of cultural diversity been abandoned? Has the era of group politics and multi-culturalism proclaimed by Will Kymlicka in the late 1990s been eclipsed?[2]

Our focus on Germany admittedly illuminates only one part of a complex European picture. Still, Germany is one of the major European immigration countries with over 10 million immigrants in its population who, together with their children, make up about one-fifth of the population.[3] Moreover, Germany figures prominently in the literature and has been used to demonstrate the strength of the putative trends noted above.[4]

We maintain that immigrant and immigration policy in Germany has shifted since the 1990s but that this shift is not as clear cut as many academic discussions would suggest. While moves aimed at compelling the adjustment of migrants have indeed been introduced, policies that acknowledge, accept and seek to deal more positively with cultural diversity have also been introduced. We draw on Rogers Brubaker's terminology in referring to current policies as a 'new differentialism'. As distinct from the differentialisms Brubaker described, we now identify a policy orientation that is inclusive in that it accepts differences among citizens, while also being individualistic. We maintain that the new differentialism represents a novel trend in policy, reflective of broader societal transformations. This shift in elite and popular attitudes towards immigration and diversity helps us understand the otherwise surprising openness to Syrian refugees and other migrants in late summer 2015 and into 2016. The corresponding desire to restrict Germany's acceptance of refugees and limit pluralisation, in part by emphasising the need for compulsory integration, speaks to the limits of this trend.

We begin with a review of the literature interested in describing and explaining the policy shifts of the late 1990s and 2000s. In a third and fourth section, we consider policy change in Germany since the late 1990s. We emphasise that, in particular since 2005 (and accompanied by many contradictory moves), a hitherto underappreciated acknowledgement and acceptance of cultural diversity has been expressed. While older fears of cultural fragmentation account for the (re)assertion of an aggressive integrationism, the new differentialism has been driven by both a neoliberal economic ethic and the need to adjust formal and informal institutions to the pluralisation of German society. We ask, in a fifth section, whether this is just rhetoric or a more substantial policy change, before a sixth section turns to German society more broadly and the argument that the societal normalisation of diversity provides the basis for the policy changes we have witnessed. The new differentialism, we conclude, usefully captures the two-sided nature of policy change in Germany since the mid-1990s.

IMMIGRANT POLICIES IN EUROPE: ASSIMILATION, AGGRESSIVE LIBERALISM OR WHAT?

By the turn of the twenty-first century, scholars and other observers noted that immigrant policies in many European countries were shifting. Further, these changes appeared to be driving convergence and the demise of contrasting 'models' of incorporation. Seeking to capture this transformation, Rogers Brubaker (whose previous work did much to engrain the idea of contrasting national models of immigrant

incorporation) argued that European countries were turning away from 'differential-ism' and towards a 'new assimilationism'. Brubaker diagnosed a 'modest and uneven shift' towards assimilation. Provocatively, Brubaker lumped policies of multi-culturalism in the Netherlands and Britain alongside distinctions between natives and Ausländer in Germany, referring to both as instances of 'differentialism', or public dis-courses and public policies that were 'more sensitive to and supportive of "differ-ence"'.[5] In a way, Brubaker welcomed a re-orientation towards what the American academic discourse describes as assimilation; that is, an emphasis on the disappearance of ethnic stratification in the spheres of education and the labour market. But what hit the nerve of many readers was the proclaimed 'return of assimilation', understood as attempts on the part of the state to enforce the cultural adjustment of immigrants.

Christian Joppke offered a complementary analysis of the 'retreat of multicultural-ism' and assent of 'centrist policies of civic integration' in Europe. As he claimed, multi-culturalism was in retreat as a consequence of public opposition and its 'inherent shortcomings and failures' in the sphere of public policy, 'especially with respect to the socio-economic marginalization and self-segregation of migrants and their children'. Going a step further than Brubaker and changing his line of interpretation, Joppke also drew attention to a 'new assertiveness of the liberal state', with respect to its insistence that immigrants accept a 'procedural commitment to liberal-democratic principles'.[6] While the liberal state was no longer concerned with imposing a 'thick' cultural identity on immigrants (as was the case with old-style assimilation), it was keen to express its constitutional-democratic character and compel immigrants – through coercion if necessary – to assent to these values.[7] Joppke also highlighted the increasingly heavy-handed nature of what he called 'civic integrationism' and its tendency, at times, to veer close to the discredited model of forced assimilation that Brubaker and others believed was a thing of the past. According to Brubaker and Joppke, all of the major West European immigration countries had experienced a policy shift marked by the rejection of differentialism/multiculturalism and the embrace of a relatively progress-ive neo-assimilationism (in Brubaker's reading) or a more aggressive and 'disciplining' integrationism (as per Joppke's reading).

Since about 2000, many scholars have worked to refine our understanding of the transformations of immigrant policy in Europe. The purpose of the new integration measures has been hotly debated. Some, like Sara Goodman, have emphasised that, far from being a means of encouraging similarity and greater equality among immi-grants and non-immigrants, such policies were being used as Ersatz immigration pol-icies, the aims of which were to exclude 'unwanted' immigrants.[8] In the English-language literature in particular (and not in Germany) the term 'civic integration' has been introduced to distinguish a novel incorporation strategy (that is conditional, requires active engagement of the individual and uses new instruments) from, for example, multiculturalism.[9] Others, like Keith Banting and Will Kymlicka, claim that multiculturalism persists, albeit in combination with new elements, leading 'to a blended approach to diversity.[10]

Still, it seems insufficiently clear where current policies are going and how they might overall be characterised. Moreover, Germany often does not quite fit into narra-tives that centre on the arrival and departure of multiculturalism – a state-policy that never existed in Germany. To overcome these problems, we argue that current policies

in Germany are best thought of as a 'new differentialism'. We develop this point below.

One can differ with Brubaker's characterisation of German post-guest worker policy as 'differentialism' without rejecting the claim that important changes in immigrant policy were pursued from the late 1990s onwards. Following the 1973 recruitment stop, German governments had sought to encourage the return of substantial parts of the guest worker population and prevent new immigration, subordinating other considerations to these core aims.[11] For those migrants who remained, SPD- as well as CDU-led governments in the 1970s and 1980s envisaged assimilation in the old sense and not in terms of the preservation of 'difference'. Many left-wing civil society actors refrained from making immigrant naturalisation their top demand not because they were differentialist, as Brubaker maintained, but because they were (e.g. in the early 1970s) motivated by visions of a post-national world – and thus little interested in the value of national citizenship. Later, when they demanded local voting rights for foreigners,[12] they were responding pragmatically to an exclusionary citizenship policy at the national level and to a (perceived) unwillingness among guest workers to become German nationals. From about 1980, the multicultural society was held up against a resurgent and aggressive nationalism.[13]

Differentialist or not, what stood as policy in the 1980s differed from what followed. Under the conservative-led government established in 1982, change only came after a phase of renewed nationalism and can be dated back to the resolution of the heated controversy over the 1990 Aliens Act. The defeat of then Interior Minister Friedrich Zimmermann's (CSU) hard-line proposals and the modest liberalisation of citizenship policy advanced by his successor, Wolfgang Schäuble (CDU), marked an important shift on the part of conservative political elites signalling a more serious acceptance of the reality that Germany had been irrevocably transformed by post-war migration (despite ongoing invocations that Germany was not an immigration country).[14]

This acceptance of Germany's development into a de facto country of immigration also informed the more substantive (if still limited and hotly contested) reform of the citizenship law in 1999, the forward-looking recommendations of the *Unabhängige Zuwanderungskommission* (2001) and the passage of the *Zuwanderungsgesetz* in 2005 all under the Red–Green Government of Chancellor Gerhard Schröder (SPD).[15] The Social Democrats had, under previous chancellors Brandt and Schmidt, not advocated immigrant incorporation and naturalisation. But during the 1980s and 1990s, multicultural ideas and demands for a liberalised naturalisation law gained ground. Already the SPD *Grundsatzprogramm* of 1989 included an appraisal of diversity: '[c]ultural diversity enriches us. Therefore, we want to do everything that furthers understanding, respect and cooperation between different nations and cultures and enables integration and participation.'[16]

The union parties' narrow victory in the 2005 election and subsequent formation of a Grand Coalition Government with the SPD helped move the CDU in the more flexible, pragmatic and 'modern' direction favoured by Chancellor Angela Merkel and her

allies. Quietly, the Conservatives accepted the citizenship legislation they had strongly opposed and appropriated the theme of immigrant integration as their own, spearheading a veritable avalanche of initiatives, including a series of Integration Summits, a National Integration Plan and a recurring German Islam Conference the aim of which is to 'naturalise' Islam in Germany.[17]

The approach championed by the CDU – in co-operation with the SPD – has been neither uniform nor consistent. As we point out below, rhetoric and policy initially fit Joppke and others' description of an aggressive and at times illiberal integrationism. Over time, however, the themes of participation (*Teilhabe*), the appreciation of diversity (*Vielfalt*) and the need to accommodate, for instance, religious minorities in schools, have complicated matters. As we argue below, the acceptance of diversity marks a deeper policy shift towards the new differentialism.

FROM DISTRUST AND DEMANDS FOR ASSIMILATION TO THE CELEBRATION OF DIVERSITY

The policy shift linked with the establishment of the Grand Coalition in 2005 was crucial. Not only did the Conservatives drop their opposition to a liberalised naturalisation policy and new immigration and move towards active pro-diversity policies, this change also relieved the Social Democrats of the danger of populist, anti-immigrant mobilisation, likely to appeal to part of their clientele as well. Both camps now reshaped their immigrant policies.

The move towards greater acceptance of *Vielfalt* was slow. Conservative rhetoric and symbolic politics continued to reflect the influence of different camps within the parties and the wish to cater to different audiences. Voters of the CDU and the CSU had to be assured that policies pursued by their parties were not multiculturalist. The Social Democrats also feared negative reactions from the more anti-immigrant parts of their clientele. In the early phase of the Grand Coalition Government, a strong emphasis was placed on immigrants' need to more actively adjust to an assumed 'German' moral, cultural and political identity. This was clear in the July 2006 Cabinet statement released on the occasion of the first integration summit:

> Apart from *our* values and *our* cultural self-conception, it [integration] is based on the liberal democratic constitutional system, [. . .] decisive is the migrants' willingness to get involved with life in *our* society, to unconditionally accept *our* Basic Law and *our* entire legal system and, in particular, to visibly demonstrate the belonging to Germany by learning the German language.[18]

These demands for an uncritical acceptance of the extant rules reflected a distrust of immigrants who were apparently not entitled to exercise the full extent of their citizenship by scrutinising, criticising and perhaps even seeking to amend the prevailing 'rules of the game'. It would be difficult to imagine a German government making similar demands of its non-immigrant citizens.

Related demands for cultural and values-based assimilation were expressed by Interior Minister Schäuble and Integration Minister Böhmer, both mainstream CDU politicians. Asked to define what constituted successful integration, Schäuble replied: '[o]ur values and principles have to be accepted and respected'.[19] In

explaining how immigrants might be more firmly 'rooted' in German society, Integration Minister Böhmer stated: '[t]hey have to speak our language, know our history and accept our values and our law'.[20] By referring to 'our laws', Böhmer left the impression that immigrants were the objects of Germany's laws, charged with accepting the rules but not authorised to challenge or change them as per the usual rights of democratic citizenship. Only a few years earlier, social democratic interior minister Schily had described assimilation as the best form of integration,[21] and social democratic declarations on cultural diversity had sometimes sounded more like warnings than celebrations.[22] Around 2005, fear of divisions in society were often at the forefront, and social democrats, like conservatives, emphasised that they were determined to limit immigration and prevent the emergence of so-called parallel societies (*Parallelgesellschaften*).[23]

Distrust – now more or less openly of Muslims – was also expressed through citizenship examinations initially introduced at some federal states' initiative. Most famously, Baden-Württemberg's guidelines for officials conducting interviews with naturalisation candidates included queries regarding applicants' attitudes towards homosexuals and other personal subjects in an effort to ensure that they 'sincerely' accepted the principles of Germany's Basic Law.[24] A standardised citizenship test introduced in 2007 did away with inquiries into the internal dispositions of naturalisation candidates and otherwise limited state governments' leeway with respect to naturalisation requirements.[25] Still, new hurdles were established.

The hard edge of integrationism was also evident in the politicisation of Islam and prohibition of headscarves for public employees in several German federal states governed by different coalitions.[26] The rationale for such moves has been couched in terms of maintaining the neutrality of state employees, advancing core 'Christian and Occidental values', defending gender equality and protecting Muslim women from the patriarchal Muslim men in their families and communities. According to its critics, the headscarf was no mere outward sign of religious devotion; in the words of Baden-Württemberg's then Education Minister, Annette Schavan: '[t]he headscarf [. . .] stands for cultural segregation and thus it is a political symbol [which puts at risk] social peace'.[27]

The culture of immigrants was still frequently singled out as the source of problems; culture therefore had to be transformed. In a parliamentary debate, the CDU's Kristina Schröder (formerly Köhler) explained:

> We cannot close our eyes to the fact that, and this has been proven, among young Turkish men there is a particularly high tendency towards violence [. . .]. When we look at criminological research, we always come up against the same point, namely that there is not only a social, but also a cultural problem of violence in many Turkish families, and the victims are wives and children.[28]

Schröder's interest in enlightening, influencing and otherwise disciplining Turkish immigrant families (through application of the full weight of the law if necessary) speaks to a militant approach to integration and demonstrates the continuing emphasis on cultural assimilation.

Yet, other initiatives pursued only a short time later reflected a rather different outlook. In August 2007, the Grand Coalition launched its 'Vielfalt als Chance' (diversity as opportunity) campaign, which encouraged a view of 'ethnic and cultural

diversity as an economic resource of outstanding importance'.[29] The debates over 'Parallelgesellschaften' that had erupted in 2004 had also receded by this time.[30] Increasingly, the problem of immigrant integration became defined as one of 'gleich-berechtigte Teilhabe' (participation on an equal footing), especially in the spheres of education and the labour market.

The federal government's 2012 report on the situation of foreigners in Germany nicely demonstrates the degree to which diversity talk has infiltrated official thinking. In her introduction, Integration Minister Böhmer criticised longstanding disparities between children and youth of immigrant and German backgrounds (note, however, the juxtaposition of 'immigrant' and 'German') in the areas of education and access to vocational training. Further, she stressed that diversity presented opportunities and not only risks. Germany's competitiveness in the global market and ability to deal with significant demographic changes (principally a fast shrinking working-age population) required a new mindset:

> Beyond integration opportunities for the qualified, we need a convincing welcome- and recognition-culture. This requires societal change. Our attitude towards immigrants and integration has to change: away from a deficit orientation and towards a potential orientation. We have to create a broader awareness that diversity is an opportunity for our country that needs to be taken up.[31]

Böhmer stressed the necessity of the state's setting a positive example with respect to establishing a 'welcome culture', through the 'opening up' of the public service. In a complementary vein, Chancellor Merkel has stated that policy must aim at enabling 'equal opportunities for education and advancement, personal development, participation in employment and society'.[32]

The growing popularity of diversity slogans reflects Germany's strategic positioning in the world market. German political leaders have worked hard to maintain and improve ties to export markets. This recognition of the importance of openness for the continued success of the German economy has influenced a more general rhetoric of economic openness that has seeped into discussions of migration and diversity. As the Federal President stressed in 2010, 'Germany – with its connections to all parts of the world – has to be open towards those who come to us from all parts of the world'.[33] Similarly the Chancellor found that 'Germany has always been strong when it was prepared to incorporate things that were as yet unfamiliar'.[34] Without accentuating economic interests, the new Federal President Gauck in 2014 described it as 'scurrilous' to hang on to the idea that there could be a homogeneous, so-to-speak 'unicoloured' Germany. Germans increasingly accepted as normal that they were different, indeed 'more different than ever'.[35]

The political re-orientation towards more openness to new immigration and a more inclusive and tolerant approach is not uncontroversial among Conservatives. An older, more aggressive anti-immigrant tone is still on offer from parts of the CDU and the CSU. In talking about refugees, former interior minister Friedrich criticised Germany's misplaced generosity and drew attention to 'massive inflows' of 'poverty refugees'.[36] Friedrich also stated that he hoped that most of the highly skilled immigrants being called for would come from other European states – a comment that may well be read as racist.[37]

When discussing integration, Friedrich and his Staatssekretär Fritsche emphasised the threat diversity poses to social cohesion. Fritsche's ideal outcome with respect to integration is nothing short of full-bore assimilation, the 'permanent fusion [*Verschmelzung*] of the different groups even in their private lives'. The more usual liberal notion of integration, understood as 'co-existence within a shared public sphere with equal rights and obligations for all, accompanied by cultural autonomy [*Trennung*] in the private sphere'[38] is seen by Fritsche as an admittedly more realistic, if second-best, option.

This backwards looking, national-conservative line is not limited to conservative members of the CSU. Thus former integration minister Böhmer continually emphasised the values and rules in force in Germany – standards immigrants were expected to adjust to.[39]

The 2013 federal election programme of the two Union parties contained a mixture of welcome and warning. Accompanying positive accents on *Vielfalt* were older fears of *Parallelgesellschaften* and the dangers of importing alien cultural and religious traditions: '[w]e cannot permit traditional religious or cultural traditions to lead to the disregard of our legal order. We steadfastly oppose isolation in parallel societies and Islamic special courts outside of our legal system'.[40] Calls to deal effectively with *Integrationsverweigerer* (integration dodgers) also feature prominently. Still, despite its rather suspicious tone, no new legal initiatives are advanced in the platform. These positions were likely aimed at reassuring the Union parties' base of right-wing support. They represented an element of continuity with the explicitly national and anti-immigrant policy of the Kohl years. Furthermore, such attacks may have also served to reassure the German population that a more open attitude to immigrant integration, possibly even the future admittance of new immigrants, would not upset the structures of social and cultural life.

The Social Democrats have moved further than the CDU, dropping their '*fördern und fordern*' (demand and encourage) rhetoric and advancing the call for *Teilhabe* and anti-discrimination. Indeed, the SPD has gone so far as to raise the prospect of replacing 'Integration' with another (presumably less offensive) term. Apart from advocating the establishment of a now fashionable *Willkommenskultur*, during the 2013 election campaign the SPD demanded changes to citizenship policy, less onerous rules for family migration and local voting rights for Third Country nationals.[41] Together with a markedly increased number of parliamentarians with immigrant backgrounds,[42] these programmatic demands speak to the Social Democrats' more active interest in reaching out to an immigrant electorate that has traditionally supported the party.

JUST RHETORIC?

To what degree has the discourse of differentialism translated into more open and inclusionary policy? We do not claim that the acceptance of diversity goes along with a more open immigration policy. German governments are increasingly aware of the need to attract considerable numbers of new immigrants in coming decades, but so far this has not led to truly radical policy changes. The 2005 immigration law was a disappointment in this respect.[43] Since then, we have seen long and protracted

struggles over what amounts to modest gaps in an otherwise still formidable fence. There have been some changes in immigration policy particularly with respect to rules governing the admission and residency rights of highly skilled immigrants and international students.[44] For those seeking refuge – and usually work – in Germany, access had narrowed since the asylum clause of the Basic Law was reformulated in 1992. This changed in spectacular fashion in the summer of 2015, when Chancellor Angela Merkel authorised the admissions of over one million refugees and migrants, many fleeing the brutal civil war in Syria and political instability in Afghanistan and Iraq. The strong public support for Merkel's decision has since moderated and debate over the future course of Germany's refugee policies and, by extension, those of the European Union have become central. The refugee debate has, in turn, reignited arguments on integration, with many conservative politicians, including the Chancellor, calling for the compulsory integration of all migrants. Current integration discourse and policies continue to be marked by a division between 'wanted' immigrants – especially highly skilled knowledge workers – and those to be tightly regulated (family migrants, asylum seekers and poor, low-skilled migrants). In this respect Germany has moved closer to the positions of traditional immigration countries, such as Australia and Canada, though, Germany has been rather less successful in enticing skilled immigrants.[45]

While policy change has been limited, this positive diversity rhetoric is preparing the ground, inside and outside of Germany, for new immigration. The tone of the immigration debate, even about unwanted poor immigrants from Eastern Europe or Africa has altogether become more moderate than in previous decades. But the policies needed to attract greater numbers of skilled immigrants have yet to materialise.

As regards those representing a significant part of the new diversity, that is, those with immigrant backgrounds and stable residence status in Germany, policies have been mixed. In the sphere of citizenship and naturalisation policy, the situation has arguably worsened. Naturalisation rates have fallen from an all-time high in 2000 to depressingly low levels ever since, bottoming out in 2008, rebounding only somewhat in the years since. Legal and administrative hurdles to naturalisation play a major role in this regard.[46] Although the much maligned '*Optionsregelung*' was rescinded by the CDU/CSU-SPD Grand Coalition Government formed after the 2013 election, it remains to be seen whether this step will help to build trust and possibly also help raise naturalisation rates.

Still, the turn towards diversity goes beyond rhetoric in that policies aimed at improving the standing of immigrants in German society have acquired an enhanced profile. As 'integration' has been declared a key task of government policy, the room for manoeuvre for anyone pursuing more equal rights and entitlements for those of immigrant background has become larger. Because the need for new immigration is widely accepted, a 'culture of welcome' is called for by political parties and leading politicians. Hostility and outright racism towards those deemed different has not been eradicated, but has become more difficult to express openly in light of emerging public norms. Private and public organisations are under pressure to recruit individuals of immigrant backgrounds and become more diverse. This now even includes political parties and legislatures. We have not seen major transformations as yet, but

demands for diversity policies have become unchallenged and it will be difficult to stop at mere programmatic gestures.

Furthermore, organisations representing immigrants have been granted standing, for instance, through the National Integration Summit. Migrant organisations have also been called on to assist municipal governments in designing and delivering programmes to counter honour violence (in Hamburg) and improve immigrant women's access to language and integration courses (in Stuttgart).[47] Perhaps most interestingly, the German Islam conference was established as a means of enabling dialogue between representatives of organised Muslim groups and the German state, with the aim of 'naturalising Islam'.[48] German policymakers have acknowledged that (at least in some instances) successful integration requires working with and through organised groups.

Nowhere is this clearer than with respect to efforts to extend publically funded religious education to Muslim students. The states of North-Rhine Westphalia, Lower Saxony and Hessen have undertaken significant reform initiatives to this end, working closely with representatives of Muslim faith groups. Hessen has gone furthest, introducing faith-based Islamic religious education in conformity with Article 7, section 3 of the Basic Law at the beginning of the 2013–14 school year.[49] An advisory body in Hessen has been created to encourage cooperation between school authorities and two separate Muslim groups (DITIB for Sunnis and the German Association of Ahmadiyya [GAA] for Ahmadi) that have been recognised as bodies fulfilling the primary requirements for forming a religious community. The FDP has been the driving force behind the introduction of Islamic faith-based religious education in Hessen. In the words of former Integration Minister Hahn:

> From the beginning of the reform process, I was of the opinion that there are two normalities in Germany. One normality is that according to Article 7, section 3 of the Basis Law, religious communities have a right to teach in a faith-based manner at public schools. This is neither secular nor laicist but it is normal in Germany and Christians and Jews and some others already make use of it. The second normality is that 50 years ago we signed treaties with Turkey and other countries that so-called guest workers should come to Germany. About one-third of these guest workers have a Muslim background (and stayed) so that we 'just' had to fit together such normalities.[50]

The state of Hamburg also recently signed a treaty (*Staatsvertrag*) with three Muslim communities on issues such as religious education and religious counselling.[51]

These collaborative governance initiatives stand in contrast to the command-and-control inclinations of civic integrationism and suggest that the new differentialism is more than rhetoric.

JUST POLITICS? DIVERSITY AS LIVED EXPERIENCE

The political acceptance of immigration-related diversity, both in terms of rhetoric and substantive policy initiatives, is reflective of a changing social reality in Germany and a gradual acceptance of the fact of diversity in daily life. Both the conservative CDU and

the social democratic SPD have hesitantly accepted that society has in many ways become more diverse. This is not only due to immigration but also to more varied forms of partnership and family life and the more openly demonstrated variety of sexual orientations. To remain a Volkspartei, one CDU-body stated, the party has to place more emphasis on the benefits of diversity.[52] Results of recent empirical research demonstrate that the heterogeneity of city life – of the society that surrounds individuals – is widely accepted and even positively evaluated. In a survey conducted in 2010 by the Max-Planck Institute in Göttingen for instance, 69 per cent of those surveyed agreed (somewhat and fully) with the statement 'It is enriching for a city when the people come from different backgrounds and cultures.'[53] Even if we consider this picture to some extent as an expression of perceived social desirability, it would underline the existence of a powerful social norm according to which it is socially desirable to appreciate diversity.

Political and media debates have a powerful impact on popular opinion. Their effects can be detected, for instance, in the role respondents in the same Max-Planck study accorded to language. Thus, in qualitative interviews, non-immigrants often classified immigrant families in the neighbourhood with reference to their German-language competences and the efforts parents made to ensure a good education of their children. Immigrant respondents on the other hand often showed an allergic reaction when asked about recent integration debates. 'Integration? Ask the Germans', one second-generation Turkish-German responded. Clearly, these debates are perceived as offensive and exclusionary – and effects of assimilationist demands and distrust persist while the focus of official rhetoric may have changed.

But the results of the 'Diversity and Contact' project also suggest that diversity is a lived experience that has become integrated into people's images of social life. Responding to an open survey question on whether they perceived the population of their neighbourhood as rather diverse or as of one kind, 65 per cent described them as diverse.[54] Further asked to specify what they meant by that, about half referred to some migration-related feature, but people also pointed to class differences, age-structure and lifestyle – or a combination of such dimensions. Regardless of whether they perceived the neighbourhood population as heterogeneous or more homogeneous, the majority said they liked the situation as it was. In qualitative interviews, people expressed different – sometimes more emphatic, sometimes more distanced – attitudes to their heterogeneous environments, but altogether migration-related diversity has become a normal, accepted component of everyday reality. Arguably, political actors have responded to this transformed situation by acknowledging the importance of Vielfalt.

CONCLUSION

While in earlier publications we and others have stressed the continuing importance of assimilationist demands, the fragile consensus about more open naturalisation policies, and the threat of a return to a more repressive tone and approach to integration,[55] we now believe that, in the past 10–15 years, we have witnessed an ongoing process of complicated adjustment and re-orientation. In the wake of what was indeed an

aggressive attack on imagined 'parallel societies' and 'integration dodgers', Germany has shifted towards a more fulsome recognition and accommodation of diversity. A commitment to diversity marks a middle ground between assimilationism and multiculturalism – or a new differentialism. Recognition of diversity implies a shifting of boundaries: from those separating natives from foreigners, and ethnic cultures or 'communities' from the surrounding world, to those separating individuals with their manifold experiences, beliefs and preferences. This at least is the programmatic claim. A recognition of diversity can strengthen the cause of those fighting for the rights of, for instance, lesbian, gay, bisexual and transgender (LGBT) people and those with disabilities. But such individualism also fits a neoliberal agenda in which everyone is responsible for his or her fate, including their 'integration', while state institutions may provide support and guidance for such efforts. Understood in this way, diversity is more acceptable to conservatives and liberals than multiculturalism and claims for equality through redistribution.

So, while there were good reasons to diagnose a (re) turn to assimilationism in the first half of the 2000s, it would appear that we overestimated the strength and persistence of such trends. Recent shifts in rhetoric and policy signal the emergence of a new differentialism which may complicate the place of the 'German case' in cross-national research – it has outgrown its status as Europe's maligned ethno-exclusionary pariah and does not easily conform to models focusing on the departure from, or transformation of, multiculturalism. Sometimes we may be better served by paying close attention to the details of our cases and resisting the urge to fit complex and unique experiences into grand narratives of convergence or static typologies of national or European models.

Our argument also reinforces others' claims that the so-called retreat of multiculturalism in Western Europe may be overstated.[56] In Germany, demands that were previously part of a multicultural agenda are now being realised as components of diversity policies. As distinct from other countries (e.g. the Netherlands), more openness to diversity within society is the trend of the past decade. And yet, this is not multiculturalism under a new name. The recognition of difference in mainstream politics is decoupled from a struggle for a more equal and just society. In a neoliberal age it is individualistic and selective, a new differentialism.

DISCLOSURE STATEMENT

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NOTES

1. See, for example, Peter Scholten and Ronald Holzhacker, 'Bonding, Bridging and Ethnic Minorities in the Netherlands', *Nations and Nationalism* 15/1 (2009), pp.81–100; Les Back, Michael J. Keith, Azra Khan, Kalbir Shukra and John Solomos, 'The Return of Assimilationism: Race, Multiculturalism and New Labour', *Sociological Research Online* 1/7 (2002); Steven Vertovec and Susanne Wessendorf (eds), *The Multiculturalism Backlash: European Discourses, Policies and Practices* (London: Routledge, 2010); Elspeth Guild, Kees Groenendijk and Sergio Carrera (eds), *Illiberal States: Immigration, Citizenship and Integration in the EU* (Farnham: Ashgate, 2009); Christian Joppke, 'Transformation of Immigrant Integration: Civic Integration and Antidiscrimination in the Netherlands, France, and Germany', *World Politics* 59/2 (2007), pp.243–73; Triadafilos Triadafilopoulos, 'Illiberal Means toward Liberal Ends? Understanding Recent Immigrant Integration Policies in Europe', *Journal of Ethnic and Migration* 37/6 (2011), pp.861–80; Eva Ersboll, Dora Kostakopoulou and Ricky van Oers (eds), *A Re-Definition of Belonging? Language and Integration Tests in Europe* (Leiden: Brill, 2010); Sara Wallace Goodman and Marc Morje Howard, 'Evaluating and Explaining the Restrictive Backlash in Citizenship Policy in Europe', *Studies in Law, Politics, and Society* 60 (2012), pp.111–39.
2. Will Kymlicka, 'Introduction: An Emerging Consensus?', *Ethical Theory and Moral Practice* 1/2 (1998), pp.143–57.
3. See the regular publications of the Statistisches Bundesamt, e.g. *Bevölkerung mit Migrationshintergrund – Ergebnisse des Mikrozensus 2012.* Fachserie 1 (Bevölkerung und Erwerbstätigkeit) Reihe 2.2 (Wiesbaden, 2013).
4. Joppke, *Transformation of Immigrant Integration*.
5. Rogers Brubaker, 'The Return of Assimilation? Changing Perspectives on Immigration and Its Sequels in France, Germany, and the United States', *Ethnic and Racial Studies* 24/4 (2001), pp.531–48 at pp.532, 535.
6. Christian Joppke, 'The Retreat of Multiculturalism in the Liberal State: Theory and Policy', *The British Journal of Sociology* 55/2 (2004), p.244.
7. Christian Joppke, 'Beyond National Models: Civic Integration Policies for Immigrants in Western Europe', *West European Politics* 30/1 (2007), pp.1–22.
8. Sara Wallace Goodman, 'Integration Requirements for Integration's Sake? Identifying, Comparing and Categorizing Civic Integration Policies', *Journal of Ethnic and Migration Studies* 36/5 (2010), pp.753–72. Also see Axel Schulte, 'Integrationspolitik in der Bundesrepublik Deutschland: Von politischer Opportunität und institutionalisierter Ungleichbehandlung zur menschenrechtsbasierten Politik?', *dms – der moderne staat – Zeitschrift für Public Policy, Recht und Management* 1 (2011), pp.29–60; Karen Schönwälder, 'Germany: Integration Policy and Pluralism in a Self-Conscious Country of Immigration', in Vertovec and Wessendorf (eds), *The Multiculturalism Backlash*, pp.152–69.
9. Sara Wallace Goodman, 'Fortifying Citizenship: Policy Strategies for Civic Integration in Western Europe', *World Politics* 64/4 (2012), pp.659–98. Joppke also uses the term, for him the 'logic of civic integration is to treat migrants as individuals who are depicted as responsible for their own integration' ('Transformation of Immigrant Integration', pp.247–8). He further emphasises the obligatory character of such integration measures (ibid., p.248). Goodman emphasises that civic integration differs across countries.
10. Keith Banting and Will Kymlicka, 'Is There Really a Retreat from Multiculturalism Policies? New Evidence from the Multiculturalism Policy Index', *Comparative European Politics* 11/5 (2013), pp.577–98.
11. For background, see Ulrich Herbert, *Geschichte der Ausländerpolitik in Deutschland. Saisonarbeiter, Zwangsarbeiter, Gastarbeiter, Flüchtlinge* (Munich: C.H. Beck, 2001); Rita Chin, *The Guest Worker Question in Postwar Germany* (Cambridge: Cambridge University Press, 2007); Triadafilos Triadafilopoulos, *Becoming Multicultural: Immigration and the Politics of Membership in Canada and Germany* (Vancouver: UBC Press, 2012).
12. Klaus Sieveking, Klaus Barwig, Klaus Lörcher, Christoph Schumacher (eds), *Das Kommunalwahlrecht für Ausländer* (Baden-Baden: Nomos Verlag, 1989). The demand for local voting rights for non-European Union, 'third country nationals' is still being voiced and remains very popular with immigrants.
13. Susanne Frank, *Staatsräson, Moral und Interesse. Die Diskussion um die 'Multikulturelle Gesellschaft' 1980–1993* (Freiburg: Lambertus Verlag, 1995); Peter Kraus and Karen Schönwälder, 'Multiculturalism in Germany: Rhetoric, Scattered Experiments and Future Chances', in Keith Banting and Will Kymlicka (eds), *Multiculturalism and the Welfare State: Recognition and Redistribution in Contemporary Democracies* (Oxford: Oxford University Press, 2006), pp.202–21.
14. Simon Green, *The Politics of Exclusion: Institutions and Immigration Policy in Contemporary Germany* (Manchester: Manchester University Press, 2004), pp.50–78.

15. Triadafilos Triadafilopoulos, 'Introduction: Assessing the Consequences of the 1999 German Citizen-ship Act', *German Politics and Society* 30/1 (2012), pp.2–10.

16. SPD Parteivorstand (ed.), *Grundsatzprogramm der Sozialdemokratischen Partei Deutschlands auf dem Berliner Parteitag am 20.12.1989* (Berlin, 1989), pp.9–10. The process of re-orientation within the SPD is as yet under researched. We partly draw on Daniel Volkert's unpublished doctoral dissertation at Göttingen University, 2015, see also Oliver Schmidtke's contribution in this issue.

17. Triadafilos Triadafilopoulos, Anna Korteweg and Paulina Garcia Del Moral, 'The Benefits and Limits of Pragmatism: Immigrant Integration Policy and Social Cohesion in Germany', in P. Spoonley and E. Tolley (eds), *Diverse Nations, Diverse Responses: Approaches to Social Cohesion in Immigrant Societies* (Montreal and Kingston: McGill-Queen's University Press, 2012), pp.107–32; for an over-view see Simon Green, 'Germany: A Changing Country of Immigration', *German Politics* 22/3 (2013), pp.333–51.

18. Erklärung des Bundes zum Nationalen Integrationsplan. Der Nationale Integrationsplan. Neue Wege – neue Chancen (Berlin, 2007), pp.12–21 at pp.12–13. Translation from a government flyer, 'The National Integration Plan 2007', available from http://www.berlin-divercity.de/diwiki/images/e/ef/Information_nip-eng.pdf (emphasis added).

19. Wolfgang Schäuble, 'Unser Problem ist die Integration', *Der Spiegel*, 22 May 2006, pp.36–8.

20. Maria Böhmer, 'Interview', *Die Welt*, 1 Dec. 2005.

21. Otto Schily, 'Ich möchte keine zweisprachigen Ortsschilder haben', *Süddeutsche Zeitung*, 27 June 2002, available from http://www.sueddeutsche.de/politik/interview-ich-moechte-keine-zweisprachigen-ortsschilder-haben-1.435939 (accessed 24 Apr. 2014).

22. Schönwälder, *Germany: Integration Policy and Pluralism*, p.155.

23. The SPD's election programme in 2005 stated: 'Den von uns begonnenen Weg der Steuerung, Begren-zung und Integration von Zuwanderung wollen wir konsequent fortführen. Wir sind gegen die Existenz von Parallelgesellschaften [We want to consistently continue the policies we introduced to control and limit immigration and encourage integration. We are against the existence of parallel societies].'

24. See Christian Joppke, *Citizenship and Immigration* (Oxford: Polity, 2010), p.55.

25. Triadafilopoulos, 'Introduction'.

26. Julia von Blumenthal, *Das Kopftuch in der Landesgesetzgebung. Governance im Bundesstaat zwischen Unitarisierung und Föderalisierung* (Baden-Baden: Nomos, 2009).

27. Cited in Christian Joppke, *Veil: Mirror of Identity* (Oxford: Polity, 2009), p.53.

28. Deutscher Bundestag, Stenographischer Bericht, 16. Wahlperiode, 230. Sitzung, 2 July 2006.

29. Newsletter of the campaign 'Vielfalt als Chance', Oct. 2007, available from www.bundesregierung.de.

30. In 2010 it briefly resurfaced as a debate about the 'integration dodgers'.

31. Die Beauftragte der Bundesregierung für Migration, Flüchtlinge und Integration, 9. *Bericht der Beau-ftragten der Bundesregierung für Migration, Flüchtlinge und Integration über die Lage der Ausländer-innen und Ausländer in Deutschland* (Berlin, 2012), p.16. See also the presentation in the Bundestag, Stenographischer Bericht, 17. Wahlperiode, 186. Sitzung. 27 June 2012, 22245–6.

32. Angela Merkel, 'Vorwort'. *Nationaler Aktionsplan Integration. Zusammenhalt stärken – Teilhabe ver-wirklichen* (Berlin, 2011), p.5.

33. Christian Wulff, 'Vielfalt schätzen – Zusammenhalt fördern'. Rede von Bundespräsident Christian Wulff zum 20. Jahrestag der Deutschen Einheit am 3. Oktober 2010 (Bremen, 2010), pp.3–5, available from www.bundespraesident.de.

34. 'Eingangsstatement von Bundeskanzlerin Angela Merkel zur 7. Integrationsministerkonferenz', 21 March 2012, available from www.bundeskanzlerin.de.

35. Joachim Gauck, Einbürgerungsfeier anlässlich 65 Jahre Grundgesetz, 22 May 2014, available from www.bundespraesident.de.

36. Hans-Peter Friedrich, '60 Jahre Genfer Flüchtlingskonvention', speech on 11 June 2011, available from http://www.bmi.bund.de/SharedDocs/Reden/DE/2011/06/bm_fluechtlingsschutz.html.

37. Hans-Peter Friedrich, 'Rede anlässlich des Jubiläums 60 Jahre Bundesamt für Migration und Flüch-tlinge' (Nürnberg, 2013), available from http://www.60-jahre-bamf.de/B60/DE/Service/Presse/Reden/IMHansPeterFriedrich/im-friedrich-hans-peter-node.html.

38. Klaus-Dieter Fritsche, 'Zur Bedeutung des gesellschaftlichen Zusammenhalts. Rede anlässlich der "Nürnberger Tage für Integration"' (Nürnberg, 2011), available from www.bmi.bund.de/SharedDocs/Reden.

39. See, for instance, her interview with Deutschlandfunk on 13 Sept. 2009, available from www.dradio.de/dlf/sendungen/interview_dlf/1270774.

40. CDU/CSU-Regierungsprogramm, *Gemeinsam erfolgreich für Deutschland* (Berlin, 2013), p.68.

41. SPD-Parteivorstand (ed.), *Das Regierungsprogramm 2013–2017* (Berlin, 2013), pp.58–60.

42. Karen Schönwälder, Cihan Sinanoglu, Alex Street and Daniel Volkert, 'Germany's New Parliament: Tiny Steps towards Better Immigrant Representation', 13 Nov. 2013, on website of the Political Studies Association (PSA) available from http://www.psa.ac.uk (accessed 24 Apr. 2014).

43. Thomas Groß, 'Die Verwaltung der Migration nach der Verabschiedung des Zuwanderungsgesetzes', in Michael Bommes and Werner Schiffauer (eds), *Migrationsreport 2006* (Frankfurt/New York: Campus, 2006), pp.31–61; Veronika Kabis, 'Die aktuelle Zuwanderungspolitik', in B. Roß (ed.), *Migration, Geschlecht und Staatsbürgerschaft* (Wiesbaden: VS Verlag für Sozialwissenschaften, 2004), pp.89– 101; Karen Schönwälder, 'Kleine Schritte, verpasste Gelegenheiten, neue Konflikte. Zuwanderungsgesetz und Migrationspolitik', *Blätter für deutsche und internationale Politik*, 49/10 (2004), pp.1205–14.

44. Michael Griesbeck, 'Erleichterung der Fachkräftezuwanderung durch rechtliche Regelungen und flankierende Maßnahmen – eine Zwischenbilanz', *Zeitschrift für Ausländerrecht* 5/6 (2014), pp.181–86.

45. Triadafilos Triadafilopoulos (ed.), *Wanted and Welcome? Policies for Highly Skilled Immigrants in Comparative Perspective* (New York: Springer, 2013); Lucie Cerna, 'Attracting High-Skilled Immigrants: Policies in Comparative Perspective', *International Migration* 52/3 (2014), pp.69–84.

46. Simon Green, 'Much Ado about Not-Very-Much? Assessing Ten Years of German Citizenship Reform', *Citizenship Studies* 16/2 (2012), pp.173–88; Karen Schönwälder and Triadafilos Triadafilopoulos, 'A Bridge or Barrier to Incorporation? Germany's 1999 Citizenship Reform in Critical Perspective', *German Politics and Society* 30/1 (2012), pp.52–70; Susanne Worbs, 'Die Einbürgerung von Ausländern in Deutschland', *Integrationsreport 3/Working Paper No. 17* (Nürnberg: Bundesamt für Migration und Flüchtlinge, 2008).

47. Anna Korteweg and Triadafilos Triadafilopoulos, 'Is Multiculturalism Dead? Groups, Governments and the "Real Work" of Integration', *Ethnic and Racial Studies* 38/5 (2015), pp.663–80.

48. Jonathan Laurence, *The Emancipation of Europe's Muslims: The State's Role in Minority Integration* (Princeton, NJ: Princeton University Press, 2012).

49. See https://kultusministerium.hessen.de/presse/pressemitteilung/bekenntnisorientierter-islamischer-religionsunterricht-startet-zum-kommenden (accessed 11 May 2014).

50. Interview with one of the authors, 2013.

51. The text can be found under http://www.hamburg.de/contentblob/3551370/data/download-muslim-verbaende.pdf. More generally, see also Julia von Blumenthal, 'Migrationspolitik nach der Föderalismusreform: Zentralisierung und Dezentralisierung im deutschen Mehrebenensystem', *Jahrbuch des Föderalismus* (Baden-Baden: Nomos, 2012), pp.125–37 at pp.133–7.

52. Beschluss des Bundesfachausschusses Innenpolitik und Integration der CDU Deutschlands of 1 December 2011.

53. Data from the DivCon-panel survey, Max-Planck-Institute for the Study of Religious and Ethnic Diversity, Göttingen. For more details, see Karen Schönwälder, Sören Petermann, Jörg Hüttermann, Steven Vertovec, Miles Hewstone, Dietlind Stolle, Katharina Schmid, Thomas Schmitt, *Diversity and Contact: Immigration and Social Interaction in German Cities* (Basingstoke: Palgrave Macmillan, 2016).

54. The survey-question was: 'Nun möchte ich Sie nach den Menschen in Ihrem Wohnviertel fragen. Würden Sie sagen, dass die Leute recht verschieden sind oder würden Sie sagen, dass in Ihrem Wohnviertel ein in etwa ähnlicher Schlag Menschen lebt? [Now I would like to ask you about the people in your neighborhood. Would you say that the people are quite diverse or would you say that the people who live in your neighborhood are very similar?]'.

55. Karen Schönwälder and Triadafilos Triadafilopoulos, 'A Bridge or Barrier to Incorporation? Germany's 1999 Citizenship Reform in Critical Perspective', *German Politics and Society* 30/1 (2012), pp.52–70.

56. Keith Banting and Will Kymlicka, 'Is There Really a Retreat from Multiculturalism Policies? New Evidence from the Multiculturalism Policy Index', *Comparative European Politics* 11/5 (2013), pp.577–98; Vertovec and Wessendorf, *The Multiculturalism Backlash*; Nasar Meer and Tariq Modood, 'The Multicultural State We're in: Muslims, "Multiculture" and the "Civic Re-Balancing" of British Multiculturalism', *Political Studies* 57/3 (2009), pp.473–97.