

The New German Immigration Law

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With president Horst Koehler's signature Germany has now a new immigration law (*Zuwanderungsgesetz*). We hope that it would eventually create a new political culture to form a multi-ethnic state. The wounds of the years between 1932 and 1945 can now eventually be cured.

After the World War II, Germany slowly has turned to be land of immigration¹ to fill up a tremendous manpower gap². There were about 8 million foreign residents in Germany in 1995³.

Due to the terrible "Yugoslavian Tragedy", world wide ethnic oppressions, intra-German migration after "the unification" and the immigrants with German roots from the former Soviet Union, the number of immigrants have increased between 1980 and 1992 dramatically letting the xenophobic outbursts, assaults and attacks on foreigners to reach very critical proportions in 1992.

It was unfortunate, that the preparation of the new law coincided with the participation of a group of Islamic students in Hamburg in attacking the World Trade Center and the Pentagon. This incident has totally changed the sublimated consensus in the society for a just and good immigration law. German government started treating the Muslim immigrant groups differently under the banner of "improving the domestic security". The immigrants are scared to be stamped being Terrorists or at least the sympathizers of terrorism.

- The new "demand-oriented" German immigration law is not liberal and against the measures of equal treatment⁴.
- The new law requests a mandatory participation in language courses without offering free language courses⁵.
- The lawgiver has totally forgotten that a successful integration needs a positive and tolerant political culture of immigration. This goes way beyond the necessary legal instruments to regulate immigration. All of the planned programs⁶ are solely

¹ See Philip L. Martin. *Germany: Reluctant Land of Immigration*, German Issues 21, American Institute for Contemporary German Studies, 1998.

² with an estimated 28 million "foreign guest workers" starting from the mid-1950s and 1995s. The assumption was that they would leave once the job opportunities halter. About 20 million guest workers have left during the same period of time,

³ *ibid.*

⁴ Although the Turkish immigrants being the long time residents of Germany can not bring their families although highly skilled immigrants from elsewhere are allowed to claim "the right of domicile" for family members.

⁵ if an immigrant has insufficient language skills and his or her right of domicile can be limited to less than five years

⁶ for developing the necessary language skills, vocational education and qualification, value-based learning and integration and social guidance and counseling

directed to the immigrants and nothing is planned to cultivate tolerant political culture of immigration among Germans.

- Although the former law has permitted, the new one does not allow – except for very few situations – dual citizenship.
- The Immigrants need political representation of their interests at least in communal level⁷.
- To keep a German nationalized Turk separated from his/her Turkish partner after the marriage for an uncertain time span does not fit the human rights ethos of our civilized world.
- It was difficult to get the German Citizenship. Due to this Germany has a share of almost 9% non-Germans of its total population and therefore has the highest share of foreign nationals in European Union⁸.

The main task for the future will not only be the social integration of ethnic and religious minorities but cultivate “the transculturality” among Germans. This is not “ignoring” or “just letting exist” but an “active tolerance”.

I will close with Berthold Brecht:

I agree that everything will change.

The World and the humanity, but before everything

- The disorder of the Classes of People, because there are two types of people-

- The Abused and the Unknown.

After you have corrected the World, then correct the corrected World.

After you have complemented the truth by correcting the World,

Then complement the complemented truth.

Once you have complemented the Truth, and changed the Humanity

- then change the changed Humanity !

Never stop to build on justice and love.

Thank you very much

⁷ To ban their participation in political decision making hinders their participation more successfully in the political discourse, which is inevitable for a good social and political integration. Otherwise they will still live in their Ghettos.

⁸ The EU average share of foreign nationals is 5.1% and the figures of other EU countries are: France 6.3%; Spain 1.5%; Italy 1.5%; Austria 6.6%; Finland 1.5%; Sweden 5.9%; United Kingdom 3.6%. Only Switzerland has a higher share of foreign nationals than Germany: 19.4% due to severe nationalization laws.