

The Politics of Presence in Asylum

Negotiating the Inclusion:Exclusion of Refugees in Osnabrück

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Sophie Hinger

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Zusammenfassung

Die vorliegende kumulative Dissertation untersucht lokale Reaktionen auf und Konsequenzen von Asylnmigration. Sie geht von der Beobachtung aus, dass die Art und Weise wie mit Asylnmigration und Geflüchteten vor Ort umgegangen wird nicht nur durch (inter-)nationale Politiken und deren Implementierung, sondern eine Vielzahl von Akteuren und Faktoren und deren Zusammenwirken bedingt wird. An diese Beobachtung und Arbeiten zu Migrations- und Grenzregimen anknüpfend, fragt die Arbeit, wie und von wem Asyl verhandelt oder koproduziert wird. Aus einer Migrationsregimeperspektive heraus wird die Kategorisierung von Bewegungen als Flucht bzw. Asylnmigration und die Adressierung von (oder Identifizierung als) ‚Flüchtling‘ nicht als gegeben vorausgesetzt, sondern wird selbst zum Gegenstand der Untersuchung. Ebenfalls wird in dieser Arbeit, ausgehend von raumtheoretischen Überlegungen, ‚das Lokale‘ nicht einfach als Kontext von zu untersuchenden Aushandlungsprozessen verstanden, sondern es wird der Bedeutung und Funktion von Raumkonstruktionen und räumlichen Praktiken nachgegangen. Anhand verschiedener ‚Verhandlungszonen‘ (Aufnahme, Unterbringung, Abschiebungen, Integrationspolitik), werden sowohl Diskurse als auch Praktiken der Inklusion und Exklusion von Geflüchteten analysiert. Die mittlere deutsche Großstadt Osnabrück dient dabei als Einstiegspunkt für die Untersuchung der multi-skalaren und multi- bzw. translokalen Verhandlungszonen. Der kumulative Teil der Dissertation besteht aus insgesamt sechs Artikeln und Sammelbeiträgen, wovon fünf bereits publiziert und einer eingereicht ist. In drei Kapitel aufgeteilt, beleuchten die kumulativen Beiträge schwerpunktmäßig die diskursive Produktion von Asyl und Flüchtlingen, die Aufnahme und Unterbringung von Geflüchteten, und Proteste gegen Abschiebungen bzw. Abschiebbarkeit. Der Kumulus ist in ein Rahmenpapier eingebettet, das die Beiträge zusammenführend diskutiert und eine zentrale Kernthese formuliert: Im Zentrum lokaler und hier vor allem städtischer Aushandlungen um die Inklusion und Exklusion von Geflüchteten, so die These, ist deren umstrittene Präsenz und die Teilhabemöglichkeiten, die sich durch diese Präsenz ergeben bzw. durch sie eingefordert werden. Als ‚Politiken der Präsenz‘ werden jene widerständigen Praktiken bezeichnet, die Versuche der Migrationskontrolle und bestehende Grenzen und Ordnungen von Zugehörigkeit und Teilhabemöglichkeiten herausfordern. Sie umfassen die impliziten Politiken des Kommens und Bleibens von Geflüchteten, explizite Einforderungen von Teilhabemöglichkeiten, sowie institutionelle Maßnahmen, die solche Möglichkeiten schaffen (auch wenn diese nationalen Migrations- und Asylpolitiken entgegenstehen). Solche Praktiken sind nicht unbedingt lokal oder städtisch, aber die Arbeit unterstreicht, dass insbesondere in Städten, Konflikte um die Anwesenheit von Asylsuchenden ausgetragen und Politiken der Präsenz zu Tage treten. Mit dem Konzept der Politiken der Präsenz liefert die vorliegende Arbeit einen Beitrag zu Debatten über lokale Migrationspolitiken an der Schnittstelle von Migrations- Stadt- und Soziale Bewegungsforschung.

Abstract

This cumulative dissertation examines local responses to and consequences of asylum migration. It starts from the observation that the way asylum migration and refugees are dealt with locally is not only conditioned by (inter-)national policies and their implementation, but by a multitude of actors and factors and their interaction. Based on this observation and a migration and border regime perspective, this thesis asks how and by whom asylum is negotiated or co-produced. From a migration regime perspective, the categorisation of movements as asylum migration and the addressing or identification as ‘refugee’ is not taken for granted, but becomes itself the object of investigation. Furthermore, based on considerations of spatial theory, ‘the local’ is here not simply understood as the context in which negotiation takes place, but the meaning and function of spatial constructions and spatial practices are explored as an integral part of negotiation processes. Interrogating different ‘zones of negotiation’ (reception, accommodation, deportations, integration policy), discourses and practices of inclusion and exclusion of refugees are analysed. The medium-sized German city of Osnabrück served as an entry point for the investigation of these multi-scalar and multi-local zones of negotiation. The cumulative part of the dissertation consists of a six articles and book chapters, five of which have already been published and one of which has been submitted to a journal. Divided into three chapters, the cumulative contributions focus on: the discursive production of asylum and refugees, the reception and accommodation of refugees, and protests against deportations or deportability. The cumulus is embedded in a framework paper that brings together the contributions and formulates a central core thesis. It states that at the centre of local (and here above all urban) negotiations over asylum is the contested presence of protection-seekers and the opportunities for participation that result from this presence or are claimed based on it. It advances the notion of a ‘politics of presence’, which denotes those practices that challenge attempts to control migration and existing boundaries of belonging and opportunities for participation. It implies the implicit politics of refugees’ coming to and being in the city, explicit demands for opportunities to participate, as well as institutional measures of inclusion (even or especially if these oppose restrictive national migration and asylum policies). Such practices are not necessarily local or urban, but the thesis highlights that it is often in (and through) cities that conflicts over the presence of asylum seekers are played out and that the politics of presence come to the fore. With the concept of the politics of presence, this paper contributes to debates on local migration politics at the intersection of migration, urban, and social movement studies.

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Table 2 Overview Interviews conducted by myself (partly together with colleagues)

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List of Abbreviations

- AfD - Alternative für Deutschland (extremist right-wing party)
- AG – Arbeitsgemeinschaft (working group)
- AnkER – (Zentrum für) Ankunft, Entscheidung und Rückführung
- AsylG – Asylgesetz (Asylum Act)
- AufenthG – Aufenthaltsgesetz (Residence Act)
- BAMF – Bundesamt für Migration und Flüchtlinge (Federal Office for Migration and Refugees)
- BgA – Bündnis gegen Abschiebung Osnabrück (Osnabrück Alliance against Deportations)
- BMI – Bundesministerium des Innern (Federal Ministry of Interior)
- BRD – Bundesrepublik Deutschland (Federal Republic of Germany)
- CSO – Civil Society Organisation
- EAI – Exekutivausschuss Ickerweg (Executive Committee Ickerweg)
- EAE – Erstaufnahmeeinrichtung (first reception centre)
- ECRE – European Council on Refugees and Exiles
- EU – Europäische Union (European Union)
- EuGH – Gerichtshof der Europäischen Union (European Court of Justice)
- GDP – Gross domestic product
- GT – Grounded Theory
- IMIS – Institut für Migrationsforschung und Interkulturelle Studien
- LAB Ni – Landesaufnahmebehörde Niedersachsen
- LEGIDA – Leipziger Europäer gegen die Islamisierung des Abendlandes
- NGOs – Non-governmental Organisations
- NLA – Niedersächsisches Landesarchiv (Regional Archive of Lower Saxony)
- NOZ – Neue Osnabrücker Zeitung
- PEGIDA – Patriotische Europäer gegen die Islamisierung des Abendlandes
- PhD – Doctor of Philosophy
- RAR – Refugee Assistance Rosenplatz
- SPD – Sozialdemokratische Partei Deutschlands
- UK – United Kingdom
- UNHCR – United Nations High Commissioner for Refugees
- US – United States of America

1 The Production of Asylum in Local Migration Regimes

At the end of November 2014, the local newspaper *Neue Osnabrücker Zeitung* (NOZ) announced the opening of a Federal First Reception Center (*Landeserstaufnahmeeinrichtung*) for about six hundred refugees¹ in a former hospital in the richest neighbourhood of the city (Hinrichs, 2014). This was followed by a heated debate on the newspaper's website and Facebook page with partly racist and anti-refugee comments. On December 3rd an information event about the opening of the centre was planned as part of a citizens' forum, however, the issue was put on the bottom of the agenda under the vague heading "reuse of the former hospital Natruper Holz". Nevertheless, hundreds of people attended the event, including many neighbouring residents, university students and employees, representatives from local initiatives and associations, the local and regional press, and even a private national broadcaster (Field diary, 3.12.2014). The Lord Mayor inaugurated the forum by underlining the urgency of opening a federal reception centre and welcoming refugees in the city, given the number of displaced people in the world and the number of refugees expected to arrive in Germany and Lower Saxony in the near future. After the presentation of the plans for the centre, the public was invited to ask questions. Unlike in similar events in other localities (Aumüller et al., 2015) a big scandal between pro- and anti-refugee advocates, which the private broadcaster had presumably hoped for, did not materialise. The racist voices which had been raised on the online platform remained silent during the event. The public was mostly concerned with the wellbeing of the newcomers. In a passionate speech, an elderly man called upon his fellow citizens to actively welcome the refugees, which was followed by long applause. Others asked about the future operator, the removal of the fence around the building, and whether a private security service would be hired. A few months earlier, a video had been released that showed how members of a private security service had tortured those entrusted to their care in an asylum accommodation centre in Burbach, North-Rhine Westphalia. "Something like this will not happen in Osnabrück" affirmed the representatives of the local and regional administration (Field diary, 3.12.2014). Two weeks after the event, the first 160 refugees moved into the former hospital, which had been rapidly refurbished to accommodate the newcomers.

With the announcement of the opening of the reception centre, refugee migration definitively moved into the focus of attention in Osnabrück. Even though the topic was by no means new

¹ 'Refugee' is here used not in the narrow legal sense of the term, but in the broad sense of a person seeking asylum. The term here thus denotes individuals with different legal statuses, including those who have not (yet) been granted asylum. It is used synonymously with asylum-seeking or protection-seeking persons. Where necessary, more details about the legal status of an individual or of the group referred to will be given.

in the city, it increasingly turned into a central issue of public debates in the mid-2010s. This period, and especially the summer of 2015, which was marked by increased arrivals of refugees, was selectively referred to as a ‘crisis’ or as the “long summer of migration” (Kasperek & Speer, 2015). In 2015, Germany was the country hosting the largest total number of refugees in Europe with about 890,000 arrivals in 2015 (BMI, 2016). The heightened arrivals to Europe developed against the background of a dramatic increase of people fleeing conflicts in Syria, Afghanistan, Somalia, and other regions between 2012 and 2015 (UNHCR, 2016). Following a dispersal system, protection-seekers in Germany are allocated to the different states or regions (*Bundesländer*), where they are first accommodated in reception centres and then transferred to ‘follow-up accommodation’ managed by the municipalities. Between 2013 and 2017, about 4,000 refugees were allocated to Osnabrück (Stadt Osnabrück, 2017, p. 3). In many ways, the local debates and dynamics in Osnabrück mirrored developments taking place in other localities. The heightened number of allocations led to a reorganisation and expansion of the local asylum infrastructure: a dozen new accommodation centres were opened and numerous new actors became involved in working with refugees in the city. In and across institutions ‘task forces’ and round tables were organised to deal with the reception, accommodation, and participation of the newcomers. New initiatives of welcome and solidarity emerged. Yet, there were also obvious differences, e.g. regarding the way local administrations and governments handled the situation and the reactions of local residents. Anti-refugee protests and violence, for example, remained largely invisible in Osnabrück, as opposed to many other places, where even the announcement that an accommodation centre would be opened elicited protests and sometimes violent attacks against those identified as ‘refugees’ and the (soon-to-be-opened) refugee accommodation centres (Amadeu Antonio Stiftung & PRO ASYL, 2021).

The local level thus seems to matter for the way refugee or asylum migration² is responded to. This observation reinforces earlier calls by some migration scholars to pay more attention to the local level. But what to focus on when looking at the local? The local migration governance literature has so far mostly examined the way municipalities and local administrations implement migration policies (e.g. Caponio & Borkert, 2010). Yet, as the scene sketched above indicates, the way (refugee) migration is dealt with seems to depend on numerous actors and factors: Not only the local authorities, but also the media, the regional administration and government, civil society groups, as well as the asylum-seeking newcomers, and the way these

² I will use the terms refugee migration and asylum migration mostly as synonyms in the following. Even though there is a legal difference between asylum (granted on the basis of the German Basic Law) and refugee status (granted on the basis of the Geneva Convention), I do not reproduce this difference, because I here refer to discourses and practices which are not limited to a legal understanding.

actors (inter-)act and relate to each other shape the way (asylum) migration is perceived and responded to. Consequently, it seems necessary to not only look at the implementation of policies, but to interrogate *how asylum is negotiated or 'produced' by various actors in the city*. And the above described scene also suggests something else: Namely, that 'the local' or 'the city' is not just a context, in which negotiations take place. Rather various spatial practices (e.g. refugees moving to a city or being placed in an asylum accommodation centre) and spatial references (e.g. debating how refugees are going to be treated in Osnabrück as opposed to other places), seem to play into negotiations over refugee migration. This raises the question of *how exactly such spatialisations mean and matter in negotiations over asylum*.

These questions relate to the perception and categorisation of human mobility as 'asylum migration' or 'refugee migration' as well as to the inclusion and exclusion of those addressed as 'refugees' or 'asylum seekers'. Negotiations over the inclusion and exclusion of asylum-seeking persons will be taken in the following as a particular case of (and example for) the functioning of migration and border regimes. The fragmentation of the refugee label and the fierce debates over the deservingness of different groups of protection-seeking persons (and associated practices of inclusion and exclusion) make this focus particularly relevant and insightful. This focus was particularly practical at the time of my research, because different positions and practices crystallised in negotiations over asylum.

The findings of my research will be presented in form of a cumulus. Before developing the here adopted perspective on negotiations over asylum further, this introduction will first provide a brief review of literature dealing with the governance of (refugee) migration in European localities, which has so far dominated the literature on local responses to (refugee) migration. Stressing the need to move beyond the limited focus on local (or multi-level) governance, the second part of this introduction will introduce a space-sensitive migration regime perspective as a suitable perspective to grasp negotiations over asylum in the city. In a third part, the methodological approach adopted in the study will be introduced, followed, fourth, by an outline of the thesis.

1.1 The 'Local Turn' in Migration Studies

Even though my PhD project followed an inductive approach it has been considerably shaped by developments and debates in migration studies, which I here summarise, in a simplified manner, as the 'local turn'. Actually, there was not one local turn, but rather a rising or renewed interest in 'the local' in different disciplinary traditions within the field of migration studies. In this literature review, I will, first, trace how the transnational perspective turned 'local' driven

by a dialogue between social geographers and anthropologists. Second, I will recount how scholars of migration policymaking increasingly started to consider the local level as they turned away from purely national-level and towards multi-level governance analyses. Third, I will review the literature on responses to refugee migration in European and especially German localities, a great part of which adopts a ‘governance’ perspective. I will shortly explain how my PhD project builds on but also differs from these approaches.

1.1.1 Transnationalist Perspectives

A first local turn in migration studies was connected to the transnational paradigm introduced by the US-American anthropologists Linda Basch, Nina Glick Schiller and Cristina Szanton Blanc in the early 1990s. While transnationalism was mainly about raising analytical awareness of the political, economic, social and cultural ties that migrants entertain beyond their countries of residence, it also shed light on the different local contexts in which migrants are embedded and between which they create connections (Glick Schiller et al., 1992). Immigrants should be better conceptualised as “transmigrants”, the transnational scholars argued:

“[T]hey settle and become incorporated in the economy and political institutions, localities, and patterns of daily life in the country in which they reside. However, at the same time, they are engaged elsewhere in the sense that they maintain connections, build institutions, conduct transactions, and influence local and national events in the countries from which they emigrated.” (Glick Schiller et al., 1995, p. 48).

Whereas many transnational scholars located transnational practices in an abstract and de-territorialised third space somewhere ‘in-between’ national states (Collyer & King, 2014, p. 191), others highlighted the importance of transnational practices being tied to specific localities. Importantly, geographer Katheryne Mitchell (1997) reminded transnationalist scholars to ‘bring geography back in’, that is, not to over-emphasise de-territorialisation and hypermobility.

The transnational perspective allowed migration scholars to critically reflect and re-consider hitherto dominant assumptions in migration studies. Namely, it challenged what Nina Glick Schiller and the sociologist Andreas Wimmer referred to as “methodological nationalism”, that is, the assumption that the nation state is the most relevant and “natural social and political form in the modern world” (Wimmer & Glick Schiller, 2002, p. 302). A transnational perspective did not automatically imply to break free from methodological nationalism, but it paved the way towards the problematisation of this epistemological narrow-mindedness. One of the ways to overcome methodological nationalism, Wimmer and Glick Schiller (2002) argued, was to

“examine the connections between transnational migrants and actors within the various localities in which they settle and into which they move [as this] could carry us beyond

the static, reified and essentialised concept of community and into the study of migrants and non-migrants within social fields of differential power” (p. 324).

Seeking to analyse the ways migrants relate to their places of settlement and other localities to which they are transnationally connected, Nina Glick Schiller and Ayşe Çağlar (2011) engaged with debates in geography concerning ‘scale’ and ‘(re-)scaling’. While ‘scale’ had long been used to denote a level of government (as in ‘the local’ or ‘the national’), geographers working on neoliberal restructuring of cities started to question the idea of fixed scales and instead proposed to view scales as constructed, fluid and inter-related (e.g. Brenner, 2011; Swyngedouw, 1997). From this perspective, no scale is naturally preferable to or more important than another and no social process fits neatly or should be associated with any one scale, social activities may ‘jump scale’, and territories may be ‘re-scaled’ in the sense of becoming more or less important (Brenner, 1999; Swyngedouw, 1997). Drawing on this debate, Glick Schiller & Çağlar (2011) affirmed that: “no longer can urban, regional, national, and global scales be easily understood as a nested set of institutional relationships” (p. 5). On the basis of this insight, they developed an analytical model for the comparison between cities and more precisely the relations between migrants and different cities. They suggested that:

“it is possible to use the concept of city scale and the relative scalar positioning of cities to compare relationships between migrants and cities. Cities’ relationships with migrants can be usefully compared in terms of each city’s degree of success or failure in restructuring and repositioning itself to compete globally.” (ibid., p. 8)

Furthermore, they highlighted that the way migrants are included – or in their words “incorporated” – is both shaped by and shapes cities (ibid., p. 111).

The transnationalist re-conceptualisation of the nation-state as one of several (f)actors shaping migration and settlement processes presents an important basis for most contemporary migration studies, including the present work. The criticism of ‘methodological nationalism’ paved the way towards more reflexive and differentiated approaches that no longer reduce society to the limits of the nation-state container. Moreover, transnationalism has contributed to questioning classical perspectives on the role of migrants. Rather than considering migrants merely as objects of migration policies or push- and pull factors, it recognises them as agents and scale-makers. Especially Glick Schiller and Çağlar’s work on cities and migrants provides important insights and analytical tools and will be taken up in several parts of the cumulus. Their perspective will, however, also be criticised as being mainly focused on the economic dimension and neglecting, for example, policies. While the impact of policies on migration and settlement should not be overestimated, it should also not be ignored. Multi-level governance studies can provide important impulses in this regard, as the next section will elucidate.

1.1.2 Multi-level Governance Perspectives

Migration Studies witnessed a second ‘local turn’ at the end of the 1990s. This second local turn was certainly connected to, but seldom explicitly associated with the transnationalists’ criticism of ‘methodological nationalism’. Scholars, mainly political scientists, working on policymaking and governance in relation to migration issues became increasingly interested in the local level, because of two developments: First, the increasing development of policy responses to immigrant populations by (city) municipalities, which have been in European political and scholarly debates³ mainly discussed under the heading of ‘integration policies’. Second, the realisation that traditional state-level concepts “neither explain the variation in integration measures between different municipalities of the same nation state, nor elucidate observed trends of convergence and divergence in integration practices across Europeancities” (Caponio, 2010, p. 14).

Local immigrant policies are important to study, migration policy scholars have argued, because usually “national-level migrant policies are tried, tested and articulated at the local level” (Alexander, 2007, p. 12) and thus can have an impact on the outcomes (uniformity, efficacy) of other level immigration policies. Moreover, local immigrant policies and events may affect policymaking on regional and national levels (ibid.), especially if local responses to immigrant residents go farther than and hence collide with other level laws. And, above all, they may have “significant human impacts”, as US-American geographer Monica Varsanyi (2010) highlights: “What happens in [...] localities affects immigrants' conditions of employment, housing, education, health, [and] the life chances of immigrants' [...] children more than can federal laws and policies” (Varsanyi, 2010, p. viii). In addition to the national and supra-national levels, scholars hence increasingly integrated the local-level into their thus ‘multi-level governance’⁴ (MLG) analyses.

European research on multi-level migration governance refers for the great part to *immigrant* policies or immigrant *integration* policies (e.g. Alexander, 2007; Dekker et al., 2015; Scholten,

³ Even though a similar political and academic local turn with regard to migration policymaking took place in the US around the same time period (Varsanyi, 2010), the scholarly debates remained largely separate and systematic comparisons sparse (exceptions include Graauw & Vermeulen, 2016; Nicholls & Uitermark, 2016). I will draw some lines of comparison between the European and American debates, but focus mainly on the European one, because it presents the most immediate context to the present study.

⁴ The concept of governance presents an alternative to state-centred conceptions of government, highlighting the importance of non-state actors, such as civil society organisations or corporations. Multi-level governance connotes the involvement in policy-making and implementation of governmental and non-governmental actors on various levels, and has been widely used with regard to decision-making in the EU (Piattoni, 2010).

2013)⁵. Immigrant (integration) policies are sometimes explicitly, but mostly implicitly distinguished from immigration policies. In his often-cited study of city responses to labour immigration, Michael Alexander (2007) takes Thomas Hammar's definition of immigration policy, as dealing with "the regulation of flows of immigration and control of aliens" and immigrant policy as referring "to the conditions provided to the resident migrants" (Hammar 1985, 7-9, as cited in Alexander, 2007, p. 38). Alexander further claims that "at the local level, nearly all policies toward migrants can be classified as 'immigrant policy'" (ibid.).

At the heart of debates on the MLG of migration have been two questions: first, whether local policies differ from national ones (and if so, how)? And second, whether, how, and why policies diverge or converge between localities? Regarding relations between local and national-level migration policymaking, some studies postulate a far-reaching congruence due to the power of national governments to limit local autonomy (Emilsson, 2015) or to a two-way alignment of policy responses (Dekker et al., 2015). However, a majority of studies finds an incongruity or 'de-coupling' between local and national level policy responses to immigrants. This has been in part attributed to the different tasks that national and local governments need to fulfil: national governments bearing the primary responsibility for migration control and local governments' primary task being "to make available to their inhabitants and thus also to foreigners, that is migrants, the required economic, social and cultural institutions and services" (Bommes, 2011, p. 194). Scholten (2013) and Spencer (2018) point out that in some cases a coordinated policy response may be negotiated between different tiers of government (even in the absence of a shared framing). However, both come to the conclusion that governance decoupling is more likely, because "in a contested policy area like migrant integration, patterns of agenda setting often have a strongly level specific character, leading to different policy frames and thus complicating modes of governance in a multi-level setting" (Scholten, 2013, p. 234).

Regarding a convergence or variation between different local contexts, there are also different positions: While some authors stipulate a convergence between local policy responses, and thus a specific local way of doing immigrant policies, others mostly stress (and try to account for) local variations. Scholars advocating the above mentioned 'inclusive city' thesis, i.e. that local authorities tend to be more accommodating towards their immigrant residents (Poppelaars & Scholten, 2008; Spencer, 2018; Vermeulen & Stotijn, 2010) argue for a convergence. Also Mahnig (2004) supports the convergence thesis, yet on different grounds. He sees city

⁵ Other synonyms include immigrant incorporation policies (Flamant, 2020) and migration (related) diversity policies (Schiller, 2016; van Breugel, 2020)

municipalities coinciding in their aim to reject and control unwanted immigrants (Mahnig, 2004). Other studies highlight variations in local immigrant policymaking rather than tendencies of convergence. Explanations for local variations include different national contexts and state structures (Caponio, 2010) administrative discretion, i.e. contrary local implementations of national policies (Schammann, 2015) different attitudes, experiences with and expectations of local authorities towards immigrants (Alexander, 2007; Ambrosini, 2020; Scholten, 2013), the politicisation of migration issues on the local level, with different forms of involvement by non-governmental actors (Caponio & Borkert, 2010; Ramakrishnan & Wong, 2010), and/or city size⁶ (Alexander, 2007; Jorgensen, 2012; Penninx et al., 2004).

The concepts and typologies that MLG scholars have developed are highly relevant to any study on migrants and cities, and they seem especially to those focusing on immigrants without a secure residence permit, like asylum seekers. While their access to work, health care, social benefits etc. is largely stipulated by (supra-)national regulations, the practical questions of this access are dealt with at the local level. It is hence somewhat surprising that scholars studying responses to refugee migration have only rather recently turned to the local level, as the next section will sketch in more detail.

1.1.3 Literature on the local governance of asylum (in Germany)

Local responses to refugee migration were, until recently, not a major focus in migration studies in general and in migration governance or policy analyses in particular. For example, in the collective volume, *The local dimension of migration policymaking*, published in 2010 (Caponio & Borkert, 2010) none of the contributions focused on asylum policies. With regard to the German migration studies literature, Jutta Aumüller and Carolin Bretl noted in 2008 that studies on the local or municipal governance of migration were marginal and even more rare when considering only those focusing on refugees (p. 15). Indeed, until that time only very few studies had dealt with the local governance of asylum and the living conditions of refugees in German localities (with a few notable exceptions, including Aumüller & Bretl, 2008; Fuchs, 1999; Kühne & Rüssler, 2000). However, this changed in the 2010s with the heightened political and scholarly attention to refugee migration, which also entailed an increased interest in studying local responses to refugee migration. Many of the recent studies on local responses to refugees tie in with multi-level governance perspectives and debates (e.g. Glorius & Doomernik, 2020).

⁶ A common assumption is that large cities tend to be more accommodating to immigrants than smaller, but only few studies actually focus on smaller cities and/or compare smaller and bigger cities. A recent comparative study of local immigrant policies in the Netherlands in large, mid-sized and small cities did not confirm the assumption that important differences are due to city size (van Breugel, 2020).

Like studies on the local governance of migration more generally, studies on local responses to refugee migration consider a ‘horizontal dimension’, relating to different actors interacting on the same level and a ‘vertical dimension’, comprising the different levels of government (from the local to the supranational). Along the vertical dimension, research on local (refugee) migration policymaking can be differentiated into two different approaches: On the one hand, top-down studies on the implementation of legislative provisions, and on the other, investigations into bottom-up policymaking processes (cf. Caponio and Borkert, 2010, p. 18). *Top-down studies* deal with the implementation of asylum policies by local administrations, often with a focus on “street-level bureaucrats” (Lipsky, 2010). They highlight an incongruity or ‘de-coupling’ between national and local levels of governance, and variations in the implementation between localities within and across national borders (e.g. Eule, 2016; Lahusen & Schneider, 2017; Schammann & Kühn, 2016). Since the earliest studies on local responses to refugee migration, the focus has above all been on inclusive local policies and practices and their potential to counteract more restrictive and exclusionary national policies (for Germany e.g. Aumüller & Bretl, 2008; Fuchs, 1999; Kühne & Rüssler, 2000). Along the lines of the ‘inclusive city thesis’ mentioned above, authors have argued that local authorities often strive to offer services to all residents, “leading some to test the limits of their autonomy” (Spencer, 2018, p. 2040)⁷.

Bottom-up studies on the other hand are more concerned with tracing how local responses to refugee migration emerge, how they link with responses elsewhere and whether they may ‘scale up’. Especially such ‘bottom up studies’ often go beyond the focus on policies and state-actors, and instead examine the role of civil society organisations (CSOs) and initiatives, and the relation and interaction between CSOs and municipal actors (e.g. Agustín & Jørgensen, 2019; Aumüller et al., 2015).

For the purpose of this study, both top-down and bottom-up MLG perspectives are highly relevant, yet a strict separation of the two and an analytical perspective only into one direction seems limiting. In fact, many MLG studies lack “spatial sensitivity” (Scheibelhofer, 2011, p. 3). Even though most MLG analysts seek to account for re-scaling, they often conceptualise the levels as given. Space is then simply used to delineate the field and/or figures as context. What is more, scales are in some accounts actually equalised to forms of government, for example the local or city-scale to the municipality. As will be explained in more detail in the next part,

⁷ In the North-American and now increasingly also the European context, scholars both analyse and seek to contribute to the idea of “sanctuary cities” or “cities of refuge” as counter-models to more restrictive (supra-)national policies vis-à-vis immigrants (Darling & Bauder, 2019; Garcés-Mascreñas & Gebhardt, 2020; Scherr & Hofmann, 2018)

this study draws on theoretical debates of spaces as social constructions and seeks to elucidate the function of spatial constructions in negotiations over asylum. This also implies that no scale is taken as possessing any (natural) qualities such as being more (or less) inclusive than another, an assumption that Mark Purcell has identified as a “local trap” (Purcell, 2006).

This study further seeks to break with the narrow focus and vocabulary of much of the MLG literature on immigrant *integration* policies. The problem with the use of ‘integration’ in much of the literature (on refugee integration) is not so much the often criticised reproduction of a mostly deficit-oriented political discourse on migrants (cf. Hess & Moser, 2009)⁸, but that the integration concept has separated the debate about the situation of immigrants from that about migration (ibid.). Interestingly, in the US-American context such a strict separation between national immigration policies and local integration policies has not been made. On the contrary, Varsanyi (2010) highlights that local and regional policies are interesting to study, precisely because they “blur the conventional boundary” made by scholars between “a focus on immigration, which is generally approached from the perspective of the nation state and federal politics” and a “focus on (a politics of) integration, with a focus on immigrants, more often from a local or urban perspective” (p. 5). By considering how municipalities and civil society initiatives negotiate the reception of refugees (and thus individuals who are not yet in the city) as well as by looking at deportations, this study also blurs the conventional boundary.

Finally, this study does not adopt a MLG perspective, because it is not primarily concerned with policies. Policies are important to understand local responses to refugee migration, but they are just one among many factors. While some governance studies lean towards a ‘pluralist’ approach (Caponio, 2010), i.e. seek to also take non-state actors into account, many solely focus on policy-making and/or implementation of policies by state actors (cf. Ambrosini, 2020). Especially migrants and migrant organisations are often only considered as the objects of policies, but not as actively co-producing them. In this study, various actors including asylum-seeking newcomers, civil society initiatives and more broadly CSOs will be considered. IN order to do this, the study also draws on insights from social movements research and studies on volunteering. This literature has namely highlighted the important role that civil society plays in shaping local responses to refugee migration and in assuring service provision to asylum-seeking newcomers (e.g. Daphi, 2016; Karakayali & Kleist, 2015; Zajak & Gottschalk, 2018). To grasp the multiple actors involved in negotiating asylum, their relations and (inter-)actions,

⁸ Especially the early studies on refugee ‘integration’ in German localities actually used the term to critically engage with the politics of non-integration by the German government vis-à-vis refugees, particularly those not (yet) granted asylum. They thus formulated ‘integration’ as a demand or strategy to counter legal restrictions and discrimination.

as well as the spatialisations of these negotiations, a ‘migration regime’ perspective provides a (more) suitable point of departure, as will be argued in the following.

1.2 A Spatially Sensitive Migration Regime Perspective

While the classical migration regime literature mainly focused on the macro-level, more recent critical approaches have looked at local(ised) negotiations over movement and settlement and the way these are embedded in and also shape supra-local migration regimes (cf. Oltmer, 2018). In this section, I will first introduce the migration regime perspectives adopted in this study. Second, I will explain why I deem inclusion:exclusion, a useful conceptual term to grasp what is negotiated in local migration regimes. Third, I will spell out in more detail in what sense a (local) migration regime perspective can be spatially-sensitive and how the local and the city as spatial references in this study are approached.

1.1.1 A Migration Regime Perspective

Originally coined in the field of International relations (IR)⁹, the regime’ concept has been taken up by different disciplinary strands within the field of migration studies since the 1990s. I here draw on an understanding of ‘migration regimes’ developed by migration and border regime scholars in the 2000s to account for the interplay between attempts to regulate migration and the practices of migrants. Unlike governance scholars and classical IR regime analysts, these more recent migration and border regime scholars have focused not only on state institutions and regulatory frameworks but also on every-day interactions between various actors, building on a Foucauldian understanding of power (not only power over but also power to). Giuseppe Sciortino (2004) for example frames the migration regime as an outcome of the interplay between states’ attempts to regulate (irregular) migration, migrants’ practices and other actors’ interventions. More precisely, he describes it as “a mix of implicit conceptual frames, generations of turf wars among bureaucracies and waves after waves of ‘quick fixes’ to emergencies, triggered by changing political constellations of actors” (p. 32-33). In comparison to the rather static models proposed by migration policy scholars or the IR inspired regime concept, this migration regime definition is more dynamic, more open to change. A migration regime, from this understanding, is “the result of continuous repair work” (Sciortino, 2004) or

⁹ In IR, the regime concept is used to denote governing arrangements between and beyond states. Such arrangements were found to emerge when issues could not be governed by one state or several states alone, such as trade, human rights and collective security. An often-cited definition is that by Stephen (Krasner, 1982), who described regimes as “sets of implicit or explicit principles, norms, rules, and decision-making procedures around which actors’ expectations converge in a given area of international relations” (p. 185).

“the result of social confrontations leading to institutional compromises that have to be renewed (or overthrown) again and again” (Karakayali & Tsianos, 2005, 46). Similar to Sciortino, the interdisciplinary Transit Migration Research Group took up the regime concept as a perspective to analyse both the dynamics of transnational migration and attempts to govern this mobility (at the South-eastern periphery of the European Union). They developed an “ethnographic regime analysis”, to account for the multiple discourses and actors involved in producing migration, whose practices they understood as being interrelated (Hess & Karakayalı, 2015; Hess & Tsianos, 2010). The research collective sought to advance above all the thesis of the ‘autonomy of migration’ (Moulier-Boutang, 1998), highlighting that migration was not only an object of regulation, but a productive force constantly challenging attempts to regulate it.

Integrating discourses, regulations, subjects *and* their practices into one migration regime concept, obviously bears the risk of turning the concept into an endless and thus meaningless term (Bernt, 2019). The analytical sharpness of the concept further suffers from the quite different uses of the term in different disciplinary strands and ‘schools of thought’ in migration studies (cf. Cvajner et al., 2018; Rass & Wolff, 2018). Yet, the weaknesses can also be seen as the strengths of the concept: It has proven a useful point of departure for interdisciplinary studies and dialogues on migration (Pott et al., 2018). In particular, it has contributed to a more reflexive approach to migration studies. As Sciortino and others have shown, migration regimes depend crucially on the way we perceive, label and narrate human mobility - and the other way around:

“The overall structure of the migration regime will determine how flows - regardless of their ‘true’ nature will be observed and acted upon. Similar flows will be observed very differently within different regimes. Differential treatments will feed back in different ways of observing” (Sciortino, 2004, p. 33).

The openness of the regime concept furthermore allows to grasp the complex actor constellations and negotiation processes that migration scholars are confronted with. Taking various (individual, collective, and institutional) actors into account and the way they negotiate migration does not mean to ignore existing power asymmetries. On the contrary, it allows to explore and highlight (asymmetrical) power relations without presupposing that a certain element or actor (e.g. the nation state) is the only relevant or most powerful one. Which actors, discourses, and practices are relevant and how these are interrelated is rather to be explored inductively. Yet the question must be raised what exactly are we trying to explain with the ‘regime’ perspective? What is actually being negotiated or produced in migration regimes?

1.2.2 Negotiating Inclusion:Exclusion in Migration Regimes

The historian Jochen Oltmer (2018, p. 7) distinguishes between two dimensions or objects of negotiations in ‘migration regimes’: a) negotiations over cross-border mobility (mobility regimes) and b) negotiations over “the norms and practices of inclusion or exclusion of migrants in social systems” (presence regimes). While most of the migration and border regime literature has focused on negotiations over cross-border mobility, this thesis is more focused on the negotiations over inclusion:exclusion of migrants who are already present. This said, the distinction between mobility and presence regimes might be misleading, because cross-border mobility is an important part of negotiations over inclusion:exclusion (Bojadžijev, 2008). Also, unlike Oltmer, I do not understand presence regimes as “framing integration”, but I take ‘integration’ as a dominant paradigm in presence regimes. I prefer the use of the term inclusion:exclusion given the problems associated with ‘integration’ as an analytical concept (Hess et al., 2009; Nieswand & Drotbohm, 2014; Schinkel, 2018) and because the terms ‘inclusion’ and ‘exclusion’ have long figured as key concepts in the social sciences¹⁰. However, there is not one conceptualisation of inclusion and exclusion. The terms have been used in rather different ways in different theoretical traditions. In the following, I will briefly sketch different uses/traditions of the terms before setting out how I understand and use them in this thesis.

The way Oltmer (2018) uses ‘inclusion’ refers to a systems theoretical understanding. According to Niklas Luhmann’s functional-structural *systems theory*, modern societies are above all characterised by their functional differentiation, that is their differentiation into sub-systems –the economy, politics, education, law etc. – that operate on the basis of a specific logic which is proper to each system (Luhmann, 1980). Systems theory does not understand inclusion as a question of egalitarian participation, but as the way individuals are addressed or made relevant in and through communication in the different sub-systems and organisations (ibid.). Who or what is addressed as relevant depends on the functioning logic of each system. For example, in the education system, individuals are addressed as students, in the economy as workers, in the family as family members. From this perspective, there is not ‘full inclusion’ in (or exclusion from) society, but individuals are always only partially included. This theoretical perspective draws attention to inclusion as a process, the ‘doing’ of inclusion, which makes it suitable for a study focused on negotiations of inclusion:exclusion. Exclusion, on the other hand, was long not a topic for systems theorists. According to Luhmann (1980), social inequalities tend to take a backseat in differentiated societies, because functional differentiation

¹⁰ The use of these terms thus corresponds with recent calls to more closely articulate key theoretical terms used in the field of migration studies with other social science theories and to thereby “de-migrantize migration research” (Dahinden, 2016).

implies that anyone fulfilling the system-specific requirements can participate in the respective social system.

Other migration scholars have used the terms inclusion and exclusion rather in the tradition of *social inequality research*. For example, Ilker Ataç and Sieglinde Rosenberger (2013) suggest to use “inclusion/exclusion” to analyse “systems of inequality, discrimination and marginalisation” (p. 36). In social inequalities research, inclusion is understood as an egalitarian participation in different spheres of society, notably regarding 1) citizenship and rights, 2) the social division of labour and 3) social (especially kinship) relations (Kronauer, 2009, p. 32). Exclusion is accordingly used to denote an unequal access to or participation in these spheres. As the German social inequalities researcher Martin Kronauer (2009) pointed out, exclusion is always a part of social relations, but becomes problematic when it “impairs the life chances of those who are excluded” (ibid., p. 25, own translation). While a definition of inclusion and exclusion as in/egalitarian access to and participation in spheres of society might suggest a dichotomous view, some social inequalities researchers, have highlighted that inclusion and exclusion are interrelated: for example, the French sociologist and social inequalities researcher Robert Castel (1995) stressed that “it is important to reconstruct the continuum of positions that link the ‘in’ and the ‘out’ and to re-engineer the logic from which the ‘in’ produces the ‘out’” (p. 15, own translation). Similarly, Kronauer stressed that exclusion should not be taken as “exclusion from society” but “exclusion within society” (ibid., p. 44) or a failure to realise a right to participate and belong (ibid.).¹¹

Partly in response to social inequalities research, social systems scholars have engaged more closely with questions of social ‘exclusion’, suggesting that inequalities and asymmetries are mostly produced by organisations (e.g. Luhmann, 1994; Nassehi, 1999). They argue that organisations, e.g. the nation state, function as “exclusion machines” and “inequality machines” by constantly distinguishing members from non-members (Nassehi, 2004, p. 340). Even though the underlying premises of systems theory and social inequalities research are quite different, social inequalities and functional differentiation can and should be considered together (Nassehi, 1999; Schwinn, 2004a). I will here elaborate on a few points that take into account insights from both social systems theory and inequalities research, and which seem especially important for negotiations over the inclusion:exclusion of migrants:

¹¹ In the following, I will embrace such a relational understanding of the terms inclusion and exclusion. Yet I do not follow Rosenberger and Attac’ suggested separation of the terms through a forward slash (/) as I deem the colon to better present the intertwining. The use of punctuation to denote a continuum or relation is common in German where it is used for more grammatical gender inclusivity.

In line with social systems theory it can be observed that inequalities due to an individual's nationality or residence status are primarily based on the political organisation of the nation states. As Michael Bommers (2003) put it: "migration only becomes a problem when viewed in terms of politics" (p. 27). Although nation-state distinctions of who belongs (or not) and who is entitled to participate (or not) are very powerful, they also clash with the principles of other systems, e.g. the welfare state. This clash is particularly evident in the everyday functioning of organisations and social interactions, for example when a rejected asylum seeker is nevertheless granted access to education, social benefits, and health care.

Yet, as social inequalities research has amply shown, it is quite "unrealistic" that every system defines inclusion and exclusion mechanisms in a different and unrelated way. "Key competences", which are usually established and inherited through family and education, "dispose for privileged positions in all systems" (Schwinn, 2004b, p. 39). In other words, there is a clear linkage or cumulative effects of inequalities and exclusion mechanisms in different areas. And even when individuals have acquired a certain capital, understood in a Bourdieusian sense, through their social origins and education, this might not necessarily fit with the expectations of organisations and social interlocutors in another country. An intersectional perspective on social inequalities is hence necessary to trace the lines of inclusion:exclusion. Migration scholars have advanced the concept of "differential inclusion" (Casas-Cortes et al., 2015, p. 25) to denote how inclusion into a social system always also implies stratification, i.e. differential access depending on one's race, class, gender, nationality, and so on.

While inclusion thus does not necessarily mean egalitarian participation or being 'entirely included', the same is true for exclusion: Even the most extreme form of physical exclusion, i.e. deportation, does not necessarily mean that an individual is fully excluded. After all, "social systems in which individuals participate are not confined to the nation state" (Bommers, 2003, p. 31). Moreover, in most cases the act of physical 'removal' is not actually carried out. It is rather the threat of deportation, i.e. the state of deportability (De Genova, 2002) that functions as a mechanism of control. Rather than producing exclusion from society, migration regimes thus produce 'exclusion within society' or what Stephen Castles (1995) referred to as "differential exclusion", i.e. the inclusion of migrants into some areas or systems, such as the labour market, while excluding them from others, such as citizenship.

Both differential inclusion and differential exclusion highlight the intertwining of inclusion exclusion, which is also implied when I use 'inclusion:exclusion' in this thesis. As argued above, an analysis of negotiations over the inclusion:exclusion of migrants requires both an engagement with state policies and practices, as well as an investigation into the everyday

interactions between migrants, state representatives, and various other actors. It means taking seriously the important role of nation states in structuring inclusion:exclusion, but also focusing on other scales and taking into account other actors, who are shaping the migration regime. As Oltmer (2018) underlines, a perspective on what is happening on the ground or at the local level is especially promising, “because on the ground, networking among those present is enabled or hindered on a daily basis and in this way opportunities for participation in various areas of society are created or prevented” (p. 3, own translation). The next section will not only highlight the importance of the local for understanding migration regimes but spell out a space-sensitive perspective on the local.

1.2.3 Local(ising) Migration Regimes

Migration and border regime scholars have stressed that the complex actor constellations and negotiations in migration regimes can only be grasped by engaging with concrete sites (Hess & Tsianos, 2010, pp. 255-256). Moreover, they have looked at negotiations on the ground, in order to uncover gaps between paper and practice (ibid.). Local ways of managing (asylum) migration might differ from what is written in (inter-)national or regional regulations, because local actors “may negotiate enhance or question legal norms and regulations according to specific problem definitions not anticipated by or included in state regulations” (Hinger et al., 2016, p. 445). The inclusion:exclusion of migrants thus always also depends on local actor constellations and dynamics. While much of the migration and border regime literature has so far focused on local negotiations ‘at the border’, some authors have also applied the (migration) regime perspective to negotiations over the inclusion:exclusion of migrants in cities far away from ‘the border’ (e.g. Hinger et al., 2016; Pott & Tsianos, 2014; Schmitz & Räuchle, 2019).¹² Considering cities is relevant for the study of migration and border regimes, because many migration-related issues cannot be understood without looking at what happens in and through cities (cf. Pott, 2018). Furthermore, lines of inclusion:exclusion are (re-)produced and contested in cities. To analyse local and urban negotiations of inclusion:exclusion, it is important to adopt a “spatially sensitive” perspective (Scheibelhofer, 2011). While migration scholars focusing on the local level often argue that the focus on the local helps to avoid methodological nationalism, they may easily fall into the related trap of ‘methodological localism’ or ‘methodological urbanism’

¹² For this undertaking, authors have drawn on both migration regime and urban regime studies. While both seem to be combined and combinable as reflected in terms such as ‘local migration regime’ or ‘urban migration regime’, the concept ‘urban regime’ and ‘migration regime’ stand for quite different approaches and different sets of questions and theoretical assumptions (Bernt, 2019).

(Pott, 2015; Purcell, 2006). Some of the MLG studies, for instance, suggest that the local is *a priori* more inclusive, as briefly commented above.

From a spatially sensitive perspective, it is important not to assume that scales are endowed with any particular quality. Rather such a perspective invites us to trace how actors with their competing agendas constantly negotiate outcomes, which are then ‘spatialised’. Social geographers have long highlighted that ‘spaces’ and ‘places’ are not static containers of social relations, but products of social relations. And that, in turn, spatial constructions impact the reproduction of social relations and communication (Lefebvre, 1974; Massey, 1994; Werlen, 1993). From such a perspective, multi-level governance systems with their nested hierarchies of scales are not given, but constructed. Problematizing spatial constructions implies enquiring into the function of such a construction and to trace the ways in which the different scales may be interconnected (Massey, 1991). As Doreen Massey (1991) has argued, constructing places as bounded might be above all a way of “constructing a counter position between ‘us’ and ‘them’” (p. 152). Instead, she argued for an integrated understanding of different scales and thus a “global sense of place”. Instead of thinking of places and ‘the local’ as static and bounded unities, Massey argued, we should rather consider them as “meeting places” or “as articulated moments in networks of social relations and understandings, [but] where a large proportion of those relations, experiences and understandings are constructed on a far larger scale than what we happen to define for that moment as the place itself” (ibid., p. 154). A spatially sensitive perspective on migration regimes calls for a different vocabulary, as Tsianos and Pott (2014) argue: “Instead of borders, we should speak of bordering, and instead of (urban) places and spaces of migration, of localisations and spatialisations” (p. 123). Moreover, such a perspective implies reflecting on our own spatial constructions, i.e. the way we as researchers spatialise or localise our migration regime analysis, and the role that spatial references, differentiations, and constructions play in negotiations over migration and the inclusion:exclusion of migrants (cf. Pott, 2018).

1.3 Researching Local Migration Regimes – Methodological Challenges and Discoveries

The (migration) regime perspective adopted here is a meso-level perspective that seeks to integrate (and bridge) micro-level experiences and practices, and macro-level elements, i.e. structure, norms, values (cf. Rass & Wolff, 2018). More precisely, as laid out above, it seeks to

grasp the *co-production* of migration and modes of inclusion:exclusion. It does this by taking into account: mobility-related practices *and* attempts to control these, the (contested) perception and categorisation of human mobility as migration *and* measures of inclusion:exclusion based on this categorisation. But how to operationalise such a perspective? The complexity (or one could say comprehensiveness) of the regime-perspective introduced above calls for an inductive empirical approach (Hess & Tsianos, 2010, p. 256). Only by “becoming familiar with the places, discourses and people”, write Vassilis Tsianos and Sabine Hess, it is possible to identify the “multiplicity of actors involved” and to analyse the “conflict-ridden genesis and implementation of the border [and migration] regime” (pp. 255-256). The “ethnographic regime analysis”, developed by Tsianos, Hess, and other members of the Transit Migration Research Group served as an important inspiration for the present work.

The group sought to grasp both a certain stability and coherence in the European migration regime, as well as the temporariness, ambiguity and fragility of an order that is always in the making. Building on theoretical and methodological debates and developments in cultural anthropology¹³, they envisaged an ethnography that centred on participant observation, but not in the classical anthropological sense of ‘going native’ in a neatly delimited locality. Rather, they understood the sites of their research as entry points or ways of identifying concrete manifestations of a multi-local and multi-scalar migration regime. Through the collaboration not only with other group members but also the actors in the field (Hess & Tsianos, 2010, p. 257) the researchers then traced the connections between the different scales and places. In addition to participant observation, they conducted interviews and analysed documents in order to map the individual and institutional actor constellations, their relations and (inter)actions, as well as discourses.

In the following, I will outline how I adapted the ethnographic regime analysis for my work. I will, first, delineate how I chose the entry points to my field and how I observed and mapped the actors and their (inter-)actions. This section will also retrace how I chose and constructed my ‘cases’. In a second section, I will describe how I have used Grounded Theory as a complementary research and analytical framework for the systematic elaboration of my field, and the generation and handling of the data. Third, I will reflect about the way researchers are implicated in co-producing migration regimes with a focus on how to conduct research on (refugee) migration in an ethical way.

¹³ These included amongst others the “anthropology of the contemporary” developed by Paul Rabinow (2008), Marcus' (1995) concept of “multi-sited ethnography”, and an “anthropology of the state” (Sharma & Gupta, 2006; Shore & Wright, 2003).

1.1.2 Studying through Local Zones of Negotiation

As pointed out above, migration and border regimes are always negotiated and produced in specific ‘sites’ or localities (cf. Hess & Tsianos, 2010, p. 255). In order to study migration regimes, it is thus necessary to focus on those sites or localities where they become “concrete” (ibid.). When I started to observe the increasingly heated negotiations over the reception and accommodation of refugees in Germany, at the end of 2013, I did not yet have a specific place in mind which could serve as a good entry point for my research. I attended several events in different cities in which the topic was debated among city representatives, activists, and/or ‘ordinary citizens’. Eventually, I decided to start my enquiries in Osnabrück, a city of about 165.000 inhabitants in Lower Saxony, in the Northwest of Germany. Osnabrück is in many ways a typical (West-) German city: it is characterised by a diversified local economy including companies in the automobile, paper, steel and grocery sectors as well as logistics, which in the past attracted a lot of foreign workers. Despite the local industry, Osnabrück is characterised by heterogeneous socio-economic conditions, as many inhabitants rely on social benefits and thus have low purchasing power, which also implies that the municipality is facing high social costs (Bertelsmann Stiftung, 2020).¹⁴ Cities with more than 100.000 inhabitants like Osnabrück are of special interest to studies on local responses to (refugee) migration, because this is where most refugees (prefer to) live¹⁵. As a mid-sized ‘big city’¹⁶, Osnabrück further has the advantage of a manageable number of relevant sites of asylum and actors involved, while still offering an insight into the interplay between various individual, institutional, and collective actors. As already noted, there is a long history of international immigrants coming to the city. This also includes asylum-seeking persons. The city therefore has both a municipal as well as a civil society infrastructure of asylum, i.e. institutions and initiatives that focus specifically on refugee migration. Another reason for choosing Osnabrück over another city was the relative ease of access, as I was familiar with the setting, having worked and partly lived in the city since 2012,

¹⁴ In at least one way, Osnabrück has differed from many other German cities: it has seemingly resisted the rise of anti-immigrant voices, as represented by the party Alternative für Deutschland (AfD). In the last parliamentary elections in 2017, the AfD was not represented with direct candidates in Osnabrück and gained relatively little voter support for the party list (6,28% in Osnabrück compared to 12,6 on the national level).

¹⁵ Asylum seekers are also allocated to rural counties and small cities. Studies have shown, however, that once they are granted asylum, and as soon as they can decide on their place of residence, refugees tend to move to big cities with more than 100.000 inhabitants (e.g. Worbs et al., 2016).

¹⁶ Given the number of inhabitants, Osnabrück is a ‘big city’ (*Großstadt*). It figures among the 50 biggest German cities. I nevertheless refer to Osnabrück as a mid-sized city to indicate that it is not one of the major cities, like Berlin, Munich, Hamburg or Frankfurt.

and as I already had contacts to some of the actors doing ‘asylum work’ or seeking asylum in the city.

I started exploratory fieldwork at the end of 2014 by attending different events and meetings, e.g. of the City Council, neighbourhood initiatives to welcome refugees, an antiracist initiative, and a round table for social workers and volunteers ‘working’ in asylum accommodation facilities. Through the observations, many informal conversations, and more formalised, semi-structured interviews, I started to map the actors involved in asylum issues and to identify fields or “zones of negotiation” (Pott & Tsianos, 2014).

One of the main issues that drew my attention was the *accommodation* of the rising quota of asylum-seeking persons allocated to the city. A variety of actors, such as neighbours of (designated) accommodation centres and established as well as newly founded refugee welcome initiatives got involved in the negotiations. The case of accommodation or housing seemed particularly relevant to me not only because of its topicality, i.e. the pressing need in many German cities to find or create appropriate accommodation for substantial numbers of asylum-seeking newcomers. It also emerged as an interesting case study, because in Lower Saxony, like in most other regions, the decision where and how to house those asylum-seeking persons assigned to the municipality lies mainly in the hands of the local authorities¹⁷.

A second zone of negotiation that I identified and started to examine in more detail were (Dublin-) *deportations*, and attempts to prevent them. On paper, deportations are an area, in which local authorities (and civil society initiatives) have only limited say. Decisions on asylum cases are taken by agencies of the Federal Office for Migration and Refugees (*BAMF*) and deportation measures lie largely in the hands of the regional authorities. Studies on local asylum policies hence only rarely consider deportations as a relevant municipal field of action.¹⁸ Yet, important residence-related measures are in fact carried out by the municipal Immigration Offices (*Ausländerbehörden*). They decide e.g. on the prolongation of residence permits and the issuing of visas for family reunification, and are also implicated in the organisation of deportations. Besides, urban residents are often concerned by deportations and in some instances try to prevent the deportations of their neighbours, friends, school mates etc., which was also the case in Osnabrück.

¹⁷ In Bavaria, for example, the follow-up accommodation is regulated by the regional authorities. Bavarian municipalities have little say in where and how to house refugees. In the city states (Berlin, Hamburg, and Bremen), the municipal and state levels come together so that one and the same institution (e.g. the Regional Department for Refugees in Berlin) is responsible for first reception and follow-up accommodation (for a slightly outdated, but comprehensive overview see Wendel, 2014).

¹⁸ Notable exceptions are the studies by Ellermann 2009 and Eule 2014.

A third zone of negotiation, which I discovered (with some delay) was that of *reception*. Like deportations, the reception of refugees is, on paper, not an issue, in which there is much leeway for negotiation. Asylum seekers are dispersed according to a dispersal scheme and a quota that is calculated both between and within the federal states (Müller, 2013, p. 18). The municipalities, at least in theory, have no or little decision-making power regarding the dispersal and transfer process from the first reception centres to the municipality. Also regarding the relocation or resettlement of refugees who have not yet arrived in Germany, municipalities have little say. It is the federal government that decides on and organises the relocation of refugees from other EU countries. In consultation with the regional authorities, the federal government can decide to resettle refugees from so-called ‘first countries of refuge’ (AufenthG §23(2)). Yet, again, familiarising myself with the actors and their practices allowed me to uncover the “immense gap between theory, ‘paper’ and praxis” (Hess & Tsianos, 2010, p. 256). I found that the municipality, and in particular the municipal department responsible for the reception and accommodation of refugees, did negotiate the transfer of refugees from the regional reception centre to the city. Moreover, initiatives emerged in Osnabrück and other German localities to demand the relocation of refugees from Southern EU countries to Germany, and to let the municipalities have more of a say in this process. While no chapter is contributed to this zone of negotiation, several contributions, especially those in the chapter on ‘accommodation’, also refer to the negotiation of reception. Given that the reception of refugees is handled by the municipal department, that is also responsible for accommodation, it made sense to treat these fields together.

A fourth and last ‘zone’ that I defined in the research process was that of *integration policies*. Until the mid-2010s municipal Integration Commissioners and Departments often did not explicitly target refugees with an insecure residence status. Osnabrück was among the first municipalities to adopt an ‘integration plan’ explicitly addressing refugees with different legal statuses (Stadt Osnabrück, 2013). While the measures adopted in this municipal plan concerned mostly the accommodation of refugees and social work with refugees, the change in discourse and the way this clashed (or coincided) with discourses of integration in other localities and on other scales of government attracted my attention. I hence considered this ‘field’ with regard to the discursive dimension of (local) migration regimes. Similar to the ethnographic border regime analysis developed by Hess, Tsianos, and colleagues, I approached discursive formations as important components of the regime, which, however, always had to be explored in connection with practices. For example, I looked at how a specific way of distinguishing

between more and less deserving individuals went along with practices of inclusion and exclusion.

I considered the four zones of negotiation – accommodation, deportations, reception and politics of integration - as my ‘cases’¹⁹. These zones are of course not strictly separate, but intertwined and overlapping in many ways. Yet, for analytical purposes it makes sense to distinguish them to a certain degree, given that each comprises a specific set of regulations, discourses, and actors. As already noted, the space for municipal decisions is for instance more or less limited depending on the object of negotiation. The exploration of all these zones of negotiation with both their specificities and overlapping did not only imply to discover their ‘concrete’ localisations and materialisations. It also meant tracing the interconnections with actors, discourses, regulations in other localities and on other scales. For example, the local struggles over (Dublin-) deportations can hardly be understood without considering the European, German, and regional regulations on deportations. This meant that in addition to participant observation I studied numerous policy documents, as well as newspaper articles, brochures, flyers, and websites of civil society initiatives to complete my understanding of the multi-scalar and multi-local phenomena and processes.

Moreover, it meant that I left the geographical entry point of my research to conduct interviews elsewhere, e.g. with representatives of the regional administration. While my research was not ‘multi-sited’ in the sense of becoming involved in several sites in an equally intense manner (Falzon, 2009; Marcus, 1995), I was seeking to ‘trace’ and ‘track’ the multi-local and multi-scalar interconnections, intersections and ruptures. With Susan Reinhold (1994) this approach can be considered a form of ‘studying through’. By showing the interconnections between the theoretically separated levels, Reinhold argued that one could gain “insight as to what happens both within and outside a single locale. It allows space for the actual complex interdependence of multiple sites, actors, institutions and struggles” (Reinhold, 1994, p. 478). My attempts to not only study thoroughly different local zones of negotiation but also to study *through* them, turned out to be quite a challenging undertaking. As already mentioned in the introduction, from 2013 onwards (and with a peak in 2015/16) increasing numbers of asylum-seeking persons arrived in Germany and in German localities. In 2015, the topic moved into the centre of media reporting and political debates, as well as everyday exchanges among friends, relatives, and neighbours. The set of actors involved in negotiating asylum rapidly

¹⁹ At the same time, the cumulative contributions will differentiate cases within the same field of negotiation. For example, chapter 3.1 will compare the refugee accommodation practices between Osnabrück and Leipzig. And chapter 4.2 will deal with two critical cases of protests against deportations in Osnabrück.

broadened and from the European to the local level, new regulations and infrastructures were put into place in order to respond to the migration dynamics. Even when the arrivals had started to stagnate and then regress, the field was still ‘moving’. This was because the duration of emergency solutions was more and more debated, and because the struggles over refugees’ rights – to stay, to reunite with their families, to work – as well as the modes of rescue and relocation of those still arriving at Europe’s borders continued with much fervour. How to follow up on all the possible (inter)connections? How to face the challenges of such a dynamic ‘field’?

One way to study thoroughly through a migration regime is *collaborating* with others (cf. Hess & Tsianos, 2010; Transit Migration Forschungsgruppe, 2007). I greatly profited from the knowledge of the people in the field. As Marcus underlined, through a collaborative relation with the interlocutors, one can discover the multi-local ethnographic knowledge they have often incorporated (Marcus, 2009). Moreover, I conducted part of my fieldwork on the struggles over deportations in Osnabrück in collaboration with a colleague, and regularly exchanged with colleagues working on similar issues in other European and German cities²⁰. These collaborations helped me to see interconnections between places and to counter-balance insights won in Osnabrück. A second way of facing the challenges of a complex dynamic field is *zooming* (Pott & Tsianos, 2014). The notion of zooming into certain zones and relations of a regime and then zooming out again to a bigger picture (while certainly never showing the whole picture) is important, because it highlights the constructivist nature of this research practice. It is after all the researcher who decides which parts to focus on and which to leave out, a decision which may be guided by certain principles, but is always subjective to some extent. Systematising the decisions of what to look at and when to ‘zoom’ requires both familiarising oneself with the field and also *distancing* oneself from it (Breidenstein et al., 2015). For the back and forth, not only between different parts of the ‘field’ but also between the field and the ‘desk’, I followed the principles of Grounded Theory.

1.3.2 Systematising and Analysing with Grounded Theory

Grounded Theory (GT) is a research style that is not primarily about verifying existing theory through empirical analysis, but to generate or “[discover] theory from data” (Glaser & Strauss, 2006, p. 1). GT was developed in the 1960s by the American sociologists Anselm Strauss and Barney Glaser and first made known in their co-authored book “The Discovery of Grounded Theory” (1967). The theoretical tradition and epistemological assumptions out of which GT

²⁰ One of the frameworks for this exchange was the IMISCOE Research Group on “refugees in European localities”. My close collaboration with Maren Kirchoff and Philipp Schäfer, who also figure as co-authors in the cumulative parts of this thesis, is explained in more detail in annex A.

was developed make it a good fit for an ethnographic regime analysis. Especially Strauss, who was influenced by Chicago-school pragmatism and interactionism as well as ethnographic research, understood social phenomena as being always in the making. And he sought an analytical approach suitable to grasp the processuality, conflicts, and dynamics of social interaction (Charmaz, 2014, p. 7; Strübing, 2014, p. 461). In GT (as in the ethnographic regime analysis) the precise research object and the boundaries of the field are not defined before the fieldwork. Rather, the focus emerges in the course of the research through familiarisation with the relevant actors, their actions and everyday knowledge (Glaser & Strauss, 2006, p. 45). However, for Strauss and Glaser it was important to highlight that data generation and the research process as a whole are by no means arbitrary. On the contrary, they wanted to outline a rigorous guide for (mostly) qualitative social research. While according to Glaser and Strauss, a general sociological perspective and everyday knowledge are sufficient to start a research process and begin generating data, the further procedure should be “controlled by the emerging theory” (ibid.). In other words, GT provides a fairly concrete guide for systematising the research process, it is an orientation for “how we may proceed” as Katie Charmaz puts it in her practical guide of GT (Charmaz, 2014, p. 3). GT is thus not so much to be understood as a strict set of rules that has to be applied by all means, but as a specific way of going about research and considering the objectives of qualitative analysis.

A specificity of GT is that the generation of data and the analysis as well as the development of (and linkage to) theory are not separated into sequential phases. From the beginning of the research process, the researcher starts to engage in the analysis of the generated data with the aim to construct categories and eventually theory that is ‘grounded’ in the data. At the same time, the analysis guides the continuous data generation, a principle also referred to as “theoretical sampling” (Glaser & Strauss, 2006, pp. 45-47). The interweaving of analysis and data generation as envisaged in GT was particularly well suited to the conditions under which I conducted my research. A first phase of field research (autumn 2014-summer 2015) was interrupted by a one-year fellowship in England. While at first, I had planned to continue data generation from there, I soon realised that the geographical distance from Germany proved a good opportunity to also take some analytical distance to my fieldwork. In the UK, I thus analysed the data I had already generated, started to think about possible theoretical links or outcomes of this research, and planned, on this basis, the further data generation. During short stays in Germany in winter 2015 and spring 2016, I was able to conduct further interviews and observations, which I promptly integrated into my emerging analysis. A second longer research phase began after my return to Germany in 2017.

In the rest of this section, I will describe in more detail, how I generated data, what kind of data I worked with, and how I went about analysing it. As already mentioned above, I used three different methods of generating data: semi-structured interviews, participant observations, and document analysis. *Semi-structured interviews*: I conducted a total of 35 semi-structured interviews with representatives of local and regional administrative staff, members of the Osnabrück City Council, representatives of NGOs, and activists, some of whom without a secure residence status²¹. These interviews can be considered “expert interviews” (Meuser & Nagel, 1991)²². The interviewees were selected on the basis of their particular insider knowledge and experiences, which I assumed they had either because of their professional role or because of their voluntary (often activist) involvement in negotiations over asylum in the city. Following the principle of “theoretical sampling” (Glaser & Strauss, 2006, pp. 45–47), I looked for complementary and contrasting experiences and perspectives, e.g. that between someone responsible for organising deportations in the local Immigration Office, someone suffering from ‘deportability’, and someone involved in protests against deportations. While questions about the personal biography, attitudes, and experiences of the interviewees did play a role, this was only one factor I (or we) asked about. The main aim of the interviews was to get an insight into supra-personal organisational knowledge, practices and relations with other individual, collective and institutional actors and/or to reconstruct a (protest) event or specific development (Meuser & Nagel, 1991, p. 442). The interview guides served mostly to better prepare the interviews, especially those which I conducted together with others²³. The guides were also meant to ensure that all important issues were covered. Often interviews included references to earlier interviews, observations, and/or documents that I confronted the interviewee with to be able to counter-pose and compare different perspectives on the same issue and to learn about the interviewee’s response to other actors. Generally speaking, I followed the principle of conducting the interview “as open as possible and as structured as necessary” (Helfferich, 2019, p. 563). Besides wanting to cover certain issues, I also aimed at letting the interlocutors develop their own narrative and include points that I had not

²¹ A list of the interviews with detailed information about the interviewees and the interviewers (thirteen of the interviews were conducted together with colleagues), the date, setting, and recording/transcription of the interview can be found in annex B.

²² According to Meuser and Nagel (1991) interviewees are attributed their status as experts by the interviewer in line with their respective research interest. However, generally speaking, an expert is an individual “who is responsible in one way or another for the development, implementation or monitoring of a problem or who has privileged access to information about people or decision-making processes” (Meuser & Nagel, 1991, p. 443, own translation).

²³ Some interviews which I used in my research (but which are not included in the 35 interviews listed above) were conducted by other colleagues, namely Maren Kirchhoff and students of mine. In these cases, we discussed the interview guides before the interview, so that my questions were covered in the interviews.

anticipated. With a few exceptions, all interviews were recorded and fully transcribed²⁴.

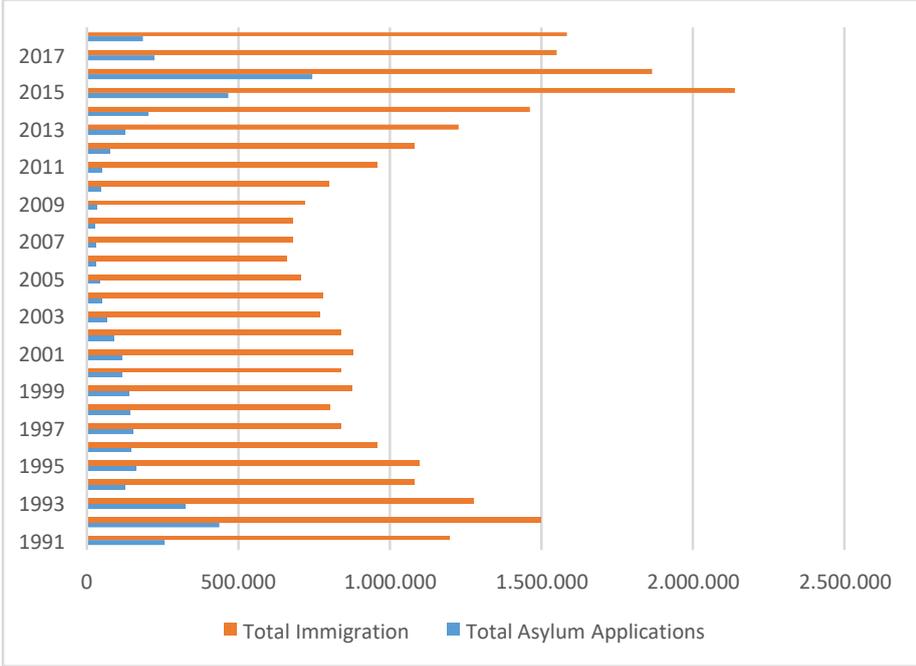
Participant observation: The interviews were accompanied by extensive participant observation in different contexts. On the one hand, this included the participation in and observation of numerous single events (e.g. demonstrations) and regular meetings (e.g. of civil society initiatives or City Council meetings). On the other hand, this included a more focused and regular ‘following up’ of specific actors and their activities. Namely, I conducted participant observation regarding a) the activities of the Osnabrück Alliance against Deportations, b) the organisation of refugee accommodation by the Social Welfare Office and in particular the work of the janitors in the asylum centres, and c) the services offered in an asylum drop-in centre and especially the office hour for flat-seeking refugees. In the context of the refugee support initiatives (a and c) I was at times more participating than observing. With the administrative actors, on the other hand, my observation rather took the form of ‘shadowing’, as explained in more detail in contribution 3.1. In line with Grounded Theory ethnography, my observations were more focused on the processes and (inter-)actions than the settings in which I conducted my observations (cf. Charmaz, 2014). I kept a field diary, in which I noted my observations, thoughts, and anecdotes (especially of informal conversations), to which I increasingly added analytical reflections.

Document analysis: Through my observations and interviews, I was referred to documents of different kinds: policies, municipal reports and statistics, websites, newspaper articles, flyers and brochures of organisations and initiatives. I studied these documents to better understand and reconstruct the processes, discourses, and (inter-)actions I observed and heard about. The documents did not only help me to better situate different local actors and reconstruct controversies and events (as in the case of the anti-deportation protests of the Alliance), they also helped me to connect local events and negotiations with other localities and scales, as already mentioned above. Moreover, document analysis helped me to ‘study through’ the historical development of the local migration regime. Even though my main focus was on the period during which I conducted my fieldwork (2014-2017), I realised that it was necessary to also consider the history of the struggles I was observing. Especially, the early 1990s were often cited by interviewees as a historical point of reference, because it was also a period of augmented arrivals and increased public and political attention to (asylum) migration (see figure

²⁴ Passages not of immediate relevance to the research were not fully transcribed but merely summarised. Non-verbal expressions were noted, when they were deemed relevant to highlight or change the meaning of a statement, as in the case of irony. Long interruptions and incomprehensible words or passages were marked (Gläser & Laudel, 2009, p. 194).

1). I thus decided to engage in a more systematic way in archival research in addition to consulting those documents I was referred to. My archival research consisted in searching for asylum-related documents in the archive of Osnabrück’s local newspaper NOZ, and the municipal archive of the city, which is part of the Lower Saxon State Archive (NLA). While the archival documents do not figure prominently in the cumulus, they were an important source of data to contextualise and interpret the contemporary negotiations over asylum.

Figure 1: Total asylum applications (first and follow-up) against total immigration to Germany since reunification (1991 – 2018)²⁵



Source: own figure based on statistics in BAMF, 2020 and Statista, 2020

For the analysis of the data, I loosely followed the guidelines of GT analysis and the three types of coding: open, axial, and selective (Strauss & Corbin, 1990). In the first step of *open coding*, I engaged in sequential line-by-line coding of (parts of) my field notes and interviews, which I clustered into the different fields. I started with those documents that I considered particularly relevant. In this first step, I paid special attention to ‘in vivo codes’ (Charmaz, 2014, p. 92), i.e. terms used by my interlocutors. But also my own theoretical assumptions and concepts entered into my engagement with the data. Indeed, entering the field with an open mind and an

²⁵ Total immigration is calculated on the basis of entries in municipal resident registers. The asylum statistics are compiled by the Federal Office for Migration and Refugees. The number of first asylum applications might not always reflect the actual number of incoming asylum seekers, as there is a gap between the registration and asylum application. For example, many people who arrived in 2015 could not apply for asylum until 2016 because the authorities were unable to keep up with the processing of applications.

attentiveness to data does not mean that researchers come to the field as a ‘tabula rasa’ (Strübing, 2014, p. 470). On the contrary, the general disciplinary perspectives and particular theoretical assumptions, which we bring with us to the field, are seen as useful starting points for GT and enter into the analysis as initial “sensitising concepts” (Blumer, 1969, as cited in Charmaz, 2014, p. 16). In my case, this was a particular interest in power relations, co-production/negotiation processes, inclusion:exclusion, and spatialisations. While the initial coding is meant to open up different possible ways of reading the data, the further analytical steps aim at finding the best fit between analytical perspectives, codes, and the data. For this, I followed the GT principle of using “constant comparative methods” (Glaser & Strauss, 2006 [1967]; Strauss & Corbin, 1998). This includes for example, the comparison between similar or contrasting statements in the same interview, between different interviews, between different kinds of data (e.g. interviews and field notes) as well as, at a later stage, between different ‘cases’. Following the idea of “theoretical saturation” (Glaser & Strauss, 2006 [1967], p. 61ff.), I never coded the entire material, but stopped both generating new data on the issue and coding, when I had the impression that a code was well grounded²⁶.

From the beginning, I also started to write memos and other forms of analytical texts, some of which turned into articles and now present part of this cumulus. For this step, a more sophisticated form of data analysis was necessary. Strauss (1987) proposed for this purpose the process of “axial coding”, which aims at explaining the emergence and consequences of an incident (Strübing, 2014, p. 468). For both the initial and the axial coding, I worked together with colleagues (in different constellations), which was helpful both to develop different perspectives on the material and to narrow these down little by little. The cumulative contributions were written at different moments in the research process and thus reflect different phases in the analysis. The final step of *selective coding* (Strauss, 1987) or *theoretical coding* (Glaser, 1978), in which the different codes and fragments of analysis are woven together into a grounded theory, is not so much represented in the cumulus, but rather in the discussion part (Chapter 5) of this thesis. Both selective and theoretical coding aim at defining a key or core code – in my case “the politics of presence” – and relating all other codes to this core code. This step involved both a re-engagement with the analysis and codes that I had already developed and that is (at least in parts) represented through the cumulative contributions and with the corpus of data. Before giving an overview of the different cumulative contributions and

²⁶ While in most cases, new data or further (and deeper) analysis could have probably still provided new insights, this was of course also a decision fuelled by limited (time) resources.

introducing the key code or main finding of the analysis, I will reflect on my positioning in and co-construction of the field.

1.3.3 Co-producing Migration Regimes – a (Self)-Reflexive Approach

Grounded Theory is about trying to capture and reconstruct social phenomena as accurately and rigorously as possible. Yet, it is clear that the observation and description of migration and migration-related norms, discourses and practices – like all other social phenomena – is always contingent. It only emerges through the researchers' engagement with the object of enquiry and the generated material. What is observed and how, depends amongst other things on the personal characteristics and disposition of the researcher (research interest, opinions, prior knowledge). In GT a continuous reflection on the researchers' own assumptions, interests, and disposition as well as interaction with others is in fact considered an essential part of the research process (Strauss, 1987; Breuer et al., 2011). It thus fits well with the migration regime perspective adopted here, which assumes that migration researchers do not simply observe migration and migration-related phenomena, but co-produce them. Against this backdrop, it is in fact not only the assumptions and positioning of individual researchers in concrete research projects and situations, which need to be reflected upon, but the way migration research in general is embedded in wider societal (power) relations and how it reproduces (or counteracts) hegemonic discourses on human mobility. This implies to consider how knowledge on migration is produced by and circulated between various actors. More precisely, a reflexive approach in migration studies means to identify those assumptions that are taken for granted and which “underlie the thinking and acting of migrants and in relation to migrants” (Nieswand & Drotbohm, 2014, p. 3).

Reflexivity is however not only essential to fully grasp the co-production of knowledge in migration regimes. As I will argue in the rest of this section, it is also one possible solution to the ethical challenges posed by research on (refugee) migration. Reflexivity can be understood, according to McGraw et al. (2000), as “a process whereby researchers place themselves and their practices under scrutiny, acknowledging the ethical dilemmas that permeate the research process and impinge on the creation of knowledge” (p. 68). From this point of view, reflexivity thus has both the function of ensuring the quality of research (by recognising how knowledge is produced) and of being sensitive as well as possibly better prepared to respond ethically to challenging situations.

Research with refugees poses a number of ethical challenges, including the refugees' legal and socio-economic precariousness, unequal power relations between them and the researchers,

who are often in a more privileged position, and highly politicised research contexts (Krause, 2016; Müller-Funk, 2020). How to proceed ethically in the research process is clear – at least in principle: Researchers should respect the persons participating in the research, which implies guaranteeing them free and informed consent, as well as respect for privacy or confidentiality of their personal data. Moreover, research should at least follow the ‘do no harm’ principle, and at best, benefit those participating in the research, especially if they are in a subaltern position like refugees (Mackenzie et al., 2007). However, while these ethical guidelines are important tools to plan and navigate the research process, they do not necessarily provide an answer to all those “ethically important moments” (Guillemin & Gillam, 2004, p. 262) that arise unpredictably in the research process.

During my fieldwork, I faced several ‘ethically important’ and thus challenging moments, in which I was unsure how to best position myself. For example, when I was invited to observe an office hour at the Social Welfare Office, the asylum-seeking clients who came in for consultation were neither informed about the purpose of my presence, nor given the possibility to (dis)approve it. I felt uneasy about this infliction on their privacy and thought that my presence potentially presented an additional barrier for them to voice their requests, but given the time pressure under which the employees of the Social Welfare Office were working (and the number of clients coming in) I did not dare to interrupt them in order to present myself (Field diary, 9.2.2017). Other examples of ethically important moments included encounters with persons in acute situations of distress, conducting an interview with a person who used the situation to express racist and anti-refugee opinions, and getting access to information relevant for my research, but outside my role as a researcher. How to behave ethically in these situations was either not entirely clear or difficult to operationalise. In addition to ethical principles, research thus requires “ethics in practice” (Guillemin & Gillam, 2004), i.e. the capacity to position oneself in an ethical way in challenging situations, for which there are no textbook responses. Guillemin and Gillam (2004) and others have pointed to the importance of reflexivity for ethics in practice. For instance, a reflection on the situation in the Social Welfare Office, helped me to realise the importance of ensuring informed consent or at least informing research participants about my research in all situations, and prepared me to better seize possibilities to do this when I started my participant observation with the janitors.

Reflexivity is not only important with regard to fieldwork, but also regarding the handling of data and more generally publishing on (refugee) migration, especially given the highly politicised context of contemporary migration research in Europe. One challenging question is,

which research findings to publish. The sensitive handling of data²⁷ is especially important with regard to persons with an insecure residence status, as a publication might have far-reaching effects on their lives (Betscher, 2019; Krause, 2016). In addition, research on subversive practices of migrant rights' activist (with and without secure residence status) raises the question: how to acknowledge these practices, while not publishing information (e.g. on activist strategies) that could potentially be used against them? As we researched the protest activities of the *Alliance against Deportations*, we discussed this question again and again and our (preliminary) answers shaped both the way we went about generating information and publishing our results. Like Silke Betscher (2019), we concluded that even though acknowledging the subversive practices we researched might be “important for the field and also to do justice to [the] research partners”, “[m]any of these practices do not seem publishable” (p. 257), because of the possible consequences of publication.

Another challenge is how to analytically frame research findings, given the fact that migration-related terms are often politically charged. The distinction between ‘citizen’ and ‘migrant’ or ‘refugee’ and ‘migrant’ for instance, is never objective, but highly dependent on the specific socio-political context. It is historically and geographically variable, and always contested (cf. Pott, 2018). The labels and categories and their meaning as products and elements of migration regimes should thus (and will in this thesis) be taken as objects of investigation. In addition to reflecting on the terms used by the actors in the field, I continuously reflected on and tried to make transparent my own choices of using certain terms and not others. The continuous reflection and questioning on which terms (not) to use and in which ways implies that there are differences between the cumulative contributions. While in some contributions, I use for instance the term ‘refugee’ (to denote persons seeking or having sought asylum) in the co-authored contributions on the anti-deportation protests in Osnabrück (chapter 4), we decided to avoid the term, wherever possible, as we did not want to reduce the activists’ identity to this aspect and sought to avoid reproducing the distinction between ‘refugees’ on the one, and ‘supporters’ on the other hand. Given our interest in the collective nature of the protests and the great heterogeneity among participants, we preferred to speak of all members of the *Alliance against Deportations* as ‘activists’, specifying only where necessary the nature of their legal status and other characteristics.

²⁷ All interviews were anonymised upon transcription. In the contributions, pseudonyms were used when individuals were named. In addition to individual names, also place names and names of organisations were anonymised in some of the contributions. In other contributions, the names of places and organisation were disclosed as it was deemed that an anonymisation of individuals could nevertheless be ensured and/or that the information was already public.

While authors can largely decide which terms (not) to use, they often cannot fully control the context in which their work is published. Given the heightened interest in refugee migration in the mid-2010s, scholars working in the field, including myself, were presented with numerous possibilities to present their work within and also beyond the academic realm. While a certain disfigurement of academic work has been lamented above all with regard to non-academic outlets, also in the academic context, a critical reflection on the way academic texts are presented seems necessary. For example, one of my first possibilities to publish my ongoing research was as part of a Special Issue on the ‘European refugee crisis’ in the American Journal *Human Geography*. While all contributions critically engaged with ‘crisis’ narratives and the way migration was responded to on this basis, the cover of the journal showed the stereotypical image of a boat overcrowded with black bodies, whose colourful life jackets stood in stark contrast to the white uniforms of the officers of the Italian coastguard, who were apparently in charge of solving the potentially dangerous situation on the overloaded boat. Like many media outlets, the journal thus contributed to the perpetuation of an imaginary of migration as a massive threat and state of emergency. Also with regard to the images used to accompany academic publications, it thus seems necessary “to talk about the[ir] impact [...], to pull them out of the space of the purely illustrative and marketable” (Castro Varela, 2018, p. 5).²⁸

While research ethics can be regarded as a useful tool for reflexive (migration) research, reflexivity can, as argued above, serve as a tool to develop and implement ‘ethics in practice’. And this concerns all aspects of the research process – from doing fieldwork to publishing research findings. Moreover, reflexivity is needed to bridge the multiple roles that we assume (and/or are attributed) during and ‘outside of’ the research, the two of which can hardly be separated. As I was doing research, I was at the same time positioning myself and/or perceived as activist, friend, teacher, volunteer, student, expert amongst others. Finally, it is important to note that doing research does not only imply to co-produce the ‘field’ through our (inter)action and positioning during the research process. Doing research also implies to get engaged and thus affected by the research. As Anselm Strauss (1987) has pointed out, “while much research involves routine operations and can at times be boring, assuredly also at its most creative it is exciting, fun, challenging, although sometimes extremely disturbing and painful” (p. 9). In short, doing research is a work that affects others as it does ourselves, both emotionally and intellectually.

²⁸ In another case (chapter 4.2), a cartoon was integrated into our article which was completely out of context. When we asked the editors to take out the cartoon from the article, they simply replaced it by another one, which was similarly unsuitable to illustrate the article, but which we only discovered when the journal was already printed.

1.4 Outline

The remainder of this introductory chapter will map out the following chapters. Chapters 2-4 present (parts of) my research findings in form of a cumulus. Each chapter comprises two cumulative contributions which were published either as journal articles or as book chapters in the period between 2016 and 2020¹²⁹. Each cumulative contribution deals with a specific sub-theme and offers a different explanatory approach to the field data. Chapter 5 concludes the cumulative thesis with analysis that joins the insights of all cumulative contributions and the project as a whole.

Chapter 2 addresses the *discursive production* of ‘asylum’ and ‘refugees’ in Germany, and in Osnabrück in particular, in the mid-2010s. The first part (2.1 (Hinger, 2016)) looks at the crisis narrative that dominated the political and public discourses on the increased refugee movements into Germany at the time, with its dual framing as both a ‘humanitarian crisis’ calling for compassion and solidarity, and as a ‘security threat’, calling for measures of control and deterrence. Beyond the broader discursive level, the contribution looks at the way such narratives matter (alongside other factors) for the way refugee migration is perceived and responded to ‘on the ground’. The second part (2.2 (Hinger, 2020)) deals with the distinction between ‘real’ and ‘bogus’ or more and less deserving refugees and the way such distinctions are transported through integration politics and discourses. In addition, this contribution juxtaposes the national and the local levels, examining how national discourses and politics are reproduced or rejected at the local level. While both contributions highlight the importance of engaging with the discursive dimension of migration regimes, and the subjectivities created through hegemonic discourses, they go beyond classical discourse analyses. In line with the migration regime perspective sketched above, the contributions rather seek to grasp the complex intertwining between discourses, actors, and practices. Whereas chapter 2.2 (Hinger, 2020) focalises above all state actors and policy documents, 2.1 (Hinger, 2016) sheds a light on civil society actors, and in particular the development of a local refugee welcome initiative.

Chapter 3 and 4 deal with specific zones of negotiation in the (local) migration regime, i.e. the focus is above all on practices and (constantly re-negotiated) institutionalisations. *Chapter 3* centres on the way refugee *accommodation* is negotiated. The first part (3.1 (Hinger, 2023)) investigates the spatial and social lines of inclusion:exclusion drawn through asylum accommodation. More specifically, it looks at the ‘ordering’ of refugees by focusing on the way

²⁹ All cumulative contributions have been published either as journal articles or as book chapters elsewhere. For a detailed overview of the publications see table 1

they are placed and transferred (or not) between different forms and stages of asylum accommodation/housing. To understand housing practices, the article argues, it is not enough to look at the way it is regulated ‘on paper’. It rather requires an ethnographic exploration of the everyday practices of the (street-level) bureaucrats responsible for refugee reception and accommodation at the municipal level, which is what the contribution delivers. The second part of the third chapter (3.2 (Hinger & Schäfer, 2019)) compares refugee accommodation in two German cities, Osnabrück and Leipzig. This part is less about the day- to-day management of asylum accommodation than the politics of asylum accommodation in the city, with a focus on negotiations between municipal decision-makers (the City Councils and local administrations) and civil society initiatives. The contribution shows how the mode of refugee accommodation (i.e. access to private flats or accommodation in (mass) accommodation centres) is constantly re-negotiated. In addition to the specific ‘problem’ or question of accommodation practices in the two cities, the chapter outlines how comparisons and connections can be drawn between different localities and scales.

Chapter 4 turns to negotiations over *deportations and deportability*. Unlike chapter 3, which mostly concentrates on the local governance of asylum, the contributions in this chapter mainly focus on the way civil society initiatives (attempt to) intervene in bureaucratic processes and decision-making in asylum and more specifically deportation matters. The first contribution (4.1 (Hinger et al., 2018)) reconstructs the protest activities of the Osnabrück Alliance against Deportations, a heterogeneous group of activists that successfully prevented a series of Dublin-deportations in 2014/15. The second part (4.2 (Hinger & Kirchhoff, 2019))³⁰ looks at the developments after 2015, when changes in state and national law, namely the interdiction to announce deportations, led to the discontinuity of the activities of the Alliance. The contribution demonstrates through a second case study of anti-deportation protests in Osnabrück that such struggles depend not only on national (and state) legislation, but on multi-scalar opportunity structures and actor constellations. Both contributions do not only deal with the actual act of preventing a deportation but reflect on the impact that such protest activities have on the rights to participate of those suffering from deportability.

Chapter 5 offers a concluding analysis that cuts across the different zones of negotiation, actors, discourses and institutionalisations examined in the cumulative parts of the thesis. Linking back to the original research question on how the inclusion:exclusion of refugees is negotiated in the city and the role of spatial constructions in these negotiations, it introduces the core notion of

³⁰ 4.2 is the only contribution written in German. All other contributions are in English.

“the politics of migrant presence” to describe attempts to disrupt the established order of who belongs to and has the right to participate in the city (and to move on and belong elsewhere). It further elaborates on three dimensions of the politics of presence: the spatial, the temporal, and the political. The chapter concludes with an outlook on what can be learned by studying through local negotiations over refugee migration and how this work is situated within the field of migration studies, how it speaks to social movement research and urban studies, and more largely how it builds on and contributes to social geography.

Table 1: Overview over publications

Chapter	Publication and Peer-Review (PR)	Authorship	Status of Publication
2.1	Journal with PR	Single-authored	Published (2016)
2.2	Collective volume with PR	Single-authored	Published (2020)
3.1	Journal with PR	Single-authored	Published (2023)
3.2	Journal with PR	Co-authored	Published (2019)
4.1	Collective volume with PR	Co-authored	Published (2018)
4.2	Journal without PR	Co-authored	Published (2019)

2 Framing (Refugee) Migration

2.1 Asylum in Germany: The Making of the Crisis and the Role of Civil Society

Hinger, S. (2016). Asylum in Germany: The making of the 'crisis' and the role of civil society. *Human Geography*, 9(2), 78-88.

ASYLUM IN GERMANY: THE MAKING OF THE ‘CRISIS’ AND THE ROLE OF CIVIL SOCIETY

Sophie Hinger

*Institute of Migration Research and Intercultural Studies (IMIS),
University of Osnabrück,
and Department of Geography,
University of Sussex*

Abstract

In most German cities today, refugees are welcomed and supported by a large and growing number of individuals and collectives whose volunteer work covers almost all aspects of refugee reception. At the same time, the arrival and establishment of refugees has been met with xenophobic protest and violence in many German localities. Focusing especially on the example of a local welcome initiative, but also considering exclusionary civil-society practices, this contribution explores recent civil-society involvement in refugee reception against the legal and political context of asylum in Germany. It will be argued that measures of forced dispersal, deterrence and discomfort, in particular, have materially and discursively produced the framing of current refugee movements as a ‘crisis’ and have triggered the differing actions and reactions among local populations. The fact that the ‘refugee crisis’ has been presented not only as a threat, but also as a ‘humanitarian crisis’ that needs to be tackled by both German state actors and civil society has encouraged the wave of positive reactions. Furthermore, taking into account local negotiation processes of asylum is significant if we want to understand the recent and often contradictory civil-society

responses. The paper draws on observations from an ongoing research project on local migration regimes and urban asylum, as well as on other studies dealing with refugee reception in Germany.

Keywords: Civil society, asylum-seekers, Germany, refugee ‘crisis’, culture of welcome, politics of deterrence

Asilo en Alemania: La formación de la “crisis” y el papel de la sociedad civil

Resumen

En la mayoría de las ciudades alemanas de hoy, los refugiados son recibidos y apoyados por un gran y creciente número de personas y colectivos cuyo trabajo voluntario abarca casi todos los aspectos de la recepción de refugiados. Al mismo tiempo, la llegada y establecimiento de los refugiados ha sido recibido con protestas y violencia xenófoba en muchas localidades alemanas. Centrándose especialmente en el ejemplo de una iniciativa local de acogimiento, y también tomando en cuenta las prácticas de exclusión de la sociedad civil, esta contribución explora la participación reciente de la sociedad civil en la recepción

de refugiados contra el contexto jurídico y político del asilo en Alemania. Se argumenta que las medidas de dispersión forzada, la disuasión y la incomodidad, en particular, han materialmente y discursivamente producido la elaboración de los movimientos de refugiados actuales como una “crisis” y han desencadenado diferentes acciones y reacciones entre las poblaciones locales. El hecho de que la “crisis de refugiados” se ha presentado no sólo como una amenaza, sino como una “crisis humanitaria” que necesita ser abordada por actores estatales y la sociedad civil alemana ha animado a la ola de reacciones positivas. Por otra parte, tomando en cuenta los procesos de negociación locales de asilo es significativo si queremos comprender las recientes y, a menudo contradictorias respuestas de la sociedad civil. El artículo se basa en observaciones de un proyecto de investigación en curso sobre los regímenes de migración y asilo locales urbanos, así como en otros estudios relativos a la acogida de refugiados en Alemania.

Palabras clave: sociedad civil, solicitantes de asilo, Alemania, “crisis” de refugiados, cultura de acogimiento, la política de disuasión

Introduction

In November 2013, the municipality of a middle-sized city of about 165,000 inhabitants in the North-West of Germany, like many other German municipalities, started to look for possibilities to accommodate the growing quota of refugees allocated to them. The municipal authorities decided to open two new accommodation centers for refugees in the inner-city Rosenplatz neighborhood, which was designated as a deprivation hotspot in 2001 and has since undergone thorough urban and social restructuring. When the news about the opening of the accommodation centers spread, the reactions of the local population were mixed. At a neighborhood round-table meeting, some residents expressed their anger about the lack of transparency and public participation, because they had learned about the news through an article in the local newspaper. Several participants of the round-table put forward arguments against the reception of refugees, such as the classic

‘Not in my backyard’ argument: ‘Why does the city accommodate refugees here in the district, where we already have so many problems?’¹ However, there were also participants who proposed to form an initiative to welcome and integrate the newcomers. Even before the first refugees moved in, the newly created welcome initiative ‘Refugee Assistance Rosenplatz’ became active. They organized furniture to fully equip the accommodation centers. Since then, the initiative has continued to collect and sort donations, set up free German-language classes, provide assistance with appointments and paperwork and organize numerous leisure activities and events.

A plethora of refugee support initiatives like the one described above have emerged across Germany over the past three years. Established NGOs in the sector have been overwhelmed by a rush of people wanting to help refugees through volunteer work and donations. Some observers even speak of a ‘new national movement of volunteering for refugees’ (Karakayali and Kleist 2015: 9). However, the much-celebrated new German *Willkommenskultur*, the new culture of welcome, stands in stark contrast to the numerous incidents of xenophobic protest and violence. In the Rosenplatz neighborhood, despite the initial concerns voiced at the round-table meeting, there was no mobilization against refugee reception but, in many other localities, the opening of refugee accommodation centers – even the mere announcement of it – has been followed by negative reactions. These reactions range from angry letters and xenophobic commentaries in local newspapers and social networks, petitions and lawsuits, and the distribution of flyers and posters against refugee reception, to more-extreme forms of xenophobic and racist violence. Fueled by agitations against refugees at the initiative of so-called ‘concerned citizens’ as well as outright neo-Nazi racist groups or anti-Islam movements like PEGIDA, assaults upon refugees and refugee housing have multiplied; in 2015, there were 150 incidents documented of physical violence directed against refugees, 126 arson attacks and 404 other offences directed at refugee housing (the throwing of stones

¹ All quotes from interviews and citations of sources originally in German were translated by the author.

or firecrackers, rioting, and property damage) as well as 287 xenophobic protests against refugees (Amadeu Antonio Foundation 2015). The number of criminal offenses targeting refugee accommodation centers has shot up from only 24 registered cases in 2012 and 43 in 2013 to several hundred incidents all over Germany in 2015 (Bruns *et al.* 2014: 4).

This situation prompts many questions. How do we explain these recent civil-society responses to refugee reception? What has suddenly incited thousands of people to volunteer for welcome initiatives? And how do we explain the differences between these civil-society (re-)actions – i.e., the fact that, in some cases, enthusiastic helpers are offering initiatives of solidarity while, in others, refugee reception is met with violent protest? I approach these questions by first sketching out the broader legal-political context of asylum in Germany, focusing particularly on the policies and discourses that have marked the ongoing migration movements to Germany and the increasing number of asylum claims as a 'crisis' – with its twofold connotation as a humanitarian crisis and as a threat. I then attempt to place recent positive civil-society responses to refugee reception against a background of national asylum policies and dominant discourses, taking the case of the Rosenplatz neighborhood and the emergence of the welcome initiative there as an example. Asking why, in this case, there were no antagonistic responses, I underline the importance of also taking into account sub-national structures and policies, changing actor constellations and local dynamics. If we seek to understand how the responses to refugee reception differ across localities, we need, in particular, to take into account the local setting and the multiplicity of actors and factors that shape it.

The term 'refugee' here designates all persons seeking asylum, especially those who are not yet recognized as refugees or those whose asylum claims have been rejected but who remain in Germany with a *Duldung*, an exceptional leave to remain. These groups are not, or only in a very limited way, entitled to benefit from official integration support. Consequently, they are particularly targeted by both inclusionary and exclusionary civil society (re-)actions (cf. Aumüller 2009: 111; Scherr 2015: 360).

Policies of decentralization, deterrence and discomfort: the legal-political context of asylum in Germany

The aim here is not to discuss the complex multi-layered system² and history of asylum governance in Germany but to trace a few developments and characteristics of asylum policies and practices which are relevant to our understanding of the recent civil-society responses to refugee reception. I highlight, in particular, the decentralized organization of asylum in Germany and measures introduced to deter asylum-seekers which, I argue, have contributed to the making of the recent 'refugee crisis' and have triggered differing responses among local authorities and populations.

The German asylum system foresees a dispersal of refugees across the different federal states (*Länder*). Refugees are dispersed across the *Länder* on the basis of a quota system, taking into account both population and GDP. Refugees have little or no possibility to choose where they want to live (Boswell 2003: 319; Wendel 2014: 8). They have to stay up to six months and sometimes longer in a so-called 'first reception center' until they are either deported or (voluntarily) return to another country or are 'transferred' within Germany. The *Länder* are entitled to organize the further distribution and accommodation of refugees within their territories, which mostly means that, after the initial reception and registration phase, responsibility is handed over to the municipalities. For the refugees, this implies a transfer from the federal first reception center to another locality in the *Land*. German municipalities, unlike their counterparts in other European member-states such as the UK or Norway, cannot refuse to accommodate refugees but can largely decide how and where to accommodate them. While the decentralization of asylum and forced dispersal thus imply a high level of local control (Schwarz *et al.* 2004) and the presence of refugees in

² For a good, even though in parts already out-dated, overview of refugee reception and accommodation in Germany, see Müller (2013); for a comparative perspective on refugee accommodation in the federal states, see Wendel (2014); for a critical appraisal of the living conditions in collective accommodation centers, see Pieper (2008).

localities across the country, the aim of the policy was arguably not to foster better integration into local communities but to ensure effective ‘burden-sharing’ and to make Germany a less attractive destination for refugees (Boswell 2003: 319).

Since the 1980s, and especially with the so-called *Asylkompromiss* of 1993, the previously generous German asylum law was successively restricted and turned into a regime aimed at the deterrence of asylum-seekers. This was fueled by discourses on ‘bogus refugees’ allegedly abusing the right to asylum and the German welfare system. A series of measures, such as residential obligations, the safe-third-country principle, the interdiction to work, the principle of benefits in kind, and the sojourn in collective accommodation centers were, as a rule, introduced with the explicit aim of keeping away potential asylum-seekers. Often located in isolated areas with little access to social infrastructure, the obligation to stay in such centers, in combination with the other measures, meant a rhythm reduced to sleeping, eating and waiting (Pieper 2008; Wendel 2015), a condition which has been described as ‘organized disintegration’ (Täubig 2009: 58). For the municipalities, the maintenance of collective accommodation centers often proved inefficient and costly, especially given that the numbers of asylum applications decreased from the mid-1990s onwards, partly as a consequence of the Dublin Regulation (Wendel 2015).³ The various measures of deterrence, along with the actual decrease in asylum claims, meant that the arrival of refugees was a completely unexpected event.

At the beginning of the 2000s, the municipalities accordingly closed many collective accommodation centers and instead started to accommodate refugees in

3 The Dublin regulation, which was signed in 1990 and which entered into force in 1997, stipulates that persons seeking asylum in the European Union must make their claims in the country of first arrival. Arguably, this principle contributed to the decrease in the number of asylum claims that Germany had to process. While in 1992 about 70 per cent of all persons seeking asylum in Europe made their claims in Germany, in 2000 only 20 per cent of all asylum claims were processed there. Nineteen other European countries were by then receiving proportionally more refugees than Germany (Engler and Schneider 2015: 6).

private apartments. As more and more asylum-seekers arrived in Germany from 2012 onwards, both federal authorities and municipal actors found themselves unprepared and overloaded. Where the authorities had just adopted plans to decentralize accommodation, they now resorted again to accommodation *en masse* and put up ‘emergency accommodation centers’ in public buildings, tents or containers. In contrast to the peripheral mass accommodation centers of the 1990s, many of the more recently opened (emergency) centers are located in residential and inner-city neighborhoods, which means a heightened visibility of refugees, a point which is further explored below. The fact that mass and emergency accommodation is a consequence not only of increased arrivals, but also of a systematic reduction in the country’s accommodation capacity in the preceding decade and a cutback on social housing more generally, is often ignored (Wendel 2015: 59).

Most *Länder* have loosened or abandoned some of the measures of discomfort introduced in the 1980s and 1990s – as, for example, the residential obligation or the principle of benefits in kind. Nevertheless the dogma of ‘non-integration’ or ‘systematic disintegration’ is still in place – particularly for some groups of refugees. The German government’s response to the renewed increase of refugee arrivals has been one of opening and closure, of provisions for the fast-track inclusion of some and the fast-track exclusion of others. The Asylum Bill of October 2015 – the first of two recent major reforms of German asylum law – foresees, on the one hand, the opening of the labour market and integration schemes for those with a ‘good likelihood of staying’ (namely persons of Syrian nationality) and, on the other, accelerated asylum procedures and fast-track deportation for those without such a perspective.

Germany’s ‘refugee crisis’

In mainstream media and dominant political discourses, the movements to and throughout Europe and the high number of asylum-seekers in Germany have been framed as a ‘refugee crisis’. State authorities have asserted time and again that Germany is especially touched by the ‘crisis’: ‘Our country receives a dis-

proportionally high share [of refugees] in comparison with other EU member-states' (Federal Government of Germany 2015: 1). Discourses on the 'German refugee crisis' point to the overload of local communities and institutions struggling to deal with asylum claims, as well as to the threat that such a massive flow of asylum-seekers allegedly poses to the social cohesion and stability of the country. As Mountz and Hiemstra (2014) have pointed out, references to chaos and crisis are omnipresent in the arena of migration, especially in the discourses of state actors and particularly in relation to undesired migration and migrants. As we can again observe today, discourses of crisis go hand-in-hand with the portrayal of some asylum-seekers as 'bogus refugees' who are supposedly motivated mainly by financial gains. The proposed solution to this problem is measures of deterrence:

[...] the German Federal government and the *Länder* agree that it takes [...] measures to deal with the current inflow of refugees. These include, in particular, the acceleration of [asylum] procedures and the avoidance of false incentives (Federal Government of Germany 2015: 1).

Discourses of emergency and crisis serve to reduce rights to and spaces of asylum (Mountz 2010). In addition to the acceleration of asylum procedures, the German government has severely cut back the spaces of asylum by declaring entire sending countries as 'safe'. Asylum-seekers who are nationals of thus-labelled 'safe countries of origin' – e.g. the Balkan states – are no longer entitled to seek asylum and are excluded from German classes and other integration measures. In some federal states, this special treatment of asylum-seekers from the Balkans further implies their separate accommodation in special centers where they have to stay until the end of their procedure. Such geographical assertions of sovereign power often succeed declarations of states of emergency (Mountz 2010). Furthermore, they show how discourses of crisis 'signal[s] the justification of measures that previously would have been considered extreme and unjust' (Mountz and Hiemstra 2014: 386).

However, besides the interpretation of the refugee crisis as a threat, another reading of the crisis has surfaced: unlike two decades earlier and many other European countries, German state actors have also presented the recent 'refugee crisis' as a humanitarian obligation. For example, the German chancellor justified her decision to yield to the demands of thousands of refugees to open the German border and to disregard Schengen requirements for Syrian refugees in the summer of 2015 by saying that the country was witnessing a humanitarian emergency. Her decision was controversially debated across Germany and Europe. Similarly, her slogan '*Wir schaffen das*' (We can do it), calling upon German citizens and authorities to tackle the challenge of receiving and integrating hundreds of thousands of refugees in Germany, has marked the debate. The slogan resonated with the new German *Willkommenskultur* as a concept forged not only by civil-society initiatives but also by policymakers and bureaucrats, with the aim of fostering social cohesion and integration (Eckardt 2015). What seem to be rather contradictory framings of the refugee crisis in fact often overlap and intertwine, as the following excerpt from a speech by the German Federal President illustrates:

[I am] deeply impressed by the willingness to help and the dedication shown by the many thousands of voluntary and professional helpers [...] But many people worry about how Germany can remain open to refugees in the future, if thousands more come to join the many who are already here. Will the influx overwhelm us one day? [...] Will our prosperous and stable country be stretched one day to breaking point? [...] Allow me to quote [a municipal representative]: 'The professionals and volunteers are at their wits' end. Our backs are against the wall'. [...] And remember that this is the assessment of someone who helps, who plays an active role, and not the words of someone who just watches and complains. We want to help. We are big-hearted. But our means are finite (Gauck 2015: 2).

On the one hand, state authorities have called upon citizens to join the 'professionals' in shouldering

the challenge and fulfilling the humanitarian obligation of refugee reception. Where state institutions and structures do not suffice, civil-society involvement, in the sense of voluntary work, has thus been singled out as a solution. At the same time, state actors actually refer to the fears, to the division within society and even to the experiences of frustration and exhaustion of volunteers in order to back up their arguments of crisis and ultimately their calls for a more restrictive take on asylum issues.

Against the background of the decentralized German asylum system, measures of forced dispersal and deterrence, and current ‘crisis’ discourses, the next section elaborates on recent civil-society responses to refugee reception. The case of volunteering for refugees, in particular, will be discussed in more depth, problematizing the dangers, but also underlining the possibilities that emerge when civil-society initiatives take on a key role in refugee reception and integration.

Civil-society responses to refugee reception: a welcome initiative

I now return to the case of the Rosenplatz neighborhood and the emergence of the welcome initiative *Refugee Assistance Rosenplatz* (RAR) mentioned in the introduction. In 2015, I interviewed several members of the initiative and attended some of their meetings. In some ways, the emergence of the RAR can be taken as a prototypical case, as one of numerous welcome initiatives that have popped up of late in German localities. At the same time, the RAR or some of its members have gone beyond what has happened elsewhere not only by providing practical assistance to newcomers in the neighborhood but also by getting involved in political negotiations around asylum, thus illustrating the continuum between the apolitical ‘humanitarian’ engagement of volunteers and political involvement and even civil disobedience against the institutional discrimination of asylum-seekers.

In the case of the Rosenplatz, the interest of the local population in refugee reception was raised through the allocation of refugees to the city and the municipality’s decision to open two collective accommodation centers in the neighborhood. Accom-

modating refugees in this way rather than in private apartments, and in residential neighborhoods instead of on city outskirts, renders refugee reception visible to the populations of these neighborhoods. When I asked one of the residents of the Rosenplatz why people in the neighborhood suddenly became interested in the issue, she first pointed to the heightened visibility of the topic in the media: ‘You can look in the paper; every day they say something about refugees [...]’; however, above all she stressed the presence of refugees in the neighborhood: ‘We see the refugees here every day. [...] that is, they are present’ (personal interview, 8 July 2015). This presence of refugees in residential neighborhoods enables encounters and exchanges with the local population. Many welcome initiatives, like the RAR, actually take the opening of a collective accommodation center in the neighborhood as a starting point. At the same time, the opening of such centers can also trigger negative responses by the local population. In the beginning, some Rosenplatz residents expressed their fears of and resentment towards refugee reception in the neighborhood. These reactions were, at least partly, due to residents feeling not well informed about and excluded from decision-making processes concerning refugee reception and accommodation. If taken up and fueled by right-wing groups, such feelings can easily turn into protest or even violence against refugees, as has happened in many localities (Bruns *et al.* 2014).

In the Rosenplatz, the initial resentment expressed at the round-table meeting was not followed by any visible protest. Instead, the RAR took the lead in shaping refugee reception and integration in the neighborhood. The first action of the RAR was to organize furniture for the new accommodation centers: ‘In the beginning it was a chaos, because the houses were not fully furnished when the first [refugees] arrived’, recalled one of the volunteers (personal interview, 8 July 2015). Besides the wish to welcome and ‘help refugees’, the RAR thus also reacted to the insufficiency of state-run support structures. In some cases, the structural shortcomings are arguably due to the quick changes and high workload, to which bureaucratic structures take time to adjust, as evidenced by Karakayali and Kleist (2016: 66): ‘When hundreds of thousands of refugees arrived in 2015, for example,

volunteers often spontaneously started to register refugees and to provide them with food and housing, as bureaucracies failed to cover those essentials.' In other cases, authorities explicitly rely on volunteers to take over. In fact, civil-society initiatives have always played a major role in facilitating the reception and integration of refugees. The example of German-language classes nicely illustrates this point. As the state only provides German classes to those likely to be granted the right to stay, civil-society initiatives, like the RAR, organize free courses for those excluded from official classes. Among those teaching German in the RAR are not only professional (retired) teachers or students, but also anyone who speaks German and wants to teach. In fact, as the coordinator of the RAR underlined, they are not giving 'real' German classes, but only 'language-learning help': 'We called it like this [...] because I don't think that volunteers can replace language courses' (personal interview, 17 September 2015). As they fill the gap left by bureaucratic failure and as they take over where no state-run support is foreseen in the first place, civil-society actors find themselves in a contradictory position: on the one hand, they provide essential services that otherwise the state would have to take care of. On the other, their intervention has critical political potential because it may foster personal relationships and the *de facto* inclusion of persons with an insecure legal status, who are not officially entitled to integration support measures.

An explorative study on the motivations of persons doing volunteer refugee work found that people mostly got involved to 'help refugees' (Karakalyi and Kleist 2015). Many *want* to actually *do* something, instead of simply passively observing the daily news of the refugee crisis. Others even feel *obliged* to help. An employee of the Catholic charity organization Caritas, which coordinates the volunteer refugee work of church communities in the Rosenplatz and elsewhere in the city, told me that she was '[trying] to take some of the pressure from the people, because politics and society [make that] many people here have a bad conscience'. In particular, she recounted one incident: 'The other day, I had a retired teacher here [...] who said "I have to teach German to refugee children now". When I already hear this "I have to",

I understand what's going on' (personal interview, 4 September 2015). In the beginning, RAR volunteers mainly wanted to offer daily and practical support to the refugees living in the neighborhood. However, their self-understanding changed when they were confronted with the pending deportation of their new neighbors. One active member of both the RAR and an antiracist initiative told me:

It (the RAR) was some sort of help industry and everyone felt so happy, that was nice. Until the moment when the refugees received the letters announcing their deportation and then the mood turned. (...) Until then, it was basically all sunshine and roses and then the whole work (of the volunteers) was put into question, because the refugees were supposed to go away. Everyone was bewildered (personal interview, 6 July 2015).

The first time that a deportation was scheduled to take place from one of the accommodation centers in the Rosenplatz neighborhood, people gathered spontaneously in front of the building and managed, through their blockade, to prevent the deportation. After this experience the RAR, together with a local antiracist group, other collectives and individuals, formed an alliance against deportation. They organized a telephone list to mobilize people, preventing more than 30 deportations between March 2014 and September 2015. While many of the volunteers in the RAR had not pursued any political interests *per se*, the contact with their new neighbors led them to also take sides on political issues such as deportations. They might fill in bureaucratic gaps, but they do so 'under protest'.

The emergence of the RAR and other civil-society responses to refugee reception across Germany can only be understood against the background of Germany's decentralized asylum system. Furthermore, national policies and the twofold 'crisis' discourses of state actors – the crisis as both a threat to national security and as a humanitarian challenge and obligation that the authorities and citizens have to tackle together – have certainly influenced the intensification of both support movements and antagonistic responses, as

the numerous examples given here show. The alternatives would be structural solutions – like large-scale social-housing programs – and truly inclusive ‘integration’ measures. This said, the influence of national policies and state authority discourses should also not be overestimated, as they are just two elements among many that shape civil-society responses to refugee reception. In particular, if we try to understand why, in some cases, initial resentments and fears do not turn into protest or violence, it becomes clear that we must take a multiplicity of actors into account and look at local settings and dynamics.

Local negotiations of asylum

As mentioned above, federal and municipal authorities have significant scope for manoeuvre with regard to how they handle refugee reception and integration. The policies adopted can present a rupture with national provisions, as local authorities often deal with questions of refugee integration in much more practical terms than national governments. They know the shortcomings of national provisions of non-integration, given that persons supposedly ‘without a perspective to stay’ often end up staying for years. However, there are great differences in the approach that, for example, municipalities take to refugee reception and integration, which depend amongst other things on prior experiences with refugee reception, the size and other socio-demographic aspects of the city, and political will, coupled with the municipalities’ financial resources (Aumüller 2009).

The Rosenplatz neighborhood is set in a middle-sized and, in many ways, ordinary city. The city’s unemployment rate has been more or less constant at about 7 per cent of the population, corresponding to the national average. Local politics have been dominated by the two main national parties, the Social Democratic Party and the Christian Democratic Union, with right-wing extremist parties gaining relatively low (but rising) voter support. Almost a third of the city’s inhabitants are migrants or descendants of international migrants, most of whom came as resettlers (*Aussiedler*) from Eastern Europe or with the so-called ‘guestworker’ programs. In 2013, the local authorities took a quite proactive stance on

the integration of migrants and also adopted a plan for the integration of refugees and for decentralized accommodation. The idea was to house refugees either in small accommodation centers or in private apartments, depending not on their legal status but on their needs and length of stay in the municipality.

While researchers have long highlighted the importance of taking into account sub-national – especially municipal – structures and policies when analyzing asylum issues, the relation between these and civil-society reactions has thus far been largely neglected in scientific inquiry. A recent comparative study of responses to refugee reception and accommodation in six German localities, however, shows how differing actor-constellations and the way in which different actors and factors interrelate, are decisive for more or less positive responses to refugee reception (Aumüller *et al.* 2015). In what follows I highlight three aspects in particular.

First, how municipal authorities go about announcing decisions (e.g. the opening of an accommodation center), second, how they include local populations in decision-making processes, and third, how they work together with local initiatives, (compare Aumüller *et al.* 2015). The municipality had failed to include Rosenplatz residents in the planning process of the two accommodation centers. However, thanks to the various development programs, structures existed in the neighborhood to connect and include residents. This development has partly been about building a neighborhood identity and setting up structures, such as the round-table, for dialogue between locals, and between the authorities and the local population. This proved extremely important, as the round-table enabled locals to connect and discuss the issue of refugee reception in the neighborhood. The ‘neighborhood developer’, a sort of social worker or central, local contact person, organized and moderated the meetings, and helped to coordinate the emerging welcome initiative.

Second, the size and form of refugee accommodation may impact on civil-society responses. One of the centers opened in the Rosenplatz is a residential building with different private apartments, mainly for

families and single women. The other center is much bigger, housing about 80 men, but it is equally located in a residential house which does not stand out from other houses in the street or the neighborhood. Unlike many other, especially bigger, accommodation centers, it is neither fenced off nor surveyed. While the size and form of accommodation may not determine how local populations respond to the centers – there are cases of both rejection of small centers and very positive reactions even to mass accommodation centers for several hundreds of people (Aumüller *et al.* 2015: 122) – the way they are (not) marked as 'different' and possibly 'dangerous', as suggested by fences and security staff, has a great impact on the everyday life of their inhabitants (Pieper 2008) and may influence the way neighbors relate to them (Aumüller *et al.* 2015).

Third, welcome initiatives or other solidarity groups, as well as right-wing racist groups, all shape local responses to refugee accommodation. The emergence of the RAR, then, can be taken not only as the sign of a welcoming local population, but also in fact as having contributed to shaping positive responses among locals. Initiatives in many ways facilitate encounters and exchanges in the neighborhood and with the authorities. Equally, the absence of organized right-wing groups agitating against refugees probably contributed to the absence or invisibility of protests against refugee reception.

In short, the responses of local populations to refugee reception are influenced by a variety of actors and factors, including asylum policies and practices, discourses on asylum, local structures, and negotiation processes. Only by considering how these actors and factors come together can we understand the differences between civil-society responses across localities. And only by treating the local negotiation of asylum as a continuous process can we understand that responses may be quite different in the same locality over time. In turn, the focus on local negotiation processes of asylum also brings to the fore how civil-society initiatives, street-level bureaucrats and also, of course, the asylum-seekers, position themselves and reproduce or contest national policies of asylum. After all, the promotion of the *Willkommenskultur* by state authorities can be seen as the success of the slogan

'Refugees welcome' long promoted and pushed by grassroots refugee support movements.

Concluding remarks

The intensification and multiplication of civil-society support for, and the negative civil-society responses to, refugee reception in Germany raise two questions. How do we explain the recent emergence of civil-society initiatives to welcome and support refugees? And how do we explain the often contradictory reactions and the differences in responses between localities? I have argued that it is not only the mass arrival of asylum-seekers in Germany that has triggered these reactions, but also the way in which this has been framed by state actors as a 'crisis'. The interpretation of this crisis by the German authorities has been two-fold. On the one hand, the crisis has been posited as a threat to national security, tying in with discourses of right-wing groups and 'concerned citizens' about 'bogus' refugees abusing the German asylum and welfare system and thus calling for further restrictions on the right to asylum. On the other hand, state authorities have framed the 'crisis' as a humanitarian challenge and obligation that authorities and citizens have to tackle together. Accordingly, the authorities have largely encouraged and celebrated volunteering and donations for refugees under the slogan of a new German *Willkommenskultur*.

The arrival of hundreds of thousands of asylum-seekers in Germany has also appeared as a crisis because policies of deterrence, coupled with an actual decrease in asylum claims in Germany in the preceding decades, had rendered this arrival an unexpected event. The sudden increase in asylum claims thus signified a crisis of migration control and an overload for unprepared bureaucratic institutions. In many localities, civil-society initiatives jumped in, where bureaucracies failed, to prevent chaos and negative consequences for those suffering from this bureaucratic failure. The question remains, however, as to where to draw the line between volunteers lending the necessary support and the assumption of core state responsibilities. Another question which remains open is how far the various welcome and volunteer initiatives get involved

in political struggles for the rights of asylum-seekers, as in the case of the RAR.

Taking the example of the Rosenplatz neighborhood, where the opening of a refugee accommodation center led to the emergence of the welcome initiative RAR and widespread local support for the new residents, I further explored the question of why, in some cases, there are (no) antagonistic reactions to refugee reception. The legal-political context in Germany and the current ‘crisis’ of German migration governance can, to some extent, explain this emergence of volunteer initiatives, as well as the negative reactions of frustrated local populations. However to fully grasp these phenomena, and especially the differing reactions across localities, we have to look at sub-national structures and policies and, above all, take the changing local actor-constellations and dynamics into account. The comparative exploration of negotiation processes around refugee reception and accommodation across different localities and over time seems ripe for further analysis – especially against a background of various self-organized refugee movements, which have struggled since 2012 for better living conditions and freedom of movement. This should also entail a reflection on the question of what role refugees themselves play in the new German *Willkommenskultur*.

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2.2 Integration Through Disintegration? The Distinction Between Deserving and Undeserving Refugees in National and Local Integration Policies in Germany

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Abstract

Whereas refugees with an insecure residence status have long been excluded from integration measures in Germany, they have recently become the target of integration policies at both the national and the local levels, especially in cities. This chapter compares these policies through category analysis. The core argument is that there is a difference between the logics underlying the policies at the two levels: the national Integration Bill is mainly marked by an ethno-national framing of integration which contributes – through the introduction of the notion of ‘likely or not to stay’ – to a further fractioning of the refugee label and thus the deterioration of rights for many asylum claimants. While it posits integration as a privilege and duty for ‘genuine’ refugees, it aims to undermine the integration of those not deemed to be deserving, following the logic that the disintegration of the latter is necessary to reserve integration capacities for the former. At the local level, in contrast, participation matters more than legal status and refugees are increasingly viewed as a potential resource for and part of a heterogeneous urban society. Yet, also at the local level, integration is ultimately tied to disintegration, as local authorities attempt to select who comes to the city in the first place.

Keywords

Integration policies, Refugees, Disintegration, Categorising, Local government, Germany

Chapter 2

Integration Through Disintegration? The Distinction Between Deserving and Undeserving Refugees in National and Local Integration Policies in Germany



Sophie Hinger

2.1 Introduction

Until recently, refugees¹ with an insecure residence status were, just like undocumented migrants, not a target group for integration policies in Germany. What is more, they were explicitly excluded from national integration provisions, such as German language and integration courses. They were largely prohibited from taking up employment, from moving out of accommodation centres into private flats and from leaving their assigned locality of residence. These and other measures had been introduced by the German government in the 1980s to make the stay of (rejected) asylum-seekers in Germany as unattractive as possible and to deter other potential asylum-seeking persons. Even though municipal authorities generally adopted a much more pragmatic and inclusive approach knowing that many of the protection-seekers would end up staying for many years they often did not explicitly include them in integration plans and, in some cases, also explicitly excluded them (Aumüller 2009; Bommers 2012).

However, the perception of and take on the integration of refugees with an insecure residence status seems to have changed. In the 2000s, a few city municipalities started to make plans to decentralise the accommodation of refugees – that is, to move away from mass accommodation to providing access to private flats. Since 2013, it has also become increasingly common for local authorities to adopt encompassing strategies or concepts for the integration of refugees, including those

¹ I use ‘refugee’ not (only) in its limited legal sense but in the broad sense of a person who has sought or is seeking asylum, thus including persons with different legal statuses. When I refer to ‘refugees without a secure residence status’ I mostly mean persons who are in the process of claiming asylum or whose claims have been rejected, some of whom have a so-called *Duldung*. I reflect on my own use of categories in the second section of this chapter.

S. Hinger (✉)
Osnabrück University, Osnabrück, Germany
e-mail: sophie.hinger@uni-osnabrueck.de

without a secure residence status. Some of the *Länder* (federal states), too, have adopted measures to improve the living situation of asylum-seekers – e.g. by financially or otherwise supporting the decentralisation of accommodation and introducing quality standards for collective accommodation centres (Aumüller 2018). The national government has relaxed some of the measures of discomfort and deterrence, like the residency obligation (in 2015) and the employment prohibition (since 2014). With the adoption of the Integration Bill in July 2016, refugees without a secure residence permit even became the main focus of national integration policies.

This chapter enquires into the functioning and underlying logics of recent integration policies in Germany. In line with the literature on integration policies that notes clashes between different levels of policy-making (Chauvin and Garcés-Mascareñas 2012; Mügge and van der Haar 2016), it especially explores the links and tensions between integration measures at municipal and the national levels. The integration policies and measures of the *Länder* are beyond the scope of this paper. The analysis of the local level is based on a case study of one German city. The in-depth analysis of one local case allows to go beyond an analysis of integration policies as they are described in official documents and to trace the implementation of policies over time (Penninx and Garcés-Mascareñas 2016). Looking at both levels, this chapter asks: How do the policies construct and distinguish between the different target groups? Who is (not) to be integrated? And in how far are the national framings of integration reproduced or contested at the local level?

In order to grasp the logics of integration policies at different levels, the chapter places special emphasis on their explicit and implicit category structures. The following section lays out some of the principles of category analysis and its relevance for understanding integration policies. The third section presents the methods employed in this study. The fourth section turns to the national Integration Bill, which will then be contrasted, fifth, with an analysis of local integration policies and practices in the city of Osnabrück.

2.2 Integration Policies, Disintegration and Category Analysis

Integration policies can be understood as attempts by State authorities to guide and control the integration processes of immigrants (Penninx and Garcés-Mascareñas 2016). They are

part of a normative political process, in which the issue of integration is formulated as a problem, the problem is given a normative framing, and concrete policy measures are designed and implemented to achieve a desired outcome (ibid., p. 19).

While the lack of integration of immigrants is often the proposed problem, one can also consider *disintegration* measures as part of the policy repertoire of states to attempt to control immigration and (post-)migration social relations. Vicki Täubig

(2009) has used the concept of *organised disintegration* to describe the living situation of refugees with an insecure residence status in Germany. Building on Erving Goffmann's (1973) concept of a *total institution*, Täubig (2009 pp. 45–54) describes how the German state undermines asylum-seekers' right to a self-determined life and integrated social relations by obliging them to reside in collective accommodation centres, where their daily lives are subjected to strict bureaucratic regimentation. Sieglinde Rosenberger (2012) ties in with Täubig's work by distinguishing between *residential segregation* on the one hand and *material disintegration* on the other, the latter referring to the erecting of barriers to asylum-seekers' access to resources and institutions. In line with the conceptualisation of (*dis*)integration as spelled out by Collyer et al. (2020), this chapter looks for connections between integration and disintegration. It seeks to contribute to the argument that disintegration is not only an aim of policy-makers but is also, in fact, legitimised within a broader integration framework (*Ibid.*).

Categories are, in many ways, at the heart of migration and integration policies, as they define 'who is a wanted and who is an unwanted migrant and who requires integration and who does not' (Mügge and van der Haar 2016, p. 77). The desirability or *deservingness* of immigrants is framed in different and sometimes contradictory ways, as Sébastien Chauvin and Blanca Garcés-Mascareñas (2014) have highlighted. For refugees, vulnerability has been a major criterion for deservingness but, as I argue below, other framings such as economic performance or cultural deservingness also (increasingly) play a role. We can see in the shift of categories and the underlying framings of deservingness over time, as well as in diverging practices at the national and local levels, that the categorisations on which integration policies rest are always due to change. Even though, especially in policies, they appear as if they were fixed and natural, they are always social constructions. Multiple actors at multiple levels engage in the construction of categories, including those who are categorised.

From a critical perspective, it is especially important to reflect how we, as researchers, (co-)produce categorisations. For example, the use of a presumably neutral legal category such as 'asylum-seeker' is, in fact, highly problematic if we consider that it was introduced by Northern governments to mark the distinction between asylum claimants and those who are granted asylum, thus preventing access to the label 'refugee' and entailing the 'wholesale withdrawal or reduction of established rights' (Zetter 2007, p. 181). In a similar vein, the use of 'refugee' as an analytical term has been questioned, both because it is intimately tied to a specific legal status and because it seems to confirm the political differentiation between forced and voluntary migration (Fiedler et al. 2017). I have nevertheless opted to use the term because the constitution of the (non-)refugee subject in and through integration policies is the very focus of this chapter. In what follows, categories are mainly regarded as a construction of states and policy-makers. State actors and the policy documents they produce are of special relevance due to their power position and because their formal systems of categorisation are particularly apt for deconstruction (Martiniello and Simon 2005, p. 8).

Category analysis can help ‘to identify the architecture of the argument that underlies a policy issue and that, while often not discussed explicitly in policy debates, nevertheless is part of policy-relevant publics’ sense-making’ (Yanow 2000, p. 55). In order to reveal the organising principle of category systems, it helps to question their supposedly exclusive, exhaustive and neutral nature (Yanow 2000; Mügge and van der Haar 2016). Category systems rest on the assumption that categories are mutually exclusive, an assumption which, however, can be questioned from an analytical point of view – people may move between and fit into several categories. The supposed exhaustiveness of category systems can be deconstructed if we look beyond those groups or individuals highlighted by the policy and ask who is obscured or only targeted implicitly by a policy and why. Integration policies, for example, rarely or never mention undocumented migrants, just as they remain silent on those groups deemed automatically integrated. Intended or not, category systems often (re-)produce stereotypes, prejudice and inequality (Mügge and van der Haar 2016). While some elements or groups are presented as problematic or deviant, others are constructed as normal (Yanow 2000, p. 52). Category analysis explores this as the *marking* of categories (Ibid.).

In the literature on integration policies, differential organising principles or markings have been noted between policy levels. For example, according to the institutional discourse of the European Union, EU citizens are integrated in all EU member-states and should therefore not be considered as specific targets of integration policies. However, the issue is handled quite differently by policy-makers at the national level, as the discrimination against some EU citizens – especially the Roma and citizens of Eastern European countries – in other EU member-states shows (Lind and Persdotter 2017; Magazzini 2020). Differences have also been observed between national and local levels, especially towards immigrants without a secure residence permit (Chauvin and Garcés-Masareñas 2012; Mügge and van der Haar 2016; Schweitzer 2020).

2.3 Methodology

Given the interest in categorisations, the analysis of national and local policy documents will focus on their diagnostic parts as well as the solutions – i.e. the actual measures – they propose. For the (national) Integration Bill, this means that I also take into account the Draft Bill, the executive order and other statements connected to the bill. The local case study consists of an analysis of policy documents, ethnographic data and interviews generated during my PhD project on local asylum practices in Osnabrück between 2014 and 2016. I chose Osnabrück, a city of about 160,000 inhabitants in the German state of Lower Saxony, as the entry point for my fieldwork because the city has a long history of accommodating refugees and thus an established ‘asylum landscape’ (Hinger et al. 2016) with a diversity of relevant actors and sites, yet not as many as in bigger cities. I conducted interviews with key actors in the municipal administration and government, as well as local NGOs and

initiatives, in order to understand how asylum is negotiated in a particular local setting and how this changes over time. Given the focus of this chapter on comparing the national and local levels, a differentiated analysis of conflicts and contradictory logics within and among local institutions has to be omitted. In line with category analysis, as laid out above, I look at the construction, demarcation and markings of the (non-) targets of recent integration policies, as well as the understanding of integration and (urban) society that these policies convey.

2.4 The National Integration Bill

The Integration Bill of 2016 concerns, despite its general framing, only a specific group: refugees. In fact, most of its regulations address asylum applicants and rejected asylum-seekers with a *Duldung* (certificate suspending their deportation). This presents a rupture with earlier national integration provisions,² from which refugees without a secure residence permit were, more or less explicitly, excluded. The introduction of the Integration Bill has to be read as part of a series of legal changes that were introduced in 2015 and 2016 in reaction to the heightened number of persons seeking asylum in Germany. As the draft Bill clearly states, the augmented number of refugees and their supposed lack of integration are defined as a problem:

Only last year, 476,649 persons have applied for asylum in Germany [...] A lack of integration does not only lead to social problems in the medium and long term, it also leads to high costs (Gesetzentwurf für das Integrationsgesetz 2016, p. 1).

To counter the influx of asylum-seekers and their lack of integration, the bill introduces a legal division between putative ‘genuine’ and ‘bogus’ refugees through the notion of strong or weak ‘likelihood of staying’ (*Bleibeperspektive*). For the asylum applicants considered as being likely to stay, it establishes fast-track integration and, for those who are not, accelerated asylum procedures and deportations. The following sections look at the explicit and implicit categories constructed in and through the Integration Bill.

2.4.1 ‘We’ and the ‘Others’: An Ethno-National Framing of Integration

In addressing only refugees and the problem of their (non-)integration, the German government marks them as ‘others’ – that is, as persons who do not (yet) belong to German society. The distinction between ‘us’ and an asylum-seeking ‘other’ rests on the imagination of German society as a homogenous ethno-cultural entity. This

²The National Integration Plan (2007) and the National Action Plan Integration (2012).

container model of society and culture comes to the fore in the Integration Bill in several ways: First, it posits refugees as a potential threat to social cohesion and stability. While it points to the humanitarian obligation of the German state to protect asylum-seekers, it also underlines the national government's duty 'to maintain a peaceful, liberal and communal society' (Geszentwurf für das Integrationsgesetz 2016, p. 23). The arrival of asylum-seekers is thus constructed as a menace to a supposedly cohesive and conflict-free German society. Second, it frames integration as an obligation on behalf of the asylum-seeker and not as a two-way or even a three-way process (Penninx and Garcés-Masareñas 2016). That is, it mainly focuses on the duties of refugees and foresees sanctioning mechanisms in cases of non-compliance but barely targets discrimination and other barriers to their equal participation in the institutions of the receiving society. The only exception is the removal of barriers to the labour market and education schemes for refugees considered as likely to stay. Third, it places special emphasis on 'cultural integration', which is understood as the learning of German and the acceptance of 'German values'. As the executive order to the Integration Bill explicates, 'The content of the orientation courses [for asylum-seekers] will be extended and will focus primarily on the conveying of values' (Verordnung zum Integrationsgesetz 2016, p. 9). The integration courses can be made compulsory and, in cases of non-compliance, the living allowance cut.

This approach to integration ties in with the idea of the German nation as a community of descent and culture as well as with debates about a German 'leading culture'. What exactly is to be understood as German culture and values is not spelled out by the government. It also remains unclear who is assumed to be part of German society and who is not. In Germany, as in other Western countries, Muslims in particular and other persons associated with non-Western countries have been defined as target groups of integration measures (Lanz 2016), whereas migrants from the 'global North' as well as so-called 'expatriates' and their families are usually exempt from integration requirements (Hess and Moser 2009, p. 18). While integration is considered unnecessary for most and an obligation for some, it is also constructed as an exclusive privilege. Not everyone is supposed to integrate. While the Integration Bill includes some asylum-seekers without a secure residence permit, it excludes others.

2.4.2 *Differentiating Between 'Genuine' and 'Bogus' Refugees*

To a certain extent the Integration Bill breaks with the differentiation between refugees with and without a secure residence status, as it grants some asylum applicants and persons with a *Duldung* easier access to the labour market and job training. Whether asylum applicants are included or excluded from integration provisions depends on their assumed 'likelihood of staying'. Asylum applicants assumed to be 'likely' to be granted a secure residence status can take part in language and integration courses before a decision in their asylum procedure is taken. This right was

hitherto reserved for persons with a secure residence status. According to the Integration Bill, ‘being likely to stay’ (*gute Bleibeperspektive*) means that ‘a regular and permanent stay is to be expected’ (Integrationsgesetz 2016, Art. 1). The distinction between asylum applicants who are likely to stay and those who are not is based on their nationality. Only if a considerable number of persons of one nationality ask for asylum in Germany and if the unadjusted protection rate for persons of this nationality exceeds 50%, they are assumed as being likely to stay (Bundesamt für Migration und Flüchtlinge 2019). This label has been attributed to persons from Syria, Eritrea, Iraq, Iran and temporarily also to Somalian nationals. Every 6 months the attribution of this label is reconsidered (*ibid.*, 2019).

Critics have pointed out that the distinction between asylum applicants on the basis of the notion ‘likely or not to stay’ is inconsistent because it does not include all those who have a high probability of being granted asylum in Germany, as it is based on the unadjusted protection rate, which encompasses all asylum decisions, including those rejected on formal grounds (Pro Asyl 2017; Voigt 2016). This way of arguing, while making the case for a much larger number of asylum-seekers, follows the same logic as the Integration Bill as it holds that the line between those to be integrated and those to be excluded can be drawn on the basis of their likelihood of staying. In a more substantiated way, it can be argued that the Integration Bill and the notion of being ‘likely or not to stay’ contradicts the very principle of asylum as a right that is accorded to individuals on the basis of a proper hearing.

Among the asylum applicants with a poor likelihood of staying are all those whose countries of origin have been white-listed.³ Persons from these so-called ‘safe countries of origin’ are not only subjected to material disintegration but also to residential segregation. Unlike other asylum applicants, they are not transferred from the so-called ‘reception facilities’ run by the regional authorities to municipal accommodation but they have to stay until the end of their procedure (and thus their deportation) in these facilities. Some *Länder*, such as Bavaria, have even established special camps for persons considered unlikely to stay since 2015.⁴

The distinction between asylum applicants who are or not likely to stay is related but not equal to the discourse on *economic refugees*. The former notion seems more technical and less stigmatising than the latter. Economic refugees are marked as less deserving than other refugees and assumed to be moving voluntarily and in order to attain better working and living conditions, which is seen as ‘asylum abuse’ (Bade 2015, p. 6). ‘Genuine’ refugees are thought to be moving due to war, political persecution or a well-founded fear of persecution. The label thus serves to devalue the motives of persons seeking asylum and the persons themselves (Flüchtlingsrat

³ Besides the EU member-states, the six Balkan states (Albania, Bosnia and Herzegovina, Kosovo, Macedonia and Serbia), Ghana and Senegal have been white-listed. That of Morocco, Tunisia and Algeria was rejected by the German Federal Council (*Bundesrat*) in March 2017.

⁴ Whereas these special camps were at first reserved for persons from putatively safe countries of origin, soon persons from countries of origin with a protection quota of less than 50 per cent were also targeted (Bayerischer Flüchtlingsrat 2017). In 2018, the Bavarian government eventually transformed all reception facilities into so-called ‘*Ankerzentren*’, which are geared towards an accelerated selection and deportation of persons whose asylum claims are rejected.

Niedersachsen 2017, p. 33). The notion of ‘(not) likely to stay’ is more open to interpretation, as it does not entirely rule out the possibility of a person eventually and rightfully obtaining asylum. However, it strongly suggests that this will not happen and it is often used as a synonym for economic refugee. It also suggests that voluntary migration can be clearly distinguished from forced movement and comes with certain representations and ideas of what constitutes violence and who deserves protection and who does not. Both notions are therefore in opposition to the findings of empirical studies, which have shown that migration flows are usually mixed and that migration motives are complex and may change over time (e.g. King 2002, pp. 92–93; Zetter 2007, p. 175).

The *a priori* distinction among asylum applicants and their differential treatment through the notion of (not) likely to stay is legitimated by the argument that the country has a limited capacity for reception and integration. The government has claimed that ‘We have to concentrate our efforts on those people who flee from war and political persecution and really need protection’ (Bundesregierung 2016a). In other words, the disintegration of some is legitimated by the need to reserve integration capacity for others. This logic is in line with the model of society as a container, thus constituting a finite space with limited integration capacity (Nimführ et al. [this volume](#)). Along with the humanitarian legitimation of the preferential treatment of some refugees on the basis of their nationality, a relatively new logic can be noted that ranks asylum-seekers according to their assumed usefulness (for the German labour market) and thus links protection to economic performance.

2.4.3 ‘Promoting and Demanding’ the Integration of Entrepreneurial Subjects

The expansion of the integration dispositive to include asylum applicants considered ‘likely to stay’ and those with a *Duldung* has to be read above all as the triumphant success of a *workfare approach to integration* (Lanz 2009). In line with the workfare principle, the Integration Bill asks asylum-seekers to actively look for a job and become independent of social benefits. To enable their fast integration into the German labour market, barriers such as the interdiction to work and the proof of precedence⁵ have been relaxed. Moreover, asylum applicants and those with a *Duldung* can – after a certified period of stay in the country – claim educational and vocational grants. Besides the easing of access to the labour market, the integration law includes a number of activating measures. In addition to the mandatory language and integration courses, asylum-seekers may be obliged to take part in so-called ‘refugee integration measures’ – low-paid jobs (with a remuneration of 80 cents an hour) which are supposed to serve as a ‘meaningful occupation’ during the

⁵ According to the proof of precedence regulation, employers had to give preference to German or EU job applicants over asylum-seekers.

asylum procedure and to make asylum-seekers fit for the German labour market (Bundesregierung 2016b).

In the workfare state, social benefits are only attributed under certain conditions. If a welfare recipient fails to (re-)enter the labour market or contribute to society by engaging in some form of work scheme, social benefits may be cut or other sanctioning mechanisms put into place. The slogan of ‘promoting and demanding’ labour market integration has been at the heart of such approaches and also takes a central place in the Integration Bill. As explained by the German government: ‘They [asylum-seekers] are [however] obliged to also make an effort to integrate. If asylum-seekers refuse integration measures or the obligation to cooperate, benefits will be cut’ (Bundesregierung 2016b). Not only social benefits but also residence permits are tied to participation in integration measures. Those who do not fulfil the requirements may have their settlement permit withheld, while those who can prove advanced German skills and secure their own livelihood may be rewarded with a permanent ‘settlement’ permit after 3 years. These regulations imply that (non-) participation in integration measures has to be controlled, which can be challenging for local institutions and individuals responsible for controlling and informing the national ministry (Schweitzer 2020).

While workfare regulations are not new – they have marked the treatment of unemployed persons in Germany since the 1980s (Lanz 2009, p. 111) – the extension of this logic to the area of asylum is relatively recent. By promoting and demanding asylum-seekers as *entrepreneurial subjects*, the government seeks to kill two birds with one stone. One aim is to prevent a lack of integration and long-term dependence on social benefits. The other is to have refugees contribute to meeting the challenge of demographic change and skills shortages in certain sectors (Gesetzentwurf 2016). As several authors have pointed out, the ‘refugee problem’ has partly been made up not to confront the challenge of how to deal with international migration in a globalised world (Zetter 2007). As Castles (2003) has put it, Northern governments ‘tacitly use asylum and undocumented migration as a way of meeting labour needs without publicly admitting the need for unskilled migration’ (p. 16).

In short, the national Integration Bill partly breaks with the distinction between persons recognised as refugees and asylum applicants, in the sense that (some) asylum applicants and persons with a *Duldung* now also have access to integration courses and the labour market. Yet the binary approach to deservingness is not in fact challenged and becomes even more strongly enmeshed within a frame of performance and utility. In line with a workfare approach to integration, some refugees may be obliged to take part in integration schemes. If they refuse, they can be punished with a reduction of their social benefits and the prolongation of their legal insecurity. While, for this group, integration becomes an obligation, other refugees – namely those considered as ‘not likely to stay’ – are deliberately disintegrated, in terms of both residential segregation and material disintegration.

2.5 A Different Narrative? Local Integration Policies and Practices

Having explored the way in which disintegration is entangled with integration policies at the national level, this section now turns to (dis)integration policies and practices at the local level. ‘Integration takes place locally’ has been a much-repeated phrase in both political and academic debates on integration (Bommes 2012). While Germany was not perceived as an ‘immigration country’ by the national government until the 2000s, many municipalities, especially cities,⁶ have been developing integration plans for their immigrant populations at least since the 1980s (Gesemann and Roth 2009). While these integration concepts rarely mentioned persons with an insecure residence status, municipalities often provided some services to all residents no matter their legal status (Aumüller 2009). The first integration documents explicitly targeting refugees (with various legal statuses) were developed in the late 1990s and early 2000s and mostly focused on the area of housing. City authorities found that decentralised accommodation was better not only for those directly concerned but also for urban society as a whole as well as the public budget (Wendel 2014, p. 79). With their decentralisation plans, some city municipalities contradicted the national and *Länder* regulations, which stipulated (and in some cases still do) that refugees with an insecure resident status should be housed in accommodation centres. Fully fledged integration concepts explicitly targeting refugees were adopted by many German cities in 2015 and 2016 as a reaction to the heightened number of refugees arriving in the country.

In Osnabrück, such policies were first developed in 2013, thus preceding both the discourse of a ‘refugee crisis’ in 2015 and the official re-framing of integration by the 2016 Integration Bill. The 2013 ‘Plan for the Integration and Accommodation of Refugees in the City of Osnabrück’ was a reaction to increasing allocations of refugees and the desire to organise their accommodation in a way that corresponded with their needs, following the example of other city municipalities (Stadt Osnabrück 2013). It officially established decentralised housing and introduced ‘proactive’ social work. The Osnabrück Integration Plan was the first of its kind in Lower Saxony and was soon copied by other municipalities. However, it was quickly outmoded by the dynamics of the *long summer of migration* (Kasperek and Speer 2015): Between 2013 and 2017, more than 4000 refugees were allocated to the city (Stadt Osnabrück 2017) and both a regional ‘initial reception centre’ and several new municipal accommodation centres were opened, some of which were closed again in 2017 when fewer refugees were allocated to the city due to the renewed success of European and German authorities in keeping refugees out. In 2018, the municipality published an updated Integration Plan for refugees. As I show below, the changing local integration policies differ (increasingly) from the national

⁶While town and rural administrative district municipalities have also adopted integration plans, cities are often the pioneers of local integration policies (Gesemann and Roth 2009).

policies in terms of how they understand integration and construct refugee subjects and their deservingness.

2.5.1 Refugees as Part of a Heterogeneous Urban Society

With the 2013 Plan, the Osnabrück municipality stated officially, for the first time, that the integration of refugees with insecure legal status was a policy aim and that the long-established differentiation between persons with a ‘migration background’ – hitherto the main target group of integration measures – and ‘refugees’ or ‘asylum-seekers’ who had been officially excluded from such measures, was to be discontinued ‘as far as possible’ (Stadt Osnabrück 2013, p. 3). As the Municipal Commissioner for Integration in Osnabrück underlined in an interview on 6 July 2015:

That we decided to focus on this [the integration of refugees] and that we even used the word ‘integration’ was completely new, because the Asylum-Seekers Benefits Act actually forbids this; integration should not take place [for persons with an insecure residence status].

The 2013 Plan identified refugees as persons who have suffered and are in need of special guidance and care (Stadt Osnabrück 2013, p. 3). This served, on the one hand, to justify the expenditure on additional social workers; on the other hand, it legitimised the continued accommodation of refugees with an insecure residence status in centres, where social workers could more easily intervene. The city authorities established decentralised housing only for those refugees who had stayed for two or more years in the city, with the exception of persons – like families or the elderly – for whom a prolonged stay in an accommodation centre was considered inappropriate. The decision to link access to private housing to the length of stay in the city or the migrants’ supposed vulnerability was harshly criticised by some civil society initiatives and the City’s Migrant Advisory Board, which had been involved in developing the Integration Plan and demanded access to decentralised housing for all refugees (Migrationsbeirat der Stadt Osnabrück 2013; No Lager 2013).

Throughout the long summer of migration, the city authorities often reverted to the image of refugees as victims in order to mobilise support and sympathy for the newcomers in the local community. At the same time, refugees were increasingly framed as an integral part of urban society. In 2015, the city administration decided that all refugees, regardless of their legal status and length of stay in the city, could move into private flats. In the same year, the Municipal Integration Department presented an integrated activity report, which no longer differentiated between activities targeting refugees and those aimed at other migrants. The report simply highlighted that the urban community was growing and becoming more diverse:

Migration is becoming more and more important in the city – today every fourth person has already a so-called migration background. Among children (younger than six) it is already 48 per cent (Stadt Osnabrück 2016, p. 4).

By underlining that the local population consists to a large extent of migrants and their children, local authorities portray migration as the norm and migrants as members of the local community. This also counts for refugees, who are addressed as ‘(new) Osnabrückers’ in the latest Integration Plan (Stadt Osnabrück 2018). This perception of migrants as rightful residents or ‘citizens’ is also reflected in the local authorities’ concern to facilitate the transition of migrants with different legal statuses as soon as possible from immigration reception and orientation services to regular municipal services (Stadt Osnabrück 2018).

In addition, and in line with a more general shift from a problem-oriented to a potentiality-focused perspective on migration-based diversity among German city municipalities (Pütz and Rodatz 2013), (refugee) migration to Osnabrück is increasingly referred to as a potential advantage. The authorities have underlined time and again that Osnabrück is growing and flourishing and that this is at least partly thanks to (refugee) immigration. A recent municipal demographic forecast for 2017–2030 states:

Compared to the composition of the population in 2016, the population will become older and more diverse as a result of international immigration and the integration of refugees. This development fits in with the picture of the expected population in other German cities, which attracts (young) people with a good infrastructure and qualified education and job offers. A particular challenge is to bind this population group in the long-term, especially once they have completed their education and during the family phase (Stadt Osnabrück 2017, p. 55).

While the positive discourse on migration-based diversity is challenged by some (within both local institutions and the wider urban community), it still dominates local political debates and practices, as an incident in 2014 illustrates. As part of a publicity campaign to promote diversity in the city, the municipality had displayed a large poster which read ‘Diversity is our strength’ and showed images of several Osnabrück residents with a ‘migration background’. When the poster was deliberately destroyed in 2014, the local authorities reinforced their statement by selling the remaining paper shreds to locals and replacing the poster. While certainly also driven by a desire to make a stance against xenophobic and racist violence, the positive take on migration and diversity by local governments can at least partly be explained by inter-locality competition. In their quest for financial and human resources, city governments seek to position themselves as *entrepreneurial cities* using migration-based diversity and the way in which they are managing it as a location factor (Desille 2020; Pütz and Rodatz 2013; Schmitz 2017). In Osnabrück, for example, refugee accommodation and integration in the city have been used to reinforce the city’s image as the ‘City of Peace’ (a reference to the signing of the Treaty of Westphalia in 1648):

The City of Osnabrück already paved the way, in 2013, [...] for a culture of welcome so that we did not experience the arrival of refugees in 2014/15 as a ‘refugee crisis’. Since then, more than 4,000 persons, who fled from war, persecution and paucity of prospects, have found a safe haven in the City of Peace of Osnabrück (Stadt Osnabrück 2018, p. 6).

The above-mentioned ‘paradigm shift’ to a potentiality-oriented perspective entails the risk of reducing migrants to ‘human resources’ and reformulating deservingness

on the basis of economic concerns in a similar way to the workfare approach to integration at the national level. However, it also has the potential to break with ethno-centric models of citizenship, particularly if participation and integration are not only framed as a duty on behalf of the newcomers.

2.5.2 *We All Need to Integrate: Integration as a Two-Way Process*

While the Integration Bill frames integration above all as a duty on behalf of the individual refugee, the local integration policies analysed here frame integration as a two-way process which concerns the whole of urban society and its institutions. In quite explicit opposition to the national discourse on ‘integration’, the local Integration Department states:

Any demands for ‘integration’ are based on the erroneous assumption that integration processes are shaped above all by the immigrants themselves, since they have to integrate into the ‘host society’. However, if we understand integration as a task for society as a whole, including the opening up of established social institutions, it becomes clear that the concept of integration must be based on a broader conceptual foundation (Stadt Osnabrück 2018, pp. 9–10).

For the municipal authorities, the problem is not a supposed unwillingness or incapacity to integrate on behalf of certain individuals but an inequality of access to and participation in social systems. The aim of local integration policies is, accordingly, to establish equality of access to and participation in different spheres of social life (like health, housing, employment, law, politics, religion and so on). One of the main barriers to equal participation in these spheres, from the perspective of the municipality, is the legal insecurity and differential access tied to the different legal statuses of their residents. Discrimination on the basis of legal status is not only an additional administrative burden and cost but also a factor that contributes to inequality and insecurity in the urban community, as a representative of the Integration Service in Osnabrück explained in an interview:

[...] the municipality takes on the expenses, for example, for health and accommodation, and that is really *insane* compared to the normal system, isn’t it? Why are they [refugees] not covered by statutory health insurance? Why do they not have access to integration courses? These are all federal funds. So this is the pecking order; in the pecking order we are at the very bottom as a municipality, we have to take responsibility for public order regulations like Dublin [...].

There is thus a clash of interests and logics between national and local government insofar as the latter ‘are obliged to make available to their inhabitants and thus also to foreigners – that is, migrants – the required economic, social and cultural institutions and services’ (Bommes 2012, p. 128), whereas the former seek to protect their borders and social systems from non-citizens. Another reason for the different approach of local authorities to migrant integration is the strong engagement of civil

society initiatives, and the fact that local politicians often feel more pressure to react to demands of local initiatives and migrant organisations than politicians at other levels of government (Cantat 2020; Ellermann 2009).

In the US and Canada, opposed interests between city and national authorities concerning undocumented residents led to the development of ‘sanctuary practices’ (Bauder 2017) or even forms of ‘local citizenship’ (Varsanyi 2006) and also in many German cities, including Osnabrück, so-called ‘solidarity-city’ initiatives have formed. While the German initiatives, unlike the American and Canadian Sanctuary-City movement, are above all bottom-up initiatives, they seek dialogue with local authorities and often obtain political approval: The Osnabrück City Council, for example, endorsed the local initiative to resettle 50 refugees from camps in Greece to Osnabrück and, more recently, followed the demands of several civil society organisations to become part of an alliance of cities across Europe which declare themselves as ‘safe havens’ in order to protest against the (supra-)national politics of deterrence (Dörn 2018). In turn, the local government also relies on civil society initiatives to support newcomers. In Osnabrück, the Municipal Service for Refugee Integration is, in fact, a collaboration between the municipality and several NGOs. The municipality also relies on informal initiatives, particularly where integration support – like language courses for refugees who are considered ‘unlikely to be able to stay’ – is not funded by the *regional* or national government.

Yet the cooperation between local government and the administration with local activists also has its limits, as became apparent in Osnabrück in 2017, when activists asked the local council to take a stance against deportations. A broad alliance between different groups had prevented more than 36 Dublin deportations in the city in 2014/15, before changes regarding the deportation procedure by the *Land* rendered their prevention more difficult (Hinger et al. 2018). While part of the City Council supported the demand to ‘avoid deportations whenever possible’, the conservative parties emphasised their political backing of European and national legislation stipulating that rejected asylum-seekers should be deported (Kröger 2017). This shows the contested nature of the local asylum regime and highlights the fact that local governments also (re-)produce certain framings of belonging and deservingness based on legal status.

2.5.3 *The Distinction Between ‘Our’ and Other Refugees*

Although local integration measures thus tend to follow a different logic than national legislation, (city) municipalities sometimes also distinguish between those who (ought to) belong to the urban community and those who do not. Precisely because the discrimination of residents on the basis of their legal status is highly contested at the local level, municipalities demand selection of refugees *before* they become ‘their’ residents. As Bommers (2012, p. 128) noted, ‘[f]or municipalities, unless they are in a position to reject migrants, there has been no alternative but integration’. In other words, municipalities, like national governments, attempt to

attract some immigrants and to reject others. In fact, German municipalities cannot reject refugees allocated to them by the *Land* government but can, at least to some degree, influence dispersal and accommodation policies and processes. First, municipal administrations can (try to) negotiate who is allocated to them in dialogue with the responsible service at the level of the *Land*. An employee of the Osnabrück Social Services, responsible for the reception and accommodation of refugees in the city, explained to me that he could express his preferences regarding the nationality of newcomers – namely, Syrians – and that, most of the time, persons were allocated in line with this preference, because it was ‘in everyone’s interest that there were no frictions in the allocation process’.

Second, municipalities negotiate with the *Länder* and the national government about the distribution of responsibilities and the cost of refugee accommodation. Even though individual municipalities or services might distance themselves from national asylum policies, as we have seen in the case of Osnabrück, city municipalities have, in fact, played a vital role in shaping migration and integration policies at the national level, including the Integration Bill. When the number of refugees arriving in German municipalities rose significantly in 2015/2016, it was also city representatives who pressed for accelerated asylum procedures and an early selection. The President of the Association of German Cities, for example, demanded that only ‘genuine’ refugees should be allocated to municipalities:

Besides international efforts [to curb the number of asylum-seekers] the government and the *Länder* have to quickly implement the accelerated asylum procedures and then consistently return persons with no likelihood of being allowed to stay to their countries of origin. This is necessary, so that only those refugees who need our protection as civil war refugees and the politically persecuted are transferred into the municipalities (Lohse, cited in *Deutscher Städtetag* 2015).

This quote illustrates how city representatives contribute to the fractioning of the refugee label through the use of the notion of (not) being likely to stay and how this notion is equalised to the binaries genuine/bogus or civil war/economic refugee. This way of categorising refugees provides a deceptively simple moral compass and way of handling an intricate problem. Instead of waiting for the outcome of long and complex asylum procedures, the authorities simply assign refugees to one or the other category on the basis of their nationality (or, more precisely, the likelihood that persons of that nationality will be granted asylum). For the municipalities, such a preliminary selection is attractive, because the accommodation of persons who later have to be deported comes at a high cost – on the one hand, because the reception and orientation phase presents a financial burden, which is at least partly carried by the municipality, and on the other, because the enactment of deportations is a contentious issue. In Osnabrück, for example, the (planned) deportations of refugees to other EU member-states according to the Dublin regulation led to a series of protests and the actual prevention of deportations by a civil society initiative, as already mentioned above. While this engagement of the local community was welcomed by (part of) the local government, it also presented a problem, given that the local administration is expected to collaborate in the enactment of deportations. In order to forego such conflicts, the Mayor of Osnabrück asked the *Land* authorities

in 2014 to discontinue the transfer of ‘Dublin cases’ to the municipality and instead keep them in the regional ‘reception centre’. What is more, the mayor argued that such a measure of residential segregation was necessary in order to ensure successful integration at the local level:

For meaningful and successful social work with refugees as well as for the engagement of volunteers, it is extremely difficult if, shortly after becoming acquainted with a refugee, they learn that this person is transferred to another [EU] member-state for their asylum procedure. Such very short encounters are a burden for everyone and have, as you probably know, already led to public outrage (Letter to the Minister of Interior by the Mayor of Osnabrück 2014).

The mayor’s letter did not lead to a change in the allocation of refugees but shows how local authorities attempt to limit and select who comes to the city and how they, like their national counterparts, link the successful integration of some to the disintegration of others.

Finally, I want to highlight that the distinction between those who belong to the urban community and those who do not is not simply a question of *presence*, as suggested by Bommers (2012). The mere presence of refugees in the city does not actually suffice for them to be considered rightful members of the urban community. The example of refugees living in reception centres, run by the *Länder* authorities but located in cities, proves this point. Those accommodated in such centres are residents of the city but their stay is considered to be only temporary – since they are still awaiting their allocation to a municipality⁷ – and their integration thus not expected. My interviewees in the local administration in Osnabrück, for example, did not consider the refugees accommodated in the reception centre that was opened in Osnabrück at the end of 2014 as ‘their’ refugees. Interestingly, they are not only excluded from municipal integration measures, but also civil society initiatives perceived those accommodated in the reception centre as somehow not belonging to the city, as a Solidarity-City activist in Osnabrück reflected:

We only started to think about the [reception centre] sometime in the beginning of this year and that was partly because of Brenda, a Roma woman who appeared at one of our meetings one day. She told us a bit about what happened inside the camp. And this also spread among the *No Lager* group so that they also said we have to focus more on [the reception centre]. The whole time deportations were taking place there. Also when we celebrated our deportation preventions [elsewhere], the whole time people were being deported from the reception camp. So eventually we said we have to see the whole truth and this also includes [the reception centre].

The example of Brenda shows that ‘acts of integration’ (Collyer et al. 2020) are possible even for persons whose integration in (urban) society is put on hold. However, their (supposedly) only temporary stay, in addition to their accommodation in camps which are often located on the outskirts of cities, renders their participation in the life and institutions of the urban community very difficult.

⁷Which is normally not the one in which the reception centre is based, with the exception of city states.

2.6 Conclusions

This chapter has explored the functioning and logics of recent integration policies targeting refugees in Germany. While at both local and national levels the (dis)integration of refugees has become a policy issue, the perceived problem and proposed solutions differ. At the national level, an official integration policy targeting refugees was developed in response to their rising numbers in 2015/2016 – perceived and presented mostly as a threat to social cohesion and stability. The 2016 Integration Bill introduced a two-class asylum system with possibilities of fast-track integration for asylum claimants deemed ‘likely to stay’, and systematic disintegration – involving both residential segregation and material exclusion – for those considered ‘unlikely to stay’. This categorisation, which is based on protection rates for different nationalities, conveys the message that decisions in asylum procedures are infallible and that a clear distinction between deserving and undeserving asylum claimants can be made. While economic performance also plays an increasing role in the determination of deservingness of refugees at the national level, the integration bill remains grounded in an ethno-national understanding of integration.

On the contrary, municipalities – especially city municipalities – developed integration measures for refugees with different legal statuses well before 2015, with the aim of reducing both financial and social costs. The distinction of residents on the basis of their legal status and the disintegration of some of them turned out to be impractical and against the very interests of municipalities in maintaining stable and flourishing local communities. The study of integration policies and practices in Osnabrück showed that migrants in general and refugees in particular, are still distinguished from other residents, however, not to mark them as non-members but to detect social inequalities. To overcome these and ensure equal participation in social systems is the main aim of local integration measures. Contrary to the national logic of integration as a duty and privilege, integration is here understood as a process also involving the opening of local institutions. Moreover, the integration of immigrants, including refugees, is seen not only as a challenge and burden but also as a chance and potential in the inter-locality competition for talent and resources.

At the same time, however, local governments also pursue *integration through disintegration* as they seek to select who comes to the city in the first place and to concentrate their efforts on those newcomers who are ‘likely to stay’. While this notion is not used in the Osnabrück Integration Plans, the question whether or not a refugee will stay or be transferred/deported in a near future does play a role for local decisionmakers as illustrated by the letter of the Mayor cited above. While municipalities thus break with certain logics and framings of deservingness, they (re-)produce others, partly out of the (perceived) necessity to create cost and planning security and the desire to avoid local conflict. As my analysis shows, the way in which local authorities use their room for manoeuvre ultimately also depends on the local actor constellations and dynamics, e.g. the influence of civil society initiatives. In my case study, the latter mostly lobbied for a more generous implementation of asylum provisions. It needs to be stressed, that this is not always the case – in many

German localities, civil society has also mobilised against the reception of asylum-seeking newcomers. The negotiations between local state and non-state actors here served as an example to illustrate that negotiations take part on the local level. While not highlighted in this chapter, this observation also regards negotiations and conflicts among local government institutions. For example, the municipal Integration Department follows quite different institutional logics than the local Foreigners' or the Welfare Office. More research is needed to further explore integration policies and practices at the local level, highlighting the competing logics and forces within and among municipal administrative and political bodies, as well as comparative analyses, also including rural municipalities.

This chapter sought to contribute to the debate on (dis)integration, by pointing out that disintegration is not only an aim of policy-makers but is also legitimised within a broader integration framework. Above all on the national level, but to some extent also on the local level, policymakers (as well as parts of civil society) stress that integration capacities are limited and that successful integration requires a selection among refugees, and a systematic disintegration of those considered undeserving.

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3 Negotiating Asylum Accommodation

3.1 The Local Production of Differential Arrival in German Asylum Accommodation

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Abstract

Building on studies that highlight the key role of local actors in the governance of asylum (accommodation) and works pointing to the uneven geographies of asylum, this paper investigates how local actors negotiate transfer between and placement in different forms of asylum accommodation. Through conceptualizing asylum accommodation as a part of governmental arrival infrastructures, the paper looks at how asylum-seeking newcomers are channelled through urban space selectively and in a step-wise manner. ‘Studying through’ asylum accommodation practices in a mid-sized German city, the paper shows how some newcomers are held back in centralized accommodation facilities for prolonged periods, whereas others are channelled into private housing relatively quickly. The paper puts forward the notion of *differential arrival* to denote the multiplication of migrant statuses upon arrival and the ensuing different arrival trajectories. It argues that both the immobilization in asylum accommodation and the mobilization through it are attempts to control the direction and temporality of arrival. Who is deemed deserving to move on or in (to the city and into private housing) is partly regulated by (inter)national regulations. However, as the paper demonstrates, local actors and their decision- and sense-making also play a vital role in the production of differential arrival.

Keywords: asylum accommodation, differential arrival, arrival infrastructure, Germany, street-level bureaucrats

3.2 Making a Difference - The Accommodation of Refugees in Leipzig and Osnabrück

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MAKING A DIFFERENCE - THE ACCOMMODATION OF REFUGEES IN LEIPZIG AND OSNABRÜCK

SOPHIE HINGER and PHILIPP SCHÄFER

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Summary: The East-German city Leipzig and the West-German city Osnabrück, the main locations of our research, are among the pioneers of a nationwide movement for the decentralisation of refugee accommodation. At the beginning of the 2010s, local authorities in the two cities decided against housing refugees in mass accommodation centres, instead choosing to support them in leading self-determined lives by facilitating their access to private housing. However, the two cities then responded very differently to the increasing number of people coming to Germany for protection over the course of 2015. Based on empirical observations, this paper discusses an exemplary solution to a major research problem of how to compare the diverse and changing practices and discourses of refugee accommodation in local migration regimes. To find answers to this question, we develop a five-dimensional comparative model, combining the relational rescaling approach of Nina Glick Schiller and Ayşe Çağlar with Henri Lefebvre's spatial constructivist considerations.

Zusammenfassung: Die ostdeutsche Großstadt Leipzig und das westdeutsche Osnabrück, Hauptstandorte unserer Forschungen, gelten als Vorreiter einer bundesweiten Dezentralisierungsbewegung. Gegen den Trend, Geflüchtete in Massenunterkünften unterzubringen, setzte man sich dort bereits Anfang der 2010er Jahre dafür ein, asylsuchenden Personen ein selbstbestimmtes Leben im privaten Wohnraum zu ermöglichen. Auf die im Laufe des Jahres 2015 in immer größerer Zahl nach Deutschland kommenden Schutzsuchenden fanden die beiden Städte dann jedoch sehr unterschiedliche Antworten. Anhand dieser empirischen Beobachtungen diskutiert unser Paper exemplarisch Auswege aus einem grundsätzlichen Forschungsproblem: Wie lassen sich die unterschiedlichen und im Wandel befindlichen Praktiken und Diskurse der Aufnahme und Unterbringung Geflüchteter in und durch lokale Migrationsregime vergleichen? Zur Beantwortung dieser Frage kombinieren wir den relationalen rescaling-Ansatz der Autorinnen Nina Glick Schiller und Ayşe Çağlar mit den raumkonstruktivistischen Überlegungen Henri Lefebvres. Aufbauend auf diesen Arbeiten entwickeln wir ein fünfdimensionales Modell, das uns einen systematischen Vergleich und Erklärungsansätze für Gemeinsamkeiten und Unterschiede zwischen den beiden Städten ermöglicht.

Keywords: comparative research, local migration regimes, cities, accommodation, refugees, Germany

1 Struggles around the decentralisation of refugee housing

When we started the fieldwork for our PhD research projects on the negotiation of (refugee) migration in the East-German city Leipzig and the West-German city Osnabrück in 2014, the issue of refugee accommodation moved into the focus of public attention, as more refugees arrived not only on European shores, but also in German cities and villages. However, neither we, nor our interlocutors had a premonition of the dynamics that lay ahead in and after the “long summer of migration” (KASPAREK and SPEER 2015) with its multiple crises. Whereas the European leaders sought to close the routes via the Mediterranean and the Balkans as quickly as possible, on the local level, authorities and civil society initiatives negotiated the accommodation of the newcomers. Our main sites of research were the two German

cities, but we also worked and conducted research in other European cities in France and England. Being “here and there” (KNOWLES 2003) in geographical terms, as well as the constant exchange between the two of us allowed us to observe how differently the migration dynamics were perceived and dealt with not only by different European member states but also by different localities – across national borders and within the same state.

We noted, for example, a divergent dynamic in the organisation of housing for refugees in our two German field sites. Prior to the increasing arrivals, at the beginning of the 2010s, the local governments of Leipzig and Osnabrück had adopted concepts to accommodate refugees in a *decentralised way* – that is, not in mass accommodation centres, but in small-scale facilities and private flats in different residential areas of the city (SL 2012; SO 2013). The local authorities wanted to *make a difference* – in contrast

to other city municipalities and the regional authorities, which continued to accommodate refugees for many months or even years in big compounds with little to no privacy and self-determination. While Leipzig and Osnabrück took a similar direction in the organisation of refugee housing in 2012/13, their accommodation plans were challenged and – in different ways – re-negotiated in the following months and years. The arrival of rising numbers of refugees, especially in 2015/16, was framed as a ‘state of emergency’ in Leipzig and was increasingly met with hostile reactions. The crisis discourse in turn served to legitimate a renewed *camp approach* to refugee housing. In Osnabrück, on the other hand, the city authorities were keen to underline that they did not experience the increasing arrival of refugees since 2013 as a ‘crisis’, maintaining and even further developing their decentralisation concept.

In this paper, the negotiation of refugee¹⁾ accommodation practices in Leipzig and Osnabrück will serve as an empirical basis for discussing a broader methodological question: Namely, how to compare the way (refugee) migration is dealt with in different localities? And what insights can we (not) gain through such a comparison? *Making a difference* is thus both a description of our empirical phenomenon and of our analytical endeavour. The merits and methods of comparative research are widely discussed within the social sciences. We base our considerations primarily on literature that argues for a relational and space-sensitive comparative approach. From such a perspective, making a difference means relating cities not as two mutually exclusive contexts, but as interconnected articulations of processes that stretch across space, and that are localised at the same time. In the next section, we will further develop such a relational comparative perspective, drawing on the re-scaling approach of GLICK SCHILLER and ČAŠIAR (2009) and the work of the French philosopher LEFEBVRE (1991) on the social production of space. In a third section, we will explain how we have used these theoretical impulses and our empirical material to form five analytical dimensions for the study of

urban practices and spaces of asylum. These will be illustrated in a fifth section, on the basis of empirical spotlights from our two case studies.

2 How to compare local migration regimes

Comparative perspectives have a long tradition in the study of migration. However, due to the interdisciplinary nature of the field of research, such endeavours sometimes differ significantly in what they compare and how they compare. This applies in particular to the study of the structures, processes and institutions through which migration is governed and regulated. For a long time, social scientists have compared different national migration and integration models and policies (BRUBAKER 1992; FAHRMEIR et al. 2003). In recent years, migration scholars have repeatedly called for a *local turn* (GLICK SCHILLER and ČAŠIAR 2011; MARINIELLO 2013). They emphasise the local scope of action for the inclusion of migrants, especially in urban contexts. The sometimes significant variations between cities regarding the governance of migration and migrants, some authors argue, can be put down to local geographic, social, economic and political-administrative particularities (BLOEMRAAD 2013; BOESE and PHILLIPS 2018). Others point to the effects that diverging national political traditions have on local attempts to integrate migrants (DEKKER et al. 2015); the variance and lack of standardisation of international and federal migration and asylum laws (SCHAMMANN 2015); the decentralisation and uneven distribution of state responsibilities and power resources (SCHMIDTKE 2014; PENNINX and GARCÉS-MASCARENAS 2016); or differing cultural factors that promote or limit the accommodation of migrants in cities (JAWORSKY et al. 2012). In their turn to the local, however, many of these contributions remain attached to a container-like understanding of space that conceptualises locality mainly as an administrative unit. So far, comparative local migration research has paid (too) little attention to space-sensitive perspectives. Rooted in constructivist and mostly praxis-theoretical perspectives, the latter examine the interplay of site-specific and space-producing practices of governing migration and are thus also able to account for political reactions to migration movements beyond state-dominated spatial conceptions (HINGER et al. 2016; DARLING 2017; POTT 2018). In the following, we want to highlight the potential of the migration regime perspective for the spatially sensitive analysis of local practices and policies of governing migration.

¹⁾ We use the term ‘refugee’ not in its legal sense, but in the broad sense of a person seeking asylum or protection. Following this line of thought, we understand the contested attempts to control and regulate asylum and the lives of asylum-seeking persons as part of the multi-scalar project of governing migration. From this perspective, a clear separation between the governance of migration and the governance of flight and refugees – and thus also a clear separation between refugee studies on the one and migration studies on the other hand – appear empirically and conceptually misleading.

2.1 Localising migration regimes

Regime theory, originally coined and used in political sciences (KRASNER 1983), seeks to describe the emergence and dynamics of (international) institutions through which state and non-state actors cooperate and negotiate issues of potential conflict, which cannot be regulated by one state or by the states alone. In recent years, the regime concept has received increased attention in migration research, resulting in various interpretations of what a migration regime is (HORVATH et al. 2017; CVAJNER et al. 2018). Despite the plethora of epistemological foundations, methodological approaches and empirical focuses, the spatial conditions and space-producing effects of migration regimes still need to be further explored both empirically and theoretically. By adopting a spatially sensitive regime perspective, we avoid considering spatial conditions and references such as local, regional, national or transnational as given. Instead, we examine how spatial frameworks and references are created and used and how social differentiations and forms of special treatment are linked to specific places (HINGER et al. 2016). By questioning both the local conditions and the localising effects of the practices and politics of governing migration, the regime concept helps to reconstruct the “significance of spaces, places, and borders for migration processes and their consequences, for the emergence and change of migration regimes, or for the negotiation of specific migration conditions” (POTT 2018, 108).² From such a perspective, the focus of observation shifts towards “scaling as a (often interest-driven) mechanism of production, hierarchisation, and linking of different places and spatial dimensions” (ibid., 125). Thus, social practices are not only differentiated horizontally, according to different places or sites, but also vertically, i.e. on different scales (POTT and TSANOS 2014, 125). Attempts to control and regulate migration, for example, are produced on and through different scales, while migrants themselves act as scale-makers in a variety of ways (GLICK SCHILLER and ÇAŞIAR 2011).

2.2 The re-scaling of cities and the three dimensions of space

Building on Neil Smith and Erik A. Swyngedouw’s conceptualisations of social phenomena via different *scales* (SMITH 1992; SwyNGEDOUW

2004), GLICK SCHILLER and ÇAŞIAR (2009) postulate a connection between the incorporation of migrants in and the scalar repositioning of cities. Global neoliberalisation processes, they argue, have led to a shift of economic competition from the national to the sub-national and city level (see also BRENNER 2004). Politically constructed spatial units such as urban, regional, national or global are blurred against this background and can no longer be understood as a “nested set of territorial relationships” (GLICK SCHILLER and ÇAŞIAR 2009, 179). Given the need to compete for (state) investments, cities are striving to position themselves in the global market through city marketing. GLICK SCHILLER and ÇAŞIAR describe the “repositioning of the status and significance of cities, both in relationship to states and within global hierarchies of urban-based institutional power” (ibid.) as a *rescaling* process.

Highlighting the influence of migration in this process, the authors show, how the conditions and political strategies in and through which urban migration and integration policies are pursued have changed, and they emphasise the role of migrants as *scale makers* in the process. Faced with the challenge of having to reinvent the city as a global brand, the agents of urban neoliberalisation are incentivised to relate positively to migrants and promote their physical presence. In addition, migrants are embedded in transnational networks, “that can link cities to flows of capital, goods, ideas, new ideas and cultural representations.” (ibid., 189). Although all cities “are part and parcel of the same on-going processes of reconstructing and reimagining place” (GLICK SCHILLER and ÇAŞIAR 2011, 5), GLICK SCHILLER and ÇAŞIAR argue that cities are differently scaled and accordingly offer different local opportunity structures for migrants (ibid., 2).

Even though the approach proposed by GLICK SCHILLER and ÇAŞIAR has some limitations³, their scaling concept and focus on local history, actor constellations and dynamics provide a fruitful analytical perspective for a comparison of urban migration regimes. This is especially the case when it is combined with space-theoretical considerations that allow for a deeper analysis of the urban practices and spaces of

² All quotations from German sources were translated into English by us.

³ The categorisation of cities on the basis of their position in global hierarchies of power and the rather narrow focus on the connection between migration and economic urban development risks reproducing conceptions of a linear urban development and overlooking all those diverse, also non-economic, socio-political processes of change, which cities undergo in a global society on the move.

asylum, which form a specific part of local or urban migration regimes. Asylum-seeking persons, especially when housed in temporary shelters, often experience a state of limbo or in-between (KOBELINSKY 2010; CABOT 2014). Life in a shelter procedurally and temporally succeeds the arrival and precedes incorporation policies and processes (the latter forming the focus in GLICK SCHILLER and ÇAŞIAR's work). For the comparative analysis of urban spaces of asylum, we propose to additionally draw on the space-theoretical work of HENRI LEFEBVRE.

2.3 The production of spaces of asylum

LEFEBVRE has shown that space is always socially produced (LEFEBVRE 1991). According to LEFEBVRE, changes in social conditions have always been accompanied by changes on a spatial level. Space is made; space is changeable; and these processes are interwoven. This becomes clear from LEFEBVRE's three dimensions (and moments in the social production) of space: 1) a physical dimension (perceived space); 2) a mental dimension (conceived space or representations of space); and 3) a social dimension (lived space) (LEFEBVRE 1991, 11). The fundamental consequence of this perspective is that we do not examine space, but the social production of space, which in turn is to be understood as a spatiotemporal theory of social practice (SCHMID 2010). Any operationalisation of LEFEBVRE's thinking is difficult because of the fragmentary and metaphorical nature of his work (ibid., 14ff). Nevertheless, his oeuvre provides a source of inspiration for both political and academic practice. On the one hand, social movements aiming to bring about changes in (urban) society draw on LEFEBVRE and especially his idea of a "right to the city" (LEFEBVRE 1996). On the other hand, there are a number of empirical studies that have implemented and further developed LEFEBVRE's perspective (VOGELPOHL 2012; RÖSSEL 2014; BERTUZZO 2009). Recent analyses of the production of practices and "spaces of asylum" have also taken a Lefebvrian approach (JAHRE 2014; BLANK forthcoming). With LEFEBVRE, spaces of asylum constitute more than "architecturally conceived spaces that serve the registration, examination, and accommodation of refugees in host states." (dAUSS 2016, 83). For example, in a paper presented at the 11th IMISCOE Conference in Madrid in August 2014, SYLVANA JAHRE used LEFEBVRE's framework to distinguish between the material dimension of refugee housing, its regulation and its representation in her

study of refugee accommodation in Berlin. In a similar vein, a current research project at the University of Frankfurt adopts a Lefebvrian perspective in order to investigate how urban asylum regimes are constituted through (locally) specific constellations and (inter-) relations between actors, discourses and materialities. In conjunction with the comparative rescaling perspective proposed by GLICK SCHILLER and ÇAŞIAR (2011), LEFEBVRE's three-dimensional spatial theory thus promises to provide us with an appropriate vocabulary to formulate answers to the research problem addressed in this paper.

3 Data and methodology

In light of the literature discussed above, we will now explicate how we compared practices and spaces of asylum in the two German cities we studied. The data on which we build our considerations was generated during several years of research (2014–2017) at both sites, using a range of research methods. These included semi-structured expert interviews, participant observations, informal exchanges and the analysis of written documents (newspaper articles, policy documents, material developed by various NGOs). Even though our research projects were largely developed and carried out independently, we stayed in touch throughout the process regarding our empirical findings and theoretical considerations. This exchange mainly took the form of a relational comparison: We used the cities "to pose questions of one another" (WARD 2010, 480). For this article, we chose the accommodation of refugees as a focus, not only because it marks the beginning of municipal responsibility in the asylum process – and implies room for manoeuvre which is used in different ways – but also because the opening of accommodation centres for asylum-seeking persons repeatedly leads to severe conflicts and thus becomes the focal point of local negotiations of (refugee) migration. We sought to formulate analytical categories that would allow us to systematically compare and relate our sites with regard to refugee housing but that could also be applied to other fields of practice in local migration regimes.

The first dimension, mostly inspired by our reading of GLICK SCHILLER and ÇAŞIAR's work, is the cities' positioning and (migration) history. According to the authors, the relationship between migrants and cities is "shaped by the positionality of cities within economic, political, and cultural fields of power." (GLICK SCHILLER and ÇAŞIAR 2011, 3). While we

do not follow the quite rigid categorisation of cities according to their scalar position, we do think it is necessary to consider local economic, public and cultural factors of the cities, in order to understand how a city accommodates migrants. Like GLICK SCHILLER and ÇAŞIAR we also deem it necessary to highlight how cities' "complex layers of social history and social structure result in specific local forms of incorporation built on place-specific representations, legacies and expectations" (GLICK SCHILLER and ÇAŞIAR 2009, 196). Depending on the local migration history, perceptions of (refugee) migration vary, as do institutional experiences in dealing with (refugee) migration and support infrastructures. For the purpose of this paper, we use official statistics, documents, newspaper articles and interviews to introduce the migration history and economic positioning of both cities.

Our second analytical dimension, which also ties in with a (local) migration regimes perspective, refers to the local actors and the (power) relations among them. Like GLICK SCHILLER and ÇAŞIAR (2009, 189), we see migrants and non-migrants alike as scale- and place-makers. Hence, we place urbanites with different legal statuses, newcomers as well as long established residents, in the same analytical framework. LEFEBVRE was also interested in the way different actors engaged in (the production of) space, and especially in all heterodox spatial practices (1991, 419-22). In the empirical spotlights that we have selected for this article, we do not focus so much on the everyday construction of 'counter-spaces' by individuals (e.g. the residents of an accommodation centre). Still, our discussion of the de- and re-centralization of refugee housing alludes to LEFEBVRE'S idea that change "can only spring from interaction and counter-plans, projects and counter-projects" (ibid, 419). In other words, we see the (regulation of) refugee accommodation as a negotiated or contested practice, which is also co-produced by refugees themselves. We identified and analysed the local actor constellations at both research sites during ethnographic field trips and through the reconstructive analysis of interviews with (street level) bureaucrats, refugees and activists, among others. In our field notes and observation protocols on the everyday-life in mass accommodation centres, from committee meetings or public information events, as well as in our interview transcripts, a specific network of actors with contentious and/or cooperative relationships became visible.

Doing Asylum Regulation, our third comparative dimension, describes a space of social practices inhabited and produced by the residents of the municipal accommodation centres, administrative and other

city employees, volunteers, activists and anti-migrant initiatives. Our considerations are informed on the one hand by practice-theoretical and constructivist migration regime approaches, and on the other hand by HENRI LEFEBVRE'S reflections on spaces of representation, i.e. *lived space*. This space is charged with meaningful everyday practices, and yet it is a controlled space (LEFEBVRE 1991, 39). Those investigating lived spaces, Lefebvre criticises, often forget to "set them alongside those representations of space which coexist, concord or interfere with them; they even more frequently ignore social practice." (ibid., 41) From this perspective, *Doing Asylum Regulation* is not merely a description of migrant and non-migrant everyday practices, but describes a space governed by state and non-state actors, institutions and processes alike.

Spatial representations, our fourth dimension, form the „dominant space in any society (or mode of production)“ (ibid., 39) according to LEFEBVRE. The space we describe here is the space of urban planners, administrative staff, politicians and marketers. The space they produce in numerous documents, strategy papers and concepts is a conceived space "shot through with a knowledge (*savoir*) – i.e. a mixture of understanding (*connaissance*) and ideology – which is always relative and in the process of change." (Ibid., 41; italic in the original). We extracted this spatial, more or less ideologised knowledge from the municipal accommodation concepts, press releases, transcripts of city committee meetings, local party programmes and strategy papers, as well as local newspaper articles.

Our fifth and final analytical dimension, the material component of urban asylum regimes, refers to what is usually understood as space, that is, for example, buildings, streets, ensembles of places. LEFEBVRE also referred to this dimension as "perceived space" and underlined the importance of the body in its production (ibid., 40). LEFEBVRE as well as GLICK SCHILLER and ÇAŞIAR are, as Marxian thinkers, not interested in the physical or built world *as such*, but in the way people interact with it and what this tells us about a specific (urban) society and its mode of production (LEFEBVRE 1991, 172-174; GLICK SCHILLER and ÇAŞIAR 2011, 14-16). In a similar vein, we examine the physical dimension of refugee accommodation as part of the social interrelations in the city. We detected the physical dimension of the social production of spaces of asylum through numerous visits in accommodation centres, participant observation and exchanges with the people living and working in these centres.

4 Comparing refugee housing in Osnabrück and Leipzig

Building on the literature discussed in the previous sections, we re-evaluated our empirical material on the practices and politics of governing migration in Leipzig and Osnabrück through the five analytical dimensions operationalised above: 1) (Economic) positioning and (migration) history; 2) Local actor constellation; 3) Regulative accommodation practices 4) Representations of refugee accommodation; 5) Materiality of Spaces of Asylum.

4.1 (Economic) positioning and migration history

A few structural and historical similarities and differences between Leipzig and Osnabrück make a multifaceted and deep comparison possible. Although today Leipzig is considered the fast-growing metropolis in Germany, the city has a long history of shrinking and out-migration (RINK et al. 2012). Between 1933 and 1998, Leipzig's population decreased from about 713,000 to about 437,000 inhabitants. The German Democratic Republic had made little effort to open the country to immigration. Only few immigrants came as guest workers, students and apprentices from socialist 'brother states'. In the turbulent post-reunification years, 100,000 persons left the city. Against the background of high unemployment and widespread xenophobia, the migrant population remained permanently low and limited to three groups: Jewish contingent refugees, so-called 'late repatriates'⁴⁾ and refugees (WEISS 2009). At the end of the 1990s, however, re-urbanisation processes began. Numerous private and public – national and European – investments enabled the city to reinvent itself as a booming tourism and service location. Unemployment in the city has fallen significantly in recent years (SL 2017b), as have vacancy rates (SL 2017a). These recent urban developments have had an impact especially on the Leipzig housing market. People with low incomes have particular difficulties in finding suitable housing. In addition to this difficulty, refugees are exposed to numerous forms

⁴⁾ Individuals considered to be ethnic Germans, living in the countries of the former Eastern Bloc have been granted permission to settle in German since the Second World War. Their migration has been framed as 'repatriation'. Until the end of the 1980s, the so-called 'repatriates' came mostly from Poland and Romania and settled in West Germany. Since the early 1990s, the (late) repatriates who settle in the reunified Germany mostly come from the former Soviet Union.

of discrimination (HUMMEL et al. 2017). At the end of 2017, the city was home to over 590,000 people (SL 2017b). In recent years, city officials have made increasing efforts to attract and politically represent migrants, as evidenced, among other things, by the constitution of a 'Migrants' Council' in 2009 and the establishment of a Welcome Centre in 2018. With over 14 per cent, migrants now form a growing part of Leipzig's urban population (SL 2018a).

Osnabrück's population has slowly, but steadily grown since the post-war years. Around the turn of the millennium, the number of inhabitants decreased slightly because of low birth and immigration rates, but it has climbed back up to over 168,000 residents since 2016 (SO 2018). The population has grown above all thanks to (mainly student) immigration from the surrounding rural areas and international immigration. As the city administration proudly notes in its statistics, one in three residents has a 'migration background'⁵⁾ (SO 2016a). Between the late 1950s and 1970s, so-called 'guest-workers' came to work in Osnabrück. Moreover, the city accommodated many 'repatriates' in the post-war years as well as after the fall of the Berlin Wall. While the West German government did not consider integration policies necessary, because it did not recognise Germany as an 'immigration country', the municipality of Osnabrück developed integration policies early on and established a municipal 'Foreigners Council' as early as 1972 (SO n.d.). While some of the 'foreign workers' and repatriates returned to their countries of origin or moved on to other places, many stayed on and shaped the city. Concurrent with the arrival of significant numbers of repatriates in the late 1980s/early 1990s, the city also saw a peak in the number of individuals seeking asylum (Interview with Social Welfare Officer, 14.1.2016). Even though asylum-seeking persons were not explicitly targeted by integration measures before 2013, already in the 1980s, an infrastructure was developed for their support, mostly consisting of non-governmental, partly religious initiatives. Today, as in the past, newcomers – especially if they are identified as foreigners, have a low income, and an insecure residence permit – face great difficulties in finding adequate housing (ibid.). Affordable housing is scarce and the city has little ability to influence the housing market as the municipal housing society was sold in 2002.

⁵⁾ This refers to individuals who are not born with German citizenship or who have at least one parent who is not born German.

Both cities thus have a history of accommodating (international) migrants, even though these histories differ and obviously reflect the long-standing divide between the two German states. What is important to note is that migration to Leipzig and Osnabrück is not so much characterised by the international migration of highly skilled professionals looking for an attractive place to live and work, but rather is a product of dispersal.

While Leipzig has been celebrated as the ‘new Berlin’ (BISCHOF 2015), that is, a cultural hotspot that attracts visitors from everywhere, and although unemployment rates in the city have also fallen significantly (SL 2018b), Leipzig lacks the differentiated job market of many major West German cities. Osnabrück has a low unemployment rate thanks to a flourishing local economy, but many students leave the city after finishing their studies for more varied employment opportunities and a more cosmopolitan lifestyle in bigger cities (SO 2016b).

4.2 Actors in local migration regimes

Tying in with the first attempt to position the two cities in the last section, this section will explore the dynamic actor constellations, which shape local migration regimes. These constellations involve state, semi-state and non-state actors, who pursue different interests and dispose of different resources to enforce their interests. While there are many similarities between the two German cities concerning the actors involved in negotiating refugee accommodation, there are also several differences, which help us to understand the diverging dynamics in the two cities since 2015.

In both Leipzig and Osnabrück, the administrative responsibility for the organisation of refugee housing lies with the municipal Social Welfare Departments.⁶⁾ In the years preceding the adoption of the decentralisation plans, they accommodated the few individuals allocated to the cities without political controversy. This is not to say that there were no initiatives demanding better accommodation conditions for refugees – in Osnabrück the association Exil and others had been demanding the decentralisation of refugee housing since the mid-1980s (Interview with a founding member of Exil, January 24, 2017), as had the Leipzig Refugee Council since the mid-1990s.

⁶⁾ In some German municipalities, Public Orders Offices and Foreigners’ Authorities are in charge, which arguably has an impact of how the issue is treated.

However, the appeals of refugee rights activists “did not have much public resonance. That is, you basically had to fight alone”, as a founding member of the Leipzig Refugee Council remembered (Interview November 1, 2016). This changed when more refugees were allocated to the municipalities in the 2010s.

The development of the decentralisation plans and the accommodation of thousands of asylum-seeking persons throughout the long summer of migration led to a multiplication and diversification of the actors involved in negotiating refugee housing. The Osnabrück concept, for example, introduced proactive social work in the accommodation centres in collaboration with the Catholic charity organisation Caritas and the children and youth welfare organisation Outlaw. In Leipzig, especially over the course of 2015, numerous non-state actors were entrusted with the opening and daily operation of shelters; these included charity organisations like the Red Cross, the Johanniter, and the Malteser but also the army and private companies, especially for security services. In addition to the state and non-state actors officially organising or operating refugee accommodation, volunteer initiatives have increasingly shaped the everyday life in the accommodation centres. In both cities, volunteers had served as guides or support for newcomers well before the long summer of migration. However, the number of people volunteering in 2015/16 and the scope of their engagement was unprecedented. Many volunteers got involved in the framework of neighbourhood-associations, which emerged with the opening of accommodation centres in different residential areas of the cities. Moreover, throughout 2015, volunteers stepped in because of the deteriorating living conditions in some of the accommodation centres, an increasing hostility against refugees, especially in Leipzig, and increasing difficulties of the institutional actors to provide the newcomers with decent housing, basic guidance and information. Some of the new volunteers joined the long-established migrant support organisations and antiracist initiatives in their protests against the tightening of asylum laws on the regional and (supra-) national level and for the improvement of living conditions for refugees in the city, whereas others defined the motivation for their intervention as mainly humanitarian. In both cities, but especially in Osnabrück, Protestant and Catholic parishes as well as Muslim congregations were highly engaged in supporting the newcomers, including through the provision of living spaces (NIEHAUS 2016). Unlike Leipzig, where Christian-motivated refugee support depends above all on individual initiatives and actors, Osnabrück is strongly characterised by the influ-

ence of the Christian churches. As the deacon of a Catholic church who was also part of a local ‘Alliance against deportations’ told us, Christian groups in Osnabrück have often cooperated with left-wing non-religious groups, because they share an “indignation” over the way refugees are treated and a desire to help (Interview 22.7.2015). For those living in the accommodation centres, the volunteers represented additional contacts and the chance to acquire information about their own living situation, the asylum procedure and life in Germany, which was otherwise not accessible to them. Partly in alliance with activists and volunteers, refugees increasingly participated in negotiating the conditions of their housing. For example, in an open letter to the mayor of Leipzig, they sought to draw attention to their living conditions and demanded a right to “learn German, work and get out of this prison” (OL 2015). In both cities, grassroots movements have formed based on alliances between residents, with and without a secure residence status, struggling for a ‘solidarity city’, that is “a city, where no one is deported, everyone can move freely and without fear, no one is asked for papers, and no one is illegal.” (SOLIDARITY CITY n.d.)

Whereas in Osnabrück, civil society initiatives were exclusively focused on supporting newcomers, in Leipzig, there were also negative reactions. In Leipzig, as in many other places in Germany, citizens’ initiatives have mobilised – on the streets, at the numerous information events and on the net – to prevent the accommodation of refugees in their neighbourhoods. For example, the brochure of an initiative against the opening of a regional centre for the initial reception of refugees (*Erstaufnahmeeinrichtung*) in a former hospital states that the arrival of numerous refugees traumatised by wars and unfamiliar with local legal and cultural habits would threaten the local idyll, making families and children insecure and lowering local property prices (WAGNER 2014). Against the backdrop of weekly demonstrations by the extremist LEGIDA-movement in Leipzig, an offshoot of the Dresden-based Patriotic Europeans Against the Islamisation of the West (PEGIDA), attacks against refugees and their accommodations and homes rose drastically (RAA 2015, 2016; AAS 2018). In Osnabrück, right wing extremist groups are not a part of the local political scenery and, unlike in most other municipalities in Germany, the new extremist right-wing party Alternative für Deutschland (AFD) has managed to gain only very little voter support. There were also no demonstrations against refugee accommodation and no known incident of xenophobic violence against refugees or refugee housing.

As we have shown, the degree to which everyday life in local migration regimes is defined by conflict varies. While antagonistic positions concerning refugee housing also came to the fore in Osnabrück, these mostly consisted in demands to ameliorate the reception and accommodation conditions. Compared to this, the struggles in Leipzig have been more violent, due largely to the strong position of right wing groups and opinions in the city. This supports the argument that the local actor constellations and dynamics matter when it comes to how migration in general, and asylum in particular, is handled.

4.3 Doing asylum regulation

The previous explanations have shown that a changing set of actors influences how refugees are treated in local migration regimes. We will now focus on the role of interactive dynamics and negotiation practices for the production of specific local spaces of asylum. In both Leipzig and Osnabrück, the decisions taken in 2012/13 to decentralise the accommodation of refugees were not only preceded by sometimes-heated debates; they also initiated further discussions on where and how to accommodate refugees in the city. These negotiation processes, we argue, can be seen as ordering attempts both influenced by specific spaces and contributing to the production of these spaces, in turn.

Contradicting the principle of limiting refugees with insecure residence statuses to accommodation centres, the Saxon city Leipzig and the lower-Saxon Osnabrück decided at the beginning of the 2010s to make official what was already common practice: namely, decentralised refugee housing. At that time, more than 60 per cent of refugees in Leipzig and 47 per cent of refugees in Osnabrück already lived in apartments, which were either rented by the city or by the refugees directly (SL 2012, 11; SO 2013, 9). In 2012 and 2013 respectively, Leipzig and Osnabrück adopted decentralisation plans promoting the accommodation of asylum-seeking persons in private flats.

Up to the 2000s, refugees in the Free State of Saxony were mainly housed in mass accommodations, isolated from everyday life in the cities and villages and often dependent on supplied food and coupons. Under increasing public pressure from anti-racist groups and refugee organisations, the leading heads of the Leipzig Social Administration decided to “enable all asylum seekers assigned to and living in Leipzig, as well as foreigners with an absence to leave (*Duldung*), to live in dignity, taking into ac-

count their special situation and needs” (SL 2012, 4). Willing to make a difference, they found inspiration in some West German cities such as Nuremberg and Stuttgart and their efforts to include migrants in city social life. After a two-year long ‘decentralisation debate’, the City Council adopted a new accommodation concept in 2012. Taking advantage of a statutory provision that allowed refugees to be accommodated in private living space during asylum proceedings under certain – primarily humanitarian – circumstances, the newly adopted concept emphasised the self-determination of refugees and established criteria for decent housing in the city (ibid.).

In Osnabrück, a first resolution by the City Council against the long-term housing of refugees in mass accommodation centres was passed in 2007, following protests of civil society initiatives and residents of the regional ‘reception centre’ in the nearby town of Bramsche. In 2013, when the numbers of refugees allocated to the city slowly started to rise, the City Council adopted a two-stage model of refugee housing. This concept was also the result of negotiations between municipal actors and civil society groups, and it was inspired by decentralisation plans of other cities, like Leverkusen, Cologne and also Leipzig (SO 2013). Although the social welfare office had to provide accommodation for more than 4,000 refugees in the following years, Osnabrück never had a crisis debate (SO 2018). Even the opening of several large and medium-sized interim accommodation centres over the course of 2015/16 did not draw any visible negative reactions. On the contrary: in 2015, local authorities decided that all refugees, regardless of their status and supposed vulnerability, could move directly into a flat. In December 2014, the local community even welcomed the opening of a federal initial reception centre in a former hospital.⁷⁾ In addition to humanitarian reasons motivating it, this decision was advantageous for the continuation of the decentralisation plan, because fewer asylum-seeking persons were allocated to municipalities with reception centres.

In contrast to Osnabrück, the practices and discourses of housing refugees in Leipzig shifted away from consensus over time. In the face of accelerating migration dynamics and increasingly hostile reactions, the city officials had difficulties in finding suitable accommodation. Only one year after the adoption of the decentralisation plan, the City Council

passed a reformulated three-stage housing model, which is still officially in force. But given that the number of asylum-seeking persons living in the city increased fivefold between 2011 and 2015 (SL 2016), this plan also proved difficult to implement. At the beginning, the adherence to mass housing was justified by the fact that it was the only way to prevent the opening of emergency shelters in urban sports halls, as the Mayor of Leipzig put it in an interview with the local newspaper (MEINE and STAEBER 2018). But over the course of 2015, the way the reception and accommodation of refugees in the city were negotiated and practised changed quite drastically. The revival of mass accommodation and emergency shelters for temporarily housing the many newcomers presented a de facto interruption of the city’s decentralisation policy.

4.4 The conception and representation of (refugee) migration and the city

Local migration regimes, as we have shown, are constantly negotiated. In this section we will turn to the categories, constructions and perceptions of (refugee) migration and urban society that are voiced and compete with each other in such negotiation processes. The dominant representations of migrants in the city are affected by and affect the way migrants are accommodated. This interrelation between discourses or representations and practices of asylum also helps us to understand the diverging developments in Leipzig and Osnabrück.

In Leipzig, the official conception and representation of refugee migration changed with the debates around the ‘refugee crisis’. The city had previously welcomed refugees as a potentially beneficial part of an increasingly diverse and cosmopolitan urban society and had made their empowerment and integration through decentralised housing an official aim of local policy (SL 2012). However, this conception was increasingly replaced by a crisis discourse in 2015/16, which was accompanied by representations of the newcomers as a threat and/or as victims. This double-edged representation was closely related to the reactions to the (planned) arrival of refugees – with support initiatives on the one hand and anti-refugee protests on the other. The online platform of the main local newspaper, as well as the information events organised to inform residents about the openings of accommodation centres, were increasingly turned into stages dominated by right-wing groups and citizens voicing their hostility towards the cos-

⁷⁾ In these centres refugees are registered, await the start of their asylum procedure, the allocation to a municipality, or their deportation.

mopolitan society and their new neighbours to be. These actors painted a vision of a city threatened by increasing migration, in which traditional values such as family, neighbourliness and security were eroding. The hostile agitation of some citizens also left its mark on the official treatment of the newcomers. While city officials still publicly highlighted the ethical obligation to help refugees as people in need, the coordinates of what was meant by humanitarian assistance changed. While in 2012 ‘decentralised’ had meant respecting the privacy of the refugees and promoting their self-determination, in the turbulent times of 2014/15 this turned into “warm, safe, and well-fed” (MEINE and STAEBERT 2018).

In Osnabrück, the representation of refugees in the city was rather stable throughout the long summer of migration. Local officials highlighted that Osnabrück had not experienced the arrival of refugees since 2014/15 as a ‘refugee crisis’, thanks in part to the 2013 concept for the [decentralised] accommodation and integration of refugees (SO 2018, 6). At least since the 2013 concept, the city authorities had recognised refugees as an integral part of urban society and framed their accommodation and integration as a humanitarian obligation and as a chance for the growing and dynamic urban society. The framing of refugees as victims in need of help clearly dominated public debates in Osnabrück. Unlike in Leipzig, voices against the accommodation of refugees in the city remained confined to the online platform of the local newspaper. Citizens wanting to support the newcomers and to ensure their decent accommodation dominated the information events.

Interestingly, time and again, local authorities and citizens alike employed Osnabrück’s official city brand as the *city of peace* in the debates. Solidarity initiatives and refugee activists have used the city brand to put pressure on local decision-makers to accommodate more refugees and to ensure decent living conditions in the city (e.g. EAI 2017). In turn, the local authorities have referred to the solidarity initiatives as a proof of the lived culture of peace and tolerance in the city (e.g. Interview with the Director of the Municipal Peace Culture Office, 21.6.2015). Underlining that Osnabrück presented a ‘safe haven’ for thousands of protection-seeking persons (SO 2018, 6) was also a way to cast a positive light on the city (administration). This proves the point that cities increasingly (attempt to) use migration, migration-based diversity and its handling as locational factors in the inter-communal competition for financial and human resources (SCHMIZ

2017; PÜTZ and RODATZ 2013). In Leipzig, the accommodation of refugees has similarly served to reinforce the city’s image as the cosmopolitan *trade fair city*, as a cultural centre with international reputation and as one of the main sites of the *peaceful revolution*. Many residents and local authorities are proud to set Leipzig apart from the rest of Saxony, which is infamous for its right-wing and xenophobic political landscape. The fact that right-wing protest groups also explicitly refer to the German Democratic Republic’s civil rights movement and use its slogans – „We are the people“ („Wir sind das Volk“) being the most well-known – makes it increasingly difficult for the Leipzig city administration to refer positively to the city’s history as a place of resistance.

In both cities, different representations of city space and the arrival of refugees thus coexist and compete with each other. On the one hand, refugees are represented as an integral and valuable part of a heterogeneous urban society, as illustrated by the use of this topic for city-marketing purposes. On the other hand, refugees are conceived as a threat to a city space that is imagined as a homogeneous unit. The latter representation became especially dominant in Leipzig following the increased arrival of refugees in 2015, which in turn had an impact on how and where the newcomers were accommodated, as we will further explore in the next section.

4.5 The built world of urban asylum

Local migration regimes can also be distinguished through their material dimension. (Refugee) migration and the way it is dealt with depend on the local built infrastructure and are, in turn, inscribed in it. Where and how refugees are accommodated depends not only on the available housing stock but also influences whether and how buildings are constructed, renovated and used. What is more, the place refugees occupy in the city – in spatial terms – often also reflects the opportunities they have in urban society. In this final section, we will compare the changing built world of refugee accommodation in Osnabrück and Leipzig.

Working from the idea that the social position of refugees in the city can be ameliorated through a change and upgrading of the physical environment, in 2012/13, the local authorities of Leipzig and Osnabrück decided to promote the accommodation of refugees in private flats. At that time, the

cities' existing accommodation centres had a capacity of about 550 in Leipzig (SL 2012), and approximately 200 in Osnabrück (SO 2013). Still in use today, these sites are located at the cities' peripheries – one in a pre-fab housing estate, the other in an industrial area. The refugee accommodation centre in Leipzig was originally designed for and used by Russian soldiers. In Leipzig, these old sites and all other new accommodation centres are fenced and controlled by private security services. Visitors have to present their IDs, and the residents have to report regularly if they do not want to be considered 'missing' and consequently lose their right to social benefits, including the right to accommodation. With a few exceptions, the Osnabrück accommodation centres are neither fenced, nor controlled by a security guard – a couple of caretakers and, since 2013, the municipal social workers are the only official contact people for refugees within the accommodation centres. Like in Leipzig, some of the sites used for the accommodation of refugees have a history of accommodating foreigners – soldiers or the so-called guest workers. In fact, this continuity of accommodating foreigners in camps is at least partly legitimated through the existence of buildings that were designed for this very purpose. With the adoption of the decentralisation plans, the municipalities sought to break with this practice, but over the course of 2015, the local authorities in Leipzig argued that the emergency situation forced them to continue to use camps and later to construct new mass accommodation centres.

The local authorities in Leipzig argued that the opening or renovation of mass accommodation centres was necessary to avoid emergency shelters (see section 3.3.). A similar argument was brought forward by the local authorities in Osnabrück, who argued that the opening of a reception facility in the city, with a planned capacity of 300 places, would help ensure that the city did not have to accommodate newcomers in tents and containers, as the opening of the reception centre would lower the number of people allocated to the city (Author's Protocol of citizens' forum, 3.12.2014). While the local authorities in Osnabrück could indeed avoid the opening of emergency shelters (with the exception of an emergency shelter opened in February 2016 for a year in the framework of administrative assistance to the regional authorities), in Leipzig the asylum landscape soon changed fundamentally. As more and more people reached Germany via the Balkan route, regional and local authorities started to compete in their search for potential accommo-

modation sites. In Leipzig, congress centres, former hardware markets, gymnastic halls and eventually campsites were repurposed throughout 2015/16 in order to accommodate the asylum-seeking persons. While the living conditions in these provisional shelters were often terrible, the central location of the centres proved to be an advantage, as they were easily accessible for the numerous volunteers who supported those living there with donations, language courses and leisure activities. Last but not least, this case underlines the close connection between the perception of and reaction to migration and migrants and the concrete localities and materialities of refugee accommodation.

5 Still making a difference?

Comparisons contribute decisively to our understanding of the uneven topographies of local migration regimes. Taking our research of refugee accommodation in Leipzig and Osnabrück as an exemplary case, we have discussed how to compare local migration regimes. We proposed a comparative model with five dimensions, based on the work of GLICK SCHILLER and ÇAŞIAR on the one, and LEFEBVRE on the other hand. The five dimensions – (economic) positioning and (migration) history, local actor constellation, regulative accommodation practices, representations of refugee accommodation, materiality of spaces of asylum – have helped us to structure our observations for a systematic comparison and to develop explanatory approaches to similarities and differences between the two cities. In this paper, *making a difference* was thus not only an emic category, but also our analytical aim. Striving to make a difference, both Leipzig and Osnabrück adopted decentralisation plans in the early 2010s, but during the long summer of migration these plans were re-negotiated in significantly different ways. While the decentralisation plan was de facto discontinued in Leipzig, it has been largely upheld in Osnabrück. We have argued that these divergent developments were not so much due to a different economic or scalar positioning, but rather to the cities' respective (migration) histories, local actor constellations, dynamics, and representations. We have highlighted, for example, the presence of right-wing groups and xenophobic sentiments in Leipzig and their absence or invisibility in Osnabrück as a decisive difference. Moreover, we have pointed out how the diverging accommodation practices in the two cities were linked to differ-

ent conceptions of urban society as places of arrival. While both cities have used (refugee) migration and integration as a way to promote their city, this representation was much more contested in Leipzig and eventually overtaken by a ‘crisis discourse’ in 2015/16, which legitimated the revival of centralised mass accommodation for refugees.

Our comparative endeavour was not to distinguish between different types of cities and to put them into some sort of urban hierarchy. Rather, we have aimed at drawing connections between our two field sites. The comparative dimensions were not only derived from an engagement with the literature cited above; they also correspond to the questions and categories that emerged from our empirical observations. A relational comparative approach helped us to draw our attention to aspects that we might have overlooked otherwise. For example, the observation that refugee reception has been linked to furthering Osnabrück’s city brand raised the question to what extent such linking is attempted in Leipzig and other cities. And, to cite another example, the fact that accommodation centres are usually guarded by security firms in Leipzig but not in Osnabrück prompted us to think about the reasons for this difference and what this means for everyday life in accommodation centres and the perception of refugees.

A relational comparative approach can thus, above all, generate new questions and ways to comprehend what we observe. It can provide clues as to why refugee migration is dealt with in a certain way at one site and how this relates to other urban asylum or migration regimes. The spatially-sensitive regime perspective sketched in this paper can thus reveal things that remain hidden in studies with a state or policy-focused perspective: First, by taking into account both state and non-state actors and the dynamics between them; second, by focusing not only on outcomes, but on negotiation processes; and third, by shedding light on the role that space plays in the constitution of local migration regimes. While in this paper, we were mostly concerned with the accommodation of asylum-seeking people, we believe that the dimensions distinguished above can also be used for comparative studies of other aspects of local migration regimes. This said, we do not think that the study of a single site obscures any of these things. As GLICK SCHILLER and ČAŠIAR (2018, 10f.) argue, “each research site is always multi-scalar because all places are constituted in relationship to elsewhere as parts of intersecting networks linking multiple forms of disparate institutionalized power.”

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Authors

Sophie Hinger
 University of Osnabrück
 Institute for Migration Research
 and Intercultural Studies (IMIS)
 - Social Geography
 49069 Osnabrück
 Germany
sophie.hinger@uni-osnabrueck.de

Philipp Schäfer
 University of Konstanz
 Department of History and Sociology
 - Social and Cultural Anthropology
 78457 Konstanz
 Germany
p.schaefer@uni-konstanz.de

4 Negotiating Deportations and Deportability

4.1 “We Belong Together!” Collective Anti-deportation Protests in Osnabrück

Hinger, S., Kirchhoff, M., & Wiese, R. (2018). “We belong together!” collective anti-deportation protests in Osnabrück. In *Protest movements in asylum and deportation* (pp. 163-184). Springer, Cham.

Abstract

In this article, we argue that taking the analytical insights of deportability into account helps to shed light on dimensions of anti-deportation protests that might be overlooked, if we focus too narrowly on efforts to prevent the act of removal. We lay out this argument by drawing on qualitative fieldwork on the anti-deportation protests in the mid-sized German city of Osnabrück, where the Alliance against Deportations prevented 36 Dublin deportations between March 2014 and October 2015. To explore how these collective protests – which brought together a wide range of participants with and without secure residence status – affect and are affected by deportability, we consider different dimensions of deportability: isolation, in/visibility and uncertainty. Our findings suggest that collectivity is, in itself, part of how the participants question deportability. Collective protests undermine the isolating logic of deportability in the moment of an (attempted) deportation, as well as in the daily lives and relations of the people involved. Moreover, they can create (temporary) spaces in which the harmful conditions of public invisibility and private visibility are reversed, lessening the insecurity and uncertainty tied to the state of deportability.

Keywords

Deportability, Anti-deportation, Collective protest, Germany, Osnabrück

Chapter 8

“We Belong Together!” Collective Anti-deportation Protests in Osnabrück



Sophie Hinger, Maren Kirchhoff, and Ricarda Wiese

8.1 Introduction: Deportability and Anti-deportation Protests

Deportation [...] continues, through its routinized practice, to obscure the historically particular and administrative processes by which deportability is produced and imposed. (Peutz and De Genova 2010, 6)

In recent years, there has been an increasing academic engagement with deportations (see Rosenberger 2018). One important theoretical contribution to these debates has been the concept of “deportability” (De Genova 2002; Paoletti 2010), which refers to the omnipresent possibility of being deported. As De Genova (2002) and Hasselberg (2016) have argued, migrants’ deportability is “embedded in their daily lives, social relations and sense of the self” (ibid., 96). Studies on protests against deportation have tended to focus on protests by citizens against the deportation of individuals (e.g. Rosenberger and Winkler 2014) or on those that are part of broader refugee protests (e.g. Ataç 2016). These studies discuss such protests in the context of contestations over belonging (Anderson et al. 2011), or as forms of activist (Nyers 2003; Isin 2008) and radical egalitarian citizenship (Schwartz 2016). Few of these works, however, have explicitly applied the analytical concept of deportability to anti-deportation protests. The exceptions being for example, McGregor (2011) who has analyzed the consequences of deportability for political agency, arguing that detained and designated deportees, lacking other possibilities for political action, tend to use radical forms of protests such as hunger strikes. And Schwartz (2016), who notes that the undocumented youth movement in the US does not only challenge concrete deportations, but “directly protests subordination and the fear of the permanent threat of deportation” (ibid., 616).

S. Hinger · M. Kirchhoff (✉) · R. Wiese
Institute for Migration Research and Intercultural Studies (IMIS), University of Osnabrück,
Osnabrück, Germany
e-mail: maren.kirchhoff@uni-osnabrueck.de

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We argue that taking the analytical insights of deportability into consideration when analyzing anti-deportation protests may be revealing. This is because such an approach can shed light on dimensions of the protests that might be overlooked if we only focus on the efforts to prevent the act of removal. The framework of deportability may therefore provide a broader understanding of the struggles that anti-deportation protests encapsulate and their possible consequences.

We will lay out this argument by discussing the anti-deportation protests in Osnabrück, a mid-sized city in the German state of Lower Saxony. Between March 2014 and July 2015 the *Osnabrück Alliance against Deportations* (henceforth referred to as the *Alliance*) prevented 36 Dublin deportations through collective actions held in front of accommodation centers for asylum-seeking persons. As we will show, the practices connected to these protests were not restricted to the moment of deportation, but confronted deportability more broadly. We therefore believe that this case study can contribute to the ongoing debate on deportability and anti-deportation protests.

One of the reasons why we chose this case for a closer investigation was the composition of its participants. The *Alliance* brought together a wide range of actors with different legal and social statuses. To define our terms, we understand these protests as collective actions¹ in the sense of “contentious politics” (Ataç et al. 2016). Originally coined by McAdam et al. (2001) in a different way, contentious politics has been defined by Leitner et al. (2008, 157) as “concerted, counter-hegemonic social and political action, in which differently positioned participants come together to challenge dominant systems of authority, in order to promote and enact alternative imaginaries”. We were particularly interested in the role that collectivity played in the struggles of the *Alliance*.

What also makes the case of Osnabrück interesting is that; unlike in other deportation protests, the main aim was not to prevent the deportation of one or several well-known and particularly “deserving” persons. Instead, in this case, some of the beneficiaries of the deportation preventions were not known among the protest participants.

To explore how the collective anti-deportation protests in Osnabrück effect and were affected by deportability, we consider three dimensions that are crucial for the understanding of deportability: isolation, in/visibility and uncertainty. Peutz and De Genova (2010, 23) have pointed out that deportation “tends to operate as a radically individualizing and thus also [...] isolating event.” Unlike citizens, people in a state of deportability suffer from what Arendt has described as public invisibility, that is, they are denied access to the “space of appearances” (Arendt 1958, 198–199) where individuals speak and are also seen and heard (Borren 2008). At the same time, bereft of their legal personality, people threatened by deportation become privately visible (ibid.). Lacking the social and legal security of citizenship, they can be

¹ Despite a slightly different use, this conforms to Ataç’s (2016) definition of collective action. With reference to Isin (2008) and Nyers (2010), Ataç defines collective actions as “performative acts and as moments of rupture that challenge power relations and open up new political possibilities” (Ataç 2016, 632).

apprehended by the police at any time. This insecurity, or private visibility, is closely tied to potentially the most critical characteristic of deportability: The uncertainty over whether the affected persons will be able to stay (De Genova 2002, 427, Hasselberg 2016, 96–97).

How people are legally categorized is at the heart of struggles against deportations. Thus, for scholars who (co-)produce categorizations, there is a need to be highly sensitive to the terms employed. We refer to all persons who actively contribute to the prevention of deportations either as members of the *Alliance* or activists, instead of distinguishing between “asylum seekers” and “citizens” or “refugees”² and “supporters”. Our choice is also connected to the above-mentioned conceptualization of the anti-deportation protests in Osnabrück as collective protests. However, given that the social position assigned by legal status decisively influences the scope of possible action, we distinguish between activists with and activists without secure residence status. In the case of designated deportees we recognize their particular and precarious legal position. However, mostly we refer to the protesters as the *Alliance*. We chose this general terminology despite these differences between participating groups and individuals (Stockmann 2015; Doppler 2015), because we are, above all, interested in the collective acts of the people involved. Where necessary, we give more detailed information and differentiate e.g. between activists with a background in a local anti-racist initiative and members of a neighborhood welcome initiative.

The chapter is divided into seven sections: Following this introduction and a short overview of the data and methodology we will briefly present the *Alliance against Deportations* in Osnabrück. Subsequently, we will focus on the aforementioned aspects of deportability – isolation, in/visibility, and uncertainty – in the context of the collective struggles of the *Alliance*. We conclude by summarizing how these aspects are negotiated and the consequences of this, before finally discussing the benefits of a broader deportability perspective.

8.2 Data and Methods

This article is based on qualitative fieldwork. We draw on 11 interviews³ that we conducted in person with protest participants in the summer of 2015 (for a complete list of interviews see [Appendix](#) below). The semi-structured interviews were partly based on interview guidelines developed in the context of the project Taking Sides:

² The term “refugee” is frequently used as a self-identification of persons seeking asylum, whereas the term “supporters” commonly denotes activists with a secure residence status supporting those without such status (Tsianos and Kasperek 2013; Ataç 2016). The people we interviewed often used these terms.

³ All interviews were conducted in German except for the interviews D5_9 + 10 and D5_11 + 12, in which Urdu, English, and Somali were spoken as well as German. In the following citations all translations into English are by the authors.

Protests against Deportations in Austria, Germany and Switzerland. The questions were adapted for each interview, depending on the interviewee's legal position and role in the protests. The interview D5_11 + 12 with two interviewees was made available to us by the theatre group *Bühne für Menschenrechte* who conducted it for the documentary theatre play *Asyldialoge*. Even though this interview was not based on the same interview guidelines, it covered relevant topics, and thus could be used to complement our data set alongside local newspaper reports and official documents.

Based on our engagement with the material – especially the interview transcripts—and theoretical discussion on deportability and anti-deportation protests, we developed five codes (in/visibility, framing, voice, political subjectivities and social ties) that helped to structure the analysis. In our analysis we also drew on our personal experience as participants in several of the protest events and group meetings. Through this participation we have been able to follow the developments of the protests since March 2014. Accompanying the *Alliance* over this extended period gave us access to background and insider information, which proved vital in the analysis and interpretation of the interviews.

8.3 The Alliance Against Deportations in Osnabrück

The protests against deportations in Osnabrück began when residents of a recently-opened municipal accommodation center received letters announcing their deportations to Italy (and other first-entry countries according to the Dublin III regulation) and showed them to other people they knew in the city (see Fig. 8.1). These contacts had mainly developed through the activities of two groups: The antiracist initiative *No Lager Osnabrück* (henceforth referred to as *No Lager*) and the neighborhood welcome initiative *AG Flüchtlingshilfe*.⁴ Following the assumption that the newly arrived asylum seekers would be allowed to stay, many of the supporting activities (such as German classes) provided by members of the *AG Flüchtlingshilfe* were aimed at facilitating “a good start to life in Osnabrück” (Interview D5_13). Yet, the deportation letters confronted those involved in these groups with a different reality. Nina,⁵ who intended to give German classes, remembered:

Until then I had always thought that people flee to Germany and ask for asylum, and then it takes two months and the people know that they can stay. [T]hen I heard about a Dublin regulation for the first time, and that [for] so many people, once they have come through [...] the Mediterranean Sea [...], the actual forced migration begins from one European country to another. (Interview D5_6)

Learning about the Dublin regulation caused a “moral shock” for Nina. According to Jasper (1997) “‘moral shocks’ are often the first step toward recruitment into

⁴The informal working group *AG Flüchtlingshilfe* became the association *Flüchtlingshilfe Rosenplatz e.V.* in February 2016.

⁵For anonymity, pseudonyms have been used for all interviewees.

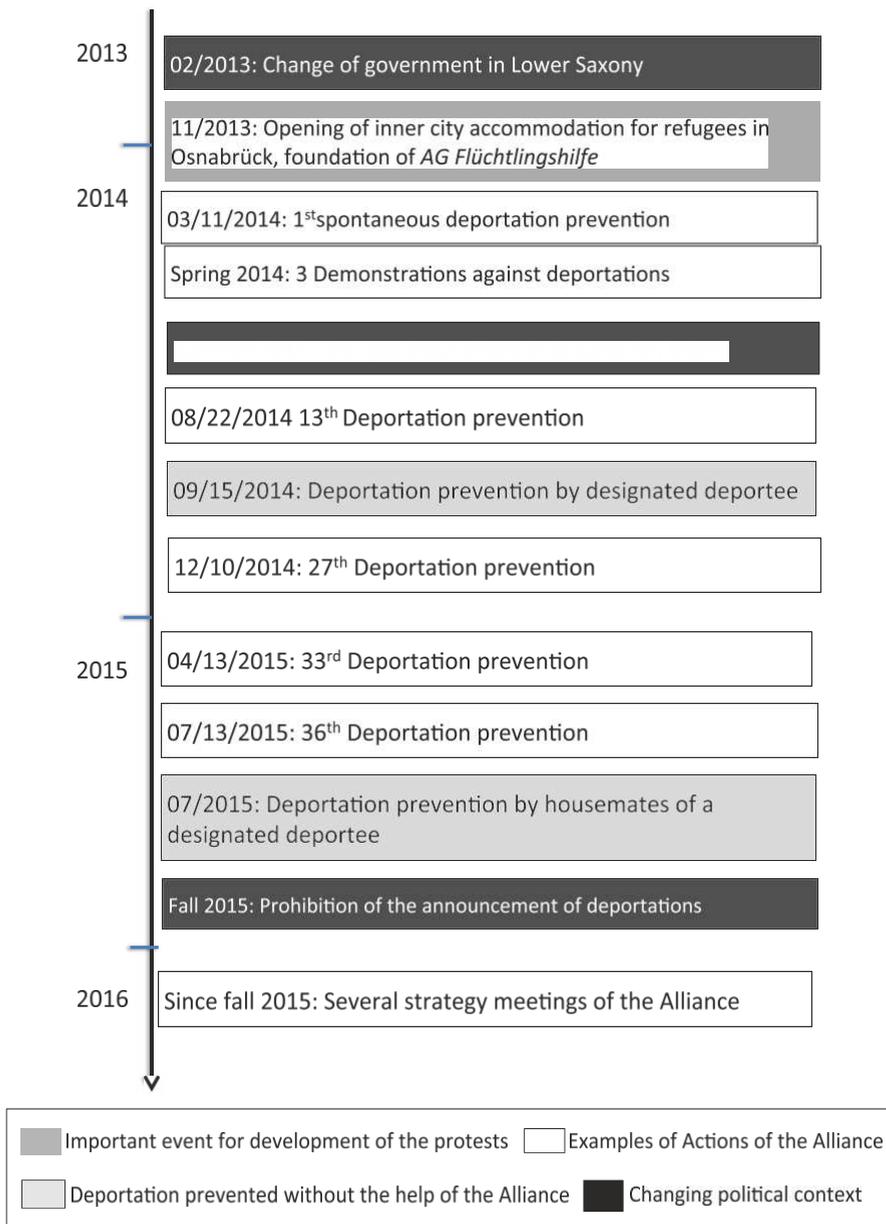


Fig. 8.1 Timeline of the anti-deportation protests in Osnabrück
 Own illustration. In addition to the disruption of deportations three general demonstrations against deportations were organized in the spring of 2014. In two cases deportations were prevented in Osnabrück without the help of the *Alliance*

social movements: when an unexpected event or piece of information raises such a sense of outrage in a person that she becomes inclined toward political action.” (ibid., 106) After the first spontaneous assembly⁶ (which included about 40 participants) at the scene of an announced deportation resulted in the police officers and representatives of the Immigration Authority (*Ausländerbehörde*) leaving without the designated deportee (see Fig. 8.1), members of No Lager and AG Flüchtlingshilfe got together to evaluate the situation. They had the information that around 80 other people in the city fell under the Dublin regulation and thus risked deportation. After researching the legal framework of Dublin deportations, the activists came up with a strategy; their idea was to prevent the removal of the designated deportees until the end of the six-month period in which Dublin transfers had to take place. If deportations took longer than 6 months, the asylum request would eventually be taken over by the German authorities (Interviews D5_6, D5_1).

Activists decided to connect via a telephone list (which was later transformed into a web-based texting and emailing list) so that they could quickly organize assemblies whenever a deportation was supposed to take place. This community was later given the name *Alliance against Deportations*.⁷ At the time of our interviews, more than 300 people had signed up for the list, including antiracist activists, church representatives, members of different political parties, students, pensioners, and people with and without secure residence status. As Brigitte, a protest participant with secure residence status described: “These are people from the age of 18 to 80 [...], many groups of society are represented [...]. And I think, that’s the strength” (Interview D5_2). What united these diverse actors⁸ was their shared disagreement with the practice of deportations. The focus on Dublin deportations was not only a strategic choice because of the six-month timeframe described above (see also Kirchoff et al. 2018), but also because it became a common target, uniting protest participants in the course of the protests. No Lager activist Bruno remembered that, “even [...] the Catholic Church [representatives] [...] bluntly said: ‘Dublin needs to stop!’” (Interview D5_1). There was also a focus on the Dublin deportations in the official framing of the protests, as the call for the second demonstration organized by the *Alliance* on April 26, 2014 illustrates:

⁶ The question, which terms (not) to use – an issue already discussed in the introduction – must also be posed with regards to the protest repertoire. Whereas the gatherings in front of the accommodation centers are frequently called ‘blockades’ by activists, media and others, some of our interviewees insisted that ‘blockade’ was not an adequate way to describe the collective “breakfasts” and also made them more vulnerable to attempts at designating their actions illegal (Interview D5_1). We have thus chosen the more neutral terms gathering and assembly.

⁷ This name had already been used by a different union of initiatives in Osnabrück that had been active against deportations between 1997 and 2005 (Avanti! 2005).

⁸ The question, how broad alliances come together is beyond the scope of this paper. However, it seems fruitful to explore this question further both to elucidate the dynamics of the *Alliance* and to contribute to social movements literature more broadly. Especially Gould’s work on the emergence of alliances across chasms of perceived differences and the role of emotions would provide a good starting point for such an undertaking (Gould 2015).

Here we want to voice our demands to end all deportations according to the EU-DUBLIN agreement, both in Osnabrück and in the whole of Germany. (No Lager Osnabrück 2014a, original in English)

The political demands to end Dublin deportations were supported by humanitarian arguments against the severe conditions in countries of first residence, which included homelessness and detention (see Bündnis gegen Abschiebungen 2014). The *Alliance* also emphasized the peaceful nature of the protests (ibid.). That the actions remained non-violent were not only important to a majority of the participants (Interviews D5_2, D5_6), but also resonated with the broader conception of Osnabrück as the City of Peace.⁹ Although the *Alliance* used arguments that focused on the bad humanitarian conditions in some Dublin countries as cited above, Paul, another activist with secure residence status explained that no distinction was made between people facing deportation to a supposedly problematic country like Hungary, or to a country like Norway, “about which you only hear good things” (Interview D5_3). In discussions over such differentiations, it was agreed within the *Alliance* that what mattered most was where a person wanted to live (ibid.). Nina underlined this point stating:

If a person [...] says ‘I am supposed to be deported to Italy but I rather want to stay here in Osnabrück’, then this is reason enough for me to become active on that person’s behalf. (Interview D5_6)

In contrast to what has been described for other cases of anti-deportation protests (e.g. Rosenberger and Winkler 2014, 181), the protests did not rely on deservingness frames. This absence can be partly explained by the composition of the beneficiaries of the protests. The designated deportees in the Osnabrück case were not individuals or families who had been living in Osnabrück for a long time, most were single men and many of the protest participants came to the assemblies without knowing them beforehand. Deservingness thus would not have worked as a strategic frame and consequently did not play a role in the protests. The absence of deservingness as a frame also resonated with the primary form of protest utilized in the struggle: The disruption of deportations. In contrast to, for example, negotiations with politicians, disruption did not require deservingness claims in order to positively influence the protest outcome.

None of the 36 assemblies were dissolved by force, irrespective of whether 100 people or, as in one case, “only very, very few [...] maybe 25” (Interview D5_6) had followed the protest call via the SMS list. In each case the immigration officers left without the designated deportees and physical force was never employed.¹⁰ This can partially be understood as resulting from the fact that the *Alliance* was confronted

⁹Osnabrück is commonly referred to as the *City of Peace*, a name that commemorates the signing of the *Treaty of Westphalia* in the city in 1648.

¹⁰Despite this, several measures were taken by the authorities to discourage the protesters: When confronting the gatherings, the immigration officers threatened the protesters several times that their action would have negative consequences. Furthermore, No Lager received an e-mail by the provincial *State Protection Office* concerning their involvement with the deportation preventions (Interviews D5_1, D5_6; personal communication with the interviewee of D5_6 on 09/24/2016).

with different (local) state agencies with somewhat diverging interests or instructions (Stockmann 2015, 42–43): The Federal Ministry for Migration and Refugees (BAMF) issues deportation orders to the local Immigration Authority. If conflict develops, the Immigration Authority is dependent on the local police to enforce the deportation order, who are subordinated to the State Ministry of the Interior. In November 2014, the Minister of the Interior of Lower Saxony and former Mayor of Osnabrück, Boris Pistorius, said that he saw no reason to change police strategy in dealing with the protest actions, nor did he condemn anyone participating in the protests (Fisser 2014). In contrast, the local Immigration Authority reacted to the protests by exerting more pressure on the designated deportees to cooperate in the deportation enforcement, which will be discussed in more detail below. However, without police enforcement the immigration officers were not able to challenge the protest strategies of the *Alliance* and carry out the deportation. This points to the importance of the specific political context in which the protests took place.

The collective actions against deportations in Osnabrück can only be understood within the context of the change of government in Lower Saxony in 2013. The new government coalition of the Social Democrats and the Green Party introduced several changes concerning the accommodation of asylum seekers and deportation procedures. The new policies were presented as “more humanitarian” (Lower Saxony Ministry of the Interior and Sports 2014), possibly as a reaction to the harsh critique against the strict enforcement of deportations promoted by the former conservative Minister of the Interior. The new approach entailed the announcement of deportation dates so that the designated deportees could “prepare themselves” (*ibid.*). Also new was the transfer of asylum seekers, including those affected by the Dublin regulation, from first reception centers (*Erstaufnahmeeinrichtung*) run by the State to municipal accommodation centers, which in the case of Osnabrück are partly located in inner-city residential neighborhoods.¹¹ Both the announcement of the deportations and the inner-city residency of designated deportees played a decisive role in the emergence and development of the anti-deportation protests in Osnabrück. However, the political context changed drastically in late 2015 (see also Kirchhoff and Lorenz 2018). The “summer of migration” (Kasperek and Sperr 2015, translation by the authors) was followed by an “autumn of reaction” (Schwiertz and Ratfisch 2015, 19, translation by the authors). In September 2015, with only few exceptions, the government of Lower Saxony decided to no longer announce deportations. In October 2015, a general prohibition on announcing deportations was integrated into the Residence Act (§59 (1) Residence Act of October 24, 2015). Since July 13, 2015 no further deportation preventions have taken place. However, members of the *Alliance* have met several times to discuss the changing legal and

¹¹ In Lower Saxony, before the change of government, state-run reception centers did not only serve as a place of “first reception”. It was common practice to keep asylum seekers supposedly “without a perspective to stay” in the centers for months in order to hinder their integration into local communities and to facilitate their deportation (Pieper 2008, 205–266). The Asylum Procedures Acceleration Act (*Asylverfahrensbeschleunigungsgesetz*), passed in October 2015, generally foresees that persons from so-called safe countries of origin and others without a perspective to stay, have to stay in first reception centers until the end of their asylum procedure.

political context and to think of anti-deportation strategies in the absence of deportation announcements.

In the following section, we analyze the collective protests against deportations in Osnabrück between March 2014 and July 2015. By focusing on the three dimensions of deportability – isolation, in/visibility and uncertainty – it becomes apparent how the *Alliance* not only prevented deportations, but confronted deportability more broadly.

8.4 Breaking Isolation

[...] in the end we said, the least we can do is to accompany this person to his accommodation, to stand by him before his deportation [...] and to not leave him alone with this [...].
(Interview D5_1)

This is how No Lager activist and member of the *Alliance*, Bruno, described the decision reached in the No Lager group the night before the first deportation prevention in Osnabrück. Confronted with a scenario they had not experienced before, the group members had little time to think about how best to react. They agreed to literally take sides with the affected person. Thus what was at first a spontaneous reaction would later become a core feature of the deportation preventions of the *Alliance*. Through confronting the officers arriving at an accommodation center to carry out a deportation with the presence of a group instead of an isolated individual, the *Alliance* acted against the logic of individualization and isolation inherent in the deportation practice (Peutz and De Genova 2010, 23).

As the letters announcing the upcoming deportations in Osnabrück during this period show, the practice of deportation was supposed to be a confrontation between the designated deportees with the immigration and police officers. Initially, the recipients of the deportation letters were asked to await their deportation inside their rooms. However, the demands of the letters changed after several deportations had been prevented by the *Alliance* through assemblies in front of bedroom and building doors. Isolation, which aimed to simplify face-to-face communication and physical contact between the officers and the targeted individual, was then stipulated more directly. The recipients of the letters were asked to present themselves in front of the accommodation centers and later, following another change in the letters, to also “stay away from a demonstration that could possibly take place.” (Interview D5_6). Despite this, the protesters continued to prevent the physical isolation of the designated deportee; now they either stood side-by-side with, or in front of, the designated deportees outside of the accommodation. Besides being a strategic reaction to the authorities’ instructions, this can be understood as an expression of collectivity: Protesters and designated deportees formed a group as they were physically and symbolically standing together. The centrality of this collective bodily practice in the protest of the *Alliance* underlines the centrality of the bodily dimension of contentious politics that has been observed elsewhere (see Häberlen and Spinney 2014).

Furthermore, our analysis shows that participating in collective action at the moment of the attempted deportation, allowed protest participants to question isola-

tion more broadly. For example, Paul, a member of the *No Lager* group, expressed that for him “one of the most important forms [of protest] is the getting to know each other,” the mixing of people with and without secure residence status. He explains his argument by pointing to structures that are put into place to prevent such contact and experiences of solidarity: Persons whose deportations are prevented by the *Alliance* have to live in designated accommodation centers for asylum seekers, and are neither allowed to work, nor to attend school, university or state-sponsored language courses (Interview D5_3). These conditions, linked to the state of deportability, are indeed likely to produce isolation from the local community. Furthermore, they are experienced as a barrier to political self-organization (Schwenken 2006, 144–145). Naife, an activist living in an asylum seeker accommodation center, remembers the situation before joining the No Lager group:

We made up our own refugee group in one of the Heime [accommodation centers] to find a way to handle the situation. But we did not know anything about the laws of Refugees in Lower Saxony and we did not have the resources (money, people, knowledge, etc.) to organize our own protests. (Cit. in: No Lager Osnabrück 2014b)

However, our interviewees described numerous and diverse practices through which structurally conditioned isolation could be disrupted: Visits to the accommodation centers by No Lager activists and members of the neighborhood initiative AG Flüchtlingshilfe, political and festive get-togethers in the autonomous social center as well as encounters through German classes, bike rental offers and other forms of voluntary support. Notably, some of these practices preceded the first deportation preventions and had the explicit aim of questioning the social marginalization of asylum seekers.

The described encounters challenge deportability not only through acts of support and collective protest, but also by making the danger of deportation “sometimes simply irrelevant” (Interview D5_3). While the logic inherent to deportability tends to make a person’s legal status the all-dominating frame of their daily life and social ties, the interviewees described how friendship created spaces and experiences beyond deportability (Doppler 2015, 7–8; see also Mokre 2018). In a group interview with her friend Wazir, Linda, an activist with secure residence status recalled:

We really became friends between the demonstrations and your [attempted] deportation [...] I remember this one night, [...] we simply stayed longer after plenum, turned on some music, got drunk, and talked so much [...] and yes, then we realized that we like each other a lot. (Interview D5_11 + 12)

Besides breaking down the isolation in Osnabrück, the social ties formed in the context of the collective protests also enabled the members of the *Alliance* to make connections to activists in other cities and to the transnational refugee movement. Wazir described how his involvement in the *No Lager* group encouraged him to participate in the Refugee March for Freedom 2014 from Strasbourg to Brussels:

I went with [the other members of the *Alliance* participating in the March], because I thought, the people fight for themselves, the refugees, and why don’t we, too? Most fighting takes place in Osnabrück at the moment, and I also belong to this group, and that’s why I went with them [...] After all, we also belong to them! (Interview D5_11 + 12)

When Wazir joined the March for Freedom, he had to violate the obligation for rejected asylum seekers to stay within a restricted district (*Residenzpflicht*). His participation in the local activist group led him to challenge the state-imposed isolation through connecting with a refugee movement and attending events happening outside of Osnabrück.

Against this background, we argue that social ties and friendship, which are a precondition for anti-deportation protests (Rosenberger and Winkler 2014) as well as an outcome of protest movements (Ataç 2016), should also be understood as constituting their own form of protest or resistance. In the case of Osnabrück, the activists of the *Alliance* questioned the isolating logic of deportability in various ways—both in the moment of an (attempted) deportation and in the daily lives and relations of the people involved.

8.5 Reversing In/Visibility

While “getting to know each other” (Interview D5_3) is indeed vital in the struggle against deportations, it does not automatically lead to trust or actions of resistance. As Susanne, a member of the AG Flüchtlingshilfe made clear: “[...] many refugees, I realized, are rather reserved when it comes to talking about problems [...]” (Interview D5_13). Instead, trust and ultimately resistance depends on the agency of the designated deportees to share their problem with others. It requires hope¹² that the deportation decision can be revised as well as courage to ask for support. In the interview with the close friends Linda and Wazir, Linda made clear that she was very surprised when and how Wazir announced his upcoming deportation to the No Lager group:

What I found so impressive was that you came to the Plenum and said yourself that you had received a deportation date. Before it was mostly the friends of people who were supposed to be deported [who came to the plenary and] sometimes the persons were not even there themselves. They took a back seat for understandable reasons. But you just came and said: Hey guys, it’s my turn. Here is my letter. I want a blockade. (Interview D5_12)

Wazir- an active member of the No Lager group who speaks English and has already experienced the success of earlier deportation preventions - chose this rather public way to speak about his deportation. Other designated deportees lacking these skills and experience had to find people who could translate, and whom they trusted enough to speak on their behalf.

In this section, we argue that the difficulty for people with an insecure residence status to reveal their status and to talk about an upcoming deportation can be better understood if we consider deportability in the sense of in/visibility. From an Arendtian perspective, being a citizen means having the right to be publicly visible,

¹²The centrality of emotions for (collective) political (in)action, such as hope and fear in our case, has also been highlighted by various social movement scholars (see Goodwin et al. 2001; Goodwin and Jasper 2004).

that is, to have a voice and to appear in public, as well as the right to be privately invisible; to retreat into a private realm of protection and security (Borren 2008). The reverse is true for people in the state of deportability: They often have to stay in assigned accommodation centers with little or no privacy. Moreover, even those who live in a private room or flat know that their home can be inspected and their life interrupted at any moment. This can be framed as a condition of harmful private visibility (ibid.). At the same time, people with an insecure residence status lack political rights, or in the words of Arendt, they are denied access to the “space of appearances” (Arendt 1958, 199). For Arendt, such public invisibility means not to be recognized as a human being and to forego the chance to lead a meaningful life: “Whatever lacks this [public] appearance comes and passes away like a dream” (ibid.). The state of deportability and enforcement of deportations are indeed, often invisible to the public eye. However, based on the case of Wazir and others, and in line with studies on “acts of citizenship” (Isin 2008; Nyers 2010; Darling 2014) or put differently, the political agency of non-citizens (McGregor 2011), we argue that people threatened with deportation and those acting in solidarity with them, can reverse harmful public invisibility and private visibility by engaging in contentious politics.

One way for people with an insecure residence status to reverse public invisibility is to reveal their condition to others as Wazir and others did. In US-American social movement and broader academic debates, revealing one’s insecure residence status to others has been described as “coming out of the closet” or as “coming out of the shadows” in accordance with the practices of “coming out” in the LGBTQ movement (Nicholls 2013; Schwiertz 2016). The practice of coming out about a pending deportation turns what is otherwise experienced as an individual problem into a public or collective issue. It opens up possibilities for the creation of new political subjectivities, relationships, and ultimately new ways of thinking citizenship.

In Osnabrück, following the first act of coming out—through the public statement of deportation—a further step toward public visibility and political claim making was taken through organizing the first assembly. Those who took part in the first assembly underlined that they wanted “to get this [issue] out of the shadows and to show us and our protest” (Interview D5_1). The action was directed at the authorities (“we [...] show the deportation authorities that we don’t agree”, ibid.), but also to a wider public. Nina, an activist, stressed that she preferred the assemblies that took place in front of one of the inner-city asylum seeker accommodation centers, because people who passed by noticed the protests (Interview D5_6).

The *Alliance* also organized demonstrations to raise more awareness of the issue and to make the protest more visible. One week after the first deportation was successfully prevented, about 600 people – with and without secure residence status – walked through the city to demonstrate against the deportations. Public marches can be a powerful means to transform the presence, or recognition, of people with an insecure residence status in public spaces; another step in challenging their in/visibility (Monforte and Dufour 2013, 87). Such public manifestations can work as

“acts of emancipation” (ibid.) and as a platform for people without secure residence status to present themselves, their stories, and claims, in public and to the media. Even during the first demonstration in Osnabrück, some people – under the threat of deportation – seized the chance to talk about their situation:

We didn’t have any speeches prepared [...]. We just handed around a loudspeaker. Speeches were held spontaneously with spontaneous translations. (Interview D5_12 + 13)

Two interviewees (Interviews D5_1, D5_3) explained how difficult it was to create a platform for the voices of people dealing with both insecure residence status and an imperfect command of the German language. This was not only because of exclusionary policies, but also because of other actors and practices that enabled the public visibility of some, while contributing to the public invisibility of others:

Often the press says: ‘No, that’s not possible [to do interviews in English]. We have to do it in German.’ That’s really stupid, because it is such a misrepresentation of the people in the group, because almost half of us have experienced forced migration and they can represent themselves very well. (Interview D5_3)

One time, a local television group wanted to film an interview with an activist in one of the accommodation centers. Bruno, an activist with secure residence status and the only German native speaker present, was asked to give the interview. When he suggested conducting it together with one of the activists without secure residence status, the journalist told him that he had no time and if he did not do the interview they would leave right away. In the end, Bruno told us, he gave a “shitty interview”, and the journalists ended up doing another one with Sam – one of the activists without secure residence status – in English, and in the final clip only Sam was included. Bruno concluded that this was the first time “a refugee was given a chance to talk [in front of a camera] but only because we always systematically include them and say: ‘Here, they are with us too [...].’” (Interview D5_1). The above situation highlights that it is possible to reverse the public invisibility of people with insecure residence status. At the same time, it also points to the difficulties within collective protests to challenge power asymmetries and the dominant differentiations e.g. between activists with and without secure residence status (Mokre 2015).

As Bruno remarked, reversing the public invisibility of people without a secure residence status often depends on those with a secure residence status to act as a mediator. This became obvious in a self-organized deportation prevention by the residents of an accommodation center. The incident took place in the summer of 2015 in an accommodation center for women and families. Unlike the previous deportation preventions most of the people involved were women. The deportation was unannounced because Maria, the designated deportee, had not been present at the first announced deportation date. Her roommate, Semira, called the downstairs neighbor when the immigration officers, accompanied by the police, entered the house early in the morning. Soon, several residents, some accompanied by their children, stood in the staircase of the house and screamed. In contrast to the other cases in Osnabrück, the officers tried to force the designated deportee out of the building. According to Semira, the officers tried to pull Maria by her arm, but her

housemates also held on to her so that the officers eventually left without her. While the media had covered most other deportation preventions in Osnabrück this attempted deportation – including the physical violence exerted – was not reported. This was to some degree, due to the fact that the people involved did not want any media coverage. Their hesitation must be understood in context, as political action of non-citizens can be criminalized.¹³ Maria's housemates eventually chose another way to share their experience with others: Sometime after the event, Ahmed, one of Maria's neighbors and a friend decided to go to a plenum of the No Lager group to talk about the incident (Interview D5_9 + 10).

The *Alliance* attempted, through multiple ways, to create a sphere of private invisibility and thus protection for the designated deportees. During the first anti-deportation actions, this was simply done by assembling in large numbers in front of the person in question in order “to block the view of the officers” (Interview D5_3). As one of the activists described: “the idea was that the person [supposed to be deported] stays in the back area of the protest and is ready for the departure [...]” (ibid.). When the letters changed and the authorities asked the designated deportees to make themselves visible by verbally identifying themselves, the protesters' counter-strategy was a collective identification with, or as, the deportee: “We then decided when they [the authorities] come [asking]: ‘who is the one?’ We will all say: ‘It’s me! It’s me!’” (Interview D5_11 + 12).

While collective protests like those of the *Alliance* cannot fully restore the private invisibility and public visibility of people in a condition of deportability, they can create (temporary) spaces where the harmful politics of in/visibility are reversed. In the interview with Linda and Wazir, they explained that Wazir, on the day of his own deportation, did not stay in the back of the crowd that had gathered to prevent it. “You just bopped around outside and you made breakfast and distributed tea”, recounted Linda. Underlining this (temporary) reversal of in/visibility, Wazir added that after the authorities had left, he made a speech and he stressed: “I was the first [of the refugees] who held a speech.” (Ibid.)

8.6 Lessening Uncertainty

Linda:

When we dissolved the blockade and Wazir went away with a good friend, I relaxed. When not even a police car stops, this shows that nothing serious will happen, if you do a blockade. Even if we always wonder ‘what will they come up with next?’ this somehow give us security.

¹³ Semira, Maria and some of the other housemates had to report to the local authorities after the incident. They were told that their behavior was “completely unacceptable”, that it could count as a criminal offense, and that they would have to leave the accommodation center if they got involved in this kind of action again (Personal communication with interviewee of D5_7, 09/07/2015).

Wazir:

Until my interview, it can take six or eight months. And after this, I don't know. [...] I think I have a 60 to 70% chance that I may stay, thus 30% that I cannot stay. (Interview D5_11 + 12)

As the above quote indicates, insecurity and uncertainty pervade anti-deportation protests in Osnabrück in different ways. In the short-term and especially at the beginning of the protests, insecurity and uncertainty dominate the moments of deportation prevention, whereas in the long-term it shifts to the likelihood of being allowed to stay. Hasselberg (2016) has shown that deportability affects “the everyday lives of migrants facing deportation” (ibid., 97) as they internalize and embody an acute uncertainty “as to whether or not they will be able to remain” (ibid., 96).¹⁴ We argue that even though insecurity cannot be (fully) dissolved, the different practices of the Alliance show that the feeling of uncertainty inherent to deportability can be lessened through collective actions.

As described above, the first deportation prevention was organized spontaneously out of the conviction that the designated deportee should not face his deportation alone. Although unexpected by protest participants, the assembly in front of the accommodation managed to prevent the enforcement of the deportation. Despite this initial success one of the policemen told them that this might have negative consequences for the affected person. As members of the *Alliance* were unsure whether, and how, the authorities would try to enforce the deportation a second time, some tried to reduce uncertainty by organizing a church sanctuary. As Bruno remembers, “this was a reaction to the fear that we could not cope with [another removal attempt] and that he would be deported by force.” (Interview D5_1). Although it turned out that this case – as well as several following cases – was successful in the long run, the initial insecurity remained for some time. As Nina, one of the activists with secure residence status, told us:

For the first times [...] the designated deportees packed their whole properties as they didn't know if the police would cross the blockade [...]. And we always wanted to make sure that they are ready for their deportation like the authorities demand in order to avoid negative consequences. (Interview D5_6)

To reduce uncertainty with regards to possible negative consequences, members of the *Alliance* were in constant contact with lawyers. They carefully developed their protest strategy to fit within the small space available for possible action that would not harm those facing deportation. Furthermore, the (gradual) predictability and reliability of the behavior of both protesters, and immigration and police officers, contributed to lessening uncertainty: With more and more deportation preventions, a certain routine developed, which partly consisted of a breakfast ritual with protest participants bringing their picnic blankets and refugees preparing tea (Interview D5_7).

¹⁴ Hasselberg (2016) analyzes different modes of coping with uncertainty. Some of these coping mechanisms are also reflected in our interviews. However, we will not concentrate on these rather individual mechanisms, but on how uncertainty is dealt with collectively.

The procedure was clear for all involved. Firstly, the officers arrive and the designated deportee is in the house. Later, as requested, the deportee moves outside where the participants are assembled in front of the accommodation; when asked it is the participants who identify themselves as the designated deportee, at which time the officers leave. In some cases the officers did not show up or even get out of their vans. This collective protest routine reduced the insecurity for all participants. As *Alliance* member Brigitte, when referring to the sanctuaries that were organized to handle the initial insecurity of the situation, concluded: “By now we do not need a church sanctuary anymore!” (Interview D5_2).

However, the impact of these routines is moderate given that uncertainty remains for the affected people, because of their insecure residential status. Besides the need to conform to the orders of the Immigration Authorities in order to avoid negative consequences, the designated deportees packed their belongings so as to be ready for their deportation as they could not be sure that it would be prevented. Furthermore, they had to rely on other activists, people they frequently did not know. The intensity of insecurity is thus incomparable to what is felt by activists with secure residence status. As Bruno reflected: “I have no clue how stressful this is for the refugees who have to trust that it will function outside” (Interview D5_1). Additionally, the success of the protests was dependent on other factors outside the participants’ control. As described previously, Ahmed and a friend went to the plenum of No Lager to speak about the self-organized deportation prevention of Maria. The participants of the plenum told Ahmed to call them if the police showed up again. Still, this did not alleviate Maria’s security concerns who, after the incident, was too afraid to stay in her own house at night. While Ahmed appreciated the offer, he remained somewhat skeptical about the prospect of such deportation preventions: “You might call without answer, or [people] sleep. When there’s a fixed day it’s super, but without it...” (Interview D5_9). Ahmed’s comment points to an important limitation of direct interventions in preventing deportation enforcement: The announcement via letter of a concrete date of the deportation had been one of the requirements for the success of the protest (see also Kirchhoff et al. 2018).

Furthermore, uncertainty is not restricted to the moment of direct intervention against deportation enforcement but lingers long after the assemblies, as the following example of Amir shows. After Amir’s deportation was prevented through an assembly of the *Alliance*, he had to get his passport renewed at the local office of the Immigration Authority:

[...] he really didn’t dare to go there [as he] thought that if he appeared there, they would immediately call the police and they would arrest him to deport him and for a couple of nights, he also didn’t sleep at his place, because we thought that the police would come again a few hours later or the next day. (Interview D5_6)

Amir no longer felt secure in his own home, as he feared that the authorities could deport him at anytime and anywhere. As we have illustrated above with reference to isolation and in/visibility, protests also took place beyond the moment of attempted deportation through non-public processes. With regards to lessening insecurity and uncertainty, sleepovers became a regular action in the post-protest reper-

toire of the *Alliance*. Many people who were concerned about future deportation attempts stayed over at other people’s houses in order to avoid the authorities.

In addition, Nina started what we call ‘follow ups’ to ensure “that people are better off afterwards” (ibid.); that the blockades actually improved the situation of those whose deportation attempts had been prevented by the *Alliance*. In the beginning, the activists assumed that the responsible authorities would automatically proceed with asylum applications once the timeframe for transfers had expired. However, it turned out that the first person whose deportation was prevented did not receive any information from the Federal Agency for Migration and Refugees (BAMF) for many months (ibid.). Nina invited people with pending asylum procedures for such “status meetings” (ibid.) in order to discuss what information they wanted from the authorities. She took care of these requests and constantly checked if there were any updates, to confront and counteract uncertainty resulting from the long waiting period:

Someone is invited to the hearing, gives the interview and then absolutely nothing happens for one and a half years. Nothing! This is really [...] demoralizing. (Interview D5_6)

This follow-up work turned out to be crucial in those cases where the authorities had noted that the designated deportees had “absconded”, as absconding resulted in the transfer time frame being extended from six to 18 months. In most of the cases, in which Nina spoke to the BAMF officers, the prolongation of the time frame was eventually withdrawn. However, this was only possible because of the involvement of lawyers and a member of a local charity organization who had personal contacts within the authorities. Even though insecurity cannot (fully) be dissolved by collective action, the described practices arguably lessen some of the demoralizing effects of deportability (Hasselberg 2016, 99).

8.7 Conclusion

Peutz and De Genova have pointed out how deportation “through its routinized practice” obscures how “deportability is produced and imposed” (2010, 6). The case of the *Alliance against Deportations* shows that employing the broader meaning of deportability can lead to a deeper understanding of anti-deportation protests. This framework makes visible the struggles and consequences of the protests that go beyond the moment of a deportation or prevention. For our analysis, we have looked at isolation, private visibility/ public invisibility, and uncertainty as crucial dimensions of deportability. Through applying these concepts, we asked how the collective protests in Osnabrück, which brought together a wide range of participants with and without secure residence status, confronted these dimensions.

We found that the collectivity of the protests in Osnabrück was, in itself, part of how the participants questioned deportability. Namely, by getting to know each other and in some cases also building relationships of trust, people with different positionalities were challenging the isolation produced by the exclusionary policies

and practices of the deportation regime. We therefore argue that encounters and friendships between people with, and people without, a secure residence status may not only be a precondition for – or result of – protest actions, but can also be considered as part of the protest. Such relations can furthermore facilitate the difficult process of coming out about one's own deportability and a pending deportation. By revealing their status to others, people without secure residence status are engaging in a dissonant speech act, which opens up possibilities for formal political claim-making, the emergence of new political subjectivities and thus the reversal of public invisibility. While it is beyond the scope of collective action to dissolve the insecurity, or what we have described as private visibility, of people threatened by deportation, collective acts can create (temporary) spaces of security and protection. In the case of the *Alliance*, this was done, for example: through shielding the designated deportee during the attempted act of removal, through church sanctuaries, and sleepovers after a prevented deportation. Finally, our research suggests that contentious politics can lessen the uncertainty tied to the state of deportability. In our case, this was supported through establishing a certain routine around deportation preventions, as well as through follow-up work to inform people after the prevention of their deportations about the status of their case. Although some of those whose deportations were successfully prevented still face uncertainty about the outcome of their asylum applications, the possibility of a Dublin deportation could at least now be ruled out.¹⁵

The case of Osnabrück suggests that collective protests against deportation might be better understood as struggles against deportability than merely trying to prevent the act of removal or deportation. In how far this is true for other forms of anti-deportation protests remains an open question. The ongoing debate on anti-deportation protests would thus profit from further case studies applying the concept of deportability.

The actions of the *Alliance* also raise questions regarding the meaning of deservingness frames in anti-deportation protests. As we have illustrated in the case of Osnabrück, it was the general disagreement with the Dublin regulation as well as a concern for those threatened by deportation, rather than a focus on individual cases that was conducive for collective action against deportability. Perceiving or claiming certain designated deportees as especially deserving is thus neither a necessary precondition for people to become engaged in protests, nor a characteristic feature of such anti-deportation protests. We propose that the employment of deservingness frames in anti-deportation protests represents a strategy that is connected to protest forms that heavily depend on public or political support. In contrast, disruptions of deportations, as in the case of the *Alliance*, can be successful without this framing.

¹⁵At the time of the interviews, German authorities declared themselves responsible for processing asylum claims of those people whose Dublin deportations had been prevented (Interview D5_6). While some people are still waiting for their decision, between 10/2015 and 03/2016, four men came to the No Lager meetings to celebrate the fact that they had been granted a residence permit for 3 years (Personal communication during No Lager plenum on 10/22/2015 and 3/3/2016).

Another point brought up by this case study – one that is closely connected to current debates within the *Alliance* – regards the meaning of success in anti-deportation protests. Success in preventing the actual act of removal is both the motivation for, and goal of, collective actions against deportation. However, from a deportability perspective, practices that break isolation, reverse public invisibility, and (to a lesser extent) reduce private visibility go beyond a narrow understanding of success: Rendering deportations, persons in a state of deportability, and anti-deportation protests visible, can be a powerful means of contentious politics when changes in the (political) opportunity structures make it more difficult to prevent the enforcement of deportations.

Finally, the deportability perspective that we have developed in this article brings to the fore the importance of questions of citizenship that are negotiated in contestations over deportation. Despite the lack of a formal status or recognition, people without secure residence status become “(activist) citizens” (Isin 2008) through dissonant speech acts. They thus call “into question the givenness of [the] body politic and open its boundaries wide” (Isin 2009, 384), or, in the words of Sandro Mezzadra (2004), they bring citizenship “into motion”. In Osnabrück these dissonant speech acts were part of a process in which people with different legal status, and from different groups of society became active as a community, thus creating new political subjectivities and understandings of belonging. This dynamic is captured in Wazir’s speech after the successful prevention of his deportation, in which he not only thanked the members of the *Alliance*, but made clear that he saw the action most of all as part of a common struggle for a society where everybody enjoys the right to have rights:

Good morning! Thank you all so much for coming here today نہ کیا بس مہ We belong together. There’s our fight for residence, our rights and the life of the human beings. I hope we will have more peaceful fights in future. Thank you all again my friends! – and the کیا بس مہ نہ means: We all belong together in Urdu. (Interview D5_11 + 12)

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Appendix: Interviews

All interviews were conducted in person by the authors, except for interview D5_11 + 12, which was conducted by Michael Ruf for the documentary theatre play *Asyldialoge*. All interviews took place in Osnabrück (Germany) in German except for the interviews D5_9 + 10 and D5_11 + 12, in which Urdu, English, and Somali as well as German were spoken.

Abbrev.	Interviewee(s)	Date	Comments
D5_1	“Bruno”, activist with secure residence status, <i>No Lager</i>	07/06/2015	
D5_2	“Brigitte”, activist with secure residence status, <i>AG Flüchtlingshilfe</i>	07/08/2015	
D5_3	“Paul”, activist with secure residence status, <i>No Lager</i>	07/16/2015	
D5_4	Lawyer	07/20/2015	Not cited
D5_5	Neighbor, accommodation center	07/20/2015	Not cited
D5_6	“Nina”, activist with secure residence status	07/21/2015	
D5_7	“Heiko”, activist with secure residence status	07/22/2015	
D5_8	Church representative, <i>AG Flüchtlingshilfe</i>	07/22/2015	Not cited in this article
D5_9 + 10	“Maria” & “Ahmed”, participants of spontaneous protest, insecure residence status	09/15/2015	
D5_11 + 12	“Wazir”, activist with insecure residence status, <i>No Lager</i> & “Linda”, activist with secure residence status, <i>No Lager</i>	12/10/2014 & 12/14/2014	Provided by <i>Bühne für Menschenrechte</i>
D5_13	“Susanne”, activist with secure residence status, <i>AG Flüchtlingshilfe</i>	09/17/2015	

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4.2 Andauerndes Ringen um Teilhabe. Dynamiken kollektiver Proteste gegen Abschiebung in Osnabrück (2014–2017)

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Themenschwerpunkt

Sophie Hinger*, Maren Kirchhoff

Andauerndes Ringen um Teilhabe

Dynamiken kollektiver Proteste gegen Abschiebung in
Osnabrück (2014–2017)

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Zusammenfassung: Dieser Beitrag widmet sich der Frage, welche Auswirkungen das 2015 eingeführte Verbot Abschiebungen anzukündigen auf lokale kollektive Mobilisierungen gegen Abschiebungen und damit verbundene gesellschaftliche Teilhabemöglichkeiten für die Betroffenen hatte. Anhand zweier qualitativer Fallstudien von Protesten gegen Dublin-Abschiebungen in der niedersächsischen Stadt Osnabrück, wo 2014/15 sowie 2017 zahlreiche Abschiebungen durch Versammlungen vor Unterkünften verhindert wurden, zeigen wir, dass Proteste gegen Abschiebungen als ein permanentes Ringen um Teilhabe zu verstehen sind, welches nicht nur durch nationale Gesetzgebung, sondern durch multi-skalare Möglichkeitsstrukturen geprägt ist.

Abstract: This article inquires the effects of the ban on announcing deportations (introduced in 2015) on local collective mobilizations against deportations and associated opportunities for social participation. On the basis of two qualitative case studies of protests against Dublin deportations in the city of Osnabrück in Lower Saxony, where in 2014/15 and 2017 numerous deportations were prevented by meetings in front of asylum shelters, we show that protests against deportations are to be understood as continuous struggles for participation, which are characterised not only by national legislation, but also by multi-scalar opportunity structures.

*Kontakt: Sophie Hinger, Institut für Migrationsforschung (IMIS) der Universität Osnabrück, Geographie, Deutschland, E-Mail: sophie.hinger@uos.de;

Maren Kirchhoff, Institut für Migrationsforschung (IMIS) der Universität Osnabrück, Deutschland, E-Mail: mkirchhoff@uos.de

1 Einleitung¹

Abschiebungen sowie bereits der Zustand der „Abschiebbarkeit“ (De Genova 2002) stellen fundamentale Beschränkungen der gesellschaftlichen Teilhabemöglichkeiten betroffener Personen dar. Vor diesem Hintergrund untersuchen wir in unserem Beitrag kollektive Verhinderungen von Dublin-Abschiebungen² in Osnabrück als Interventionen für Teilhabe. In der niedersächsischen Stadt wurden 2014/15 sowie 2017 zahlreiche Abschiebungen durch Versammlungen vor Unterkünften verhindert. Wir analysieren die Entstehung sowie die Dynamiken beider Protestfälle und skizzieren Kontinuitäten und Unterschiede. Die beiden Fälle unterscheiden sich unter anderem dadurch, dass in der Zeit dazwischen mit den beiden „Asylpaketen“ Maßnahmen eingeführt wurden, um Abschiebungen effektiver durchzusetzen. Das darin enthaltene Ankündigungsverbot für Abschiebetermine soll einen umfassenderen Zugriff auf Abzuschiebende ermöglichen und Widerstand gegen Abschiebungen in Form von „Untertauchen“ verhindern (Deutscher Bundestag 2015). Darüber hinaus wirkt sich das Verbot auf kollektive Proteste von Betroffenen und Unterstützer*innen aus, wie wir im Folgenden deutlich machen werden.

Wir verstehen die Proteste in Osnabrück nicht als repräsentative Fälle von Protesten gegen (Dublin-)Abschiebungen in der Bundesrepublik Deutschland (BRD). Vielmehr betrachten wir sie als außergewöhnliche, besonders erfolgreiche, „kritische Fälle“ (Snow/Trom 2002: 157), die sich in ihrer Kombination – ein lokaler Kontext zu zwei unterschiedlichen Zeitpunkten – besonders eignen, um Veränderungen und Kontinuitäten von Anti-Abschiebeprotesten und damit verbundene Teilhabemöglichkeiten zu untersuchen. Unser Beitrag basiert auf teilnehmender Beobachtung und qualitativen Interviews, die wir zwischen 2014 und 2018 erhoben haben. Im Folgenden werden wir, erstens, Anti-Abschiebeproteste als Kämpfe um Teilhabe beschreiben; zweitens, die Mobilisierungen in Osnabrück skizzieren und drittens, ihre jeweiligen Dynamiken und Effekte diskutieren. Wir werden zeigen, dass Proteste gegen Abschiebungen als ein permanentes Ringen um Teilhabe zu verstehen sind, welches nicht nur durch nationale Gesetzgebung, sondern durch multi-skalare Möglichkeitsstrukturen – von der lokalen hin zur europäischen Ebene – und den damit verbundenen Kräfteverhältnisse geprägt ist.

¹ Unser Dank gilt unseren Interviewpartner*innen, die sich Zeit für uns genommen haben, sowie den Mitgliedern der Forschungswerkstatt Migration und Gesellschaft und den Herausgebenden für die äußerst hilfreichen Kommentare.

² Die Dublin-Verordnung regelt die Zuständigkeit für Asylverfahren. Danach ist der Mitgliedstaat zuständig, in dem die Antragssteller*in das erste Mal die Grenzen der EU übertreten hat. Aktuell wird in jedem dritten Asylverfahren ein Dublin-Verfahren eingeleitet.

2 Abschiebung und Teilhabe

Unsere Überlegungen zu Auseinandersetzungen um Dublin-Abschiebungen in Osnabrück sind stark von unserem theoretischen Zugang zum Feld geprägt. Wir betrachten Abschiebungen aus der Perspektive einer kritischen Migrations- und Grenzregimeforschung. Grenzen existieren demnach nicht an sich, etwa durch territoriale Markierungen oder formale Gesetze, sondern werden in konkreten alltäglichen Situationen reproduziert und infrage gestellt. Grenzen kategorisieren Menschen und beeinflussen über diese Kategorisierung ihren Zugang zu „bezahlter Arbeit, Sozialleistungen, Gesundheit, Arbeitsschutz, Bildung, Bürgervereinigungen und Gerechtigkeit“ (Anderson et al. 2009: 6, eigene Übersetzung).

Abschiebungen stellen aus dieser Sicht einen Mechanismus dar, durch den die Reproduktion nationalstaatlicher Grenzen unter Einsatz des staatlichen Gewaltmonopols gegen Migrant*innen, die sie durch ihre Anwesenheit herausfordern, abgesichert wird. Diese Gewaltanwendung stützt sich auf einen gewissen Grad gesellschaftlicher Zustimmung, dennoch kommt es immer wieder zu Konflikten um Abschiebungen (Anderson et al. 2011; Rosenberger et. al. 2018). Dabei geht es einerseits um die physische Präsenz von Individuen auf einem Territorium und andererseits um Bedingungen für gesellschaftliche Teilhabe, die durch die Möglichkeit, jederzeit abgeschoben zu werden, beeinflusst werden. Nicholas de



Genova (2002) führte das Konzept der „deportability“, also der Abschiebbarkeit ein, um dies zu betonen. Abschiebungen und damit zusammenhängende rechtliche Regelungen wirken sich demnach nicht nur darauf aus, ob ein*e Migrant*in sich innerhalb eines bestimmten Territoriums aufhält, sondern sie beeinflussen vor allem *unter welchen Bedingungen* sie dies tut.

Aus einer solchen Perspektive sind Auseinandersetzungen um Abschiebungen ganz unmittelbar Kämpfe um gesellschaftliche Teilhabe und Rechte: „Abschiebepolitik ist das Feld, auf dem das Tauziehen zwischen dem Kontrollanspruch des Staates und dem Freiheitswillen der irregulären Migrantinnen und Migranten kulminiert. Gerungen wird um die Rechte (auf Flucht, auf Einwanderung, auf Bewegungsfreiheit usw.), die sich „nicht-privilegierte“ bzw. „unerwünschte“ Menschen genommen haben und die ihnen durch die Abschiebung wieder abgesprochen werden sollen“ (Oulios 2015, IV).

Neben diesen (umstrittenen) Rechten auf Mobilität beeinflusst der rechtliche Status auch, welchen Zugang Personen zu Bildung, Gesundheitsversorgung, oder polizeilicher und rechtlicher Unterstützung in Fällen von Übergriffen oder Verletzungen ihrer Arbeitsrechte haben³. Dementsprechend sind nicht nur vollzogene Abschiebungen, sondern der Status der Abschiebbarkeit als integraler Bestandteil der Hierarchisierung des Zugangs zu sozialen Rechten zu verstehen. Die Verhinderungen von Abschiebungen und der damit verbundene Verbleib auf einem Territorium kann von staatlicher Seite entweder durch eine temporäre Aufenthaltsgestattung bzw. -genehmigung oder aber durch Illegalisierung beantwortet werden. Trotz einer verhinderten Abschiebung kann die Abschiebbarkeit der betroffenen Person bestehen bleiben, so dass die Teilhabemöglichkeiten in diesem Bereich beschränkt bleiben bzw. teilweise weiter beschnitten werden. Erst mit der (temporären) Aussetzung der Abschiebbarkeit geht ein Zugewinn von Möglichkeiten gesellschaftlicher Teilhabe einher.

Darüber hinaus geht es bei (Kämpfen um) Abschiebungen und Abschiebbarkeit auch um die Möglichkeit, sich politisch zu organisieren und zu artikulieren. Personen, die von Abschiebbarkeit betroffen sind, befinden sich zumeist in sehr prekären Verhältnissen, in denen eine politische Organisation und die Geltendmachung politischer Rechte nur schwer zu realisieren sind. Mit Hannah Arendt

³ Welche Rechte mit welchem Aufenthaltsstatus verbunden sind, unterliegt ständigen Veränderungen und variiert z. T. zwischen Bundesländern und Kommunen. So wurde bspw. die Frage ob bzw. ab wann es Asylbewerber*innen in der BRD erlaubt ist eine Arbeit aufzunehmen, rechtlich immer wieder anders geregelt (Oulios 2015: 220 ff). Aktuell wird beispielsweise über das Recht auf Schulbildung gestritten: Flüchtlingsräte und andere Gruppen kritisieren, dass ein regulärer Schulbesuch asylsuchenden Kindern und Jugendlichen in vielen Bundesländern verwehrt werde, solange sie in Erstaufnahmeeinrichtungen untergebracht sind (siehe: <https://kampagne-schule-fuer-alle.de/>).

(1958) gesprochen, sind sie zur „politischen Unsichtbarkeit“ verdammt und somit vom „Recht, Rechte zu haben“ ausgeschlossen. Wenn Betroffene sich gemeinsam und sichtbar gegen Abschiebungen wehren, treten sie damit ‚in Erscheinung‘. Diese kollektive Handlung geht über einen individuellen und unsichtbaren Entzug vor Abschiebungen hinaus und macht Abschiebungen zum Gegenstand der öffentlichen, politischen Auseinandersetzung. Solche Praktiken können auch als „acts of citizenship“ (Isin 2008) gedacht werden. Diese von Engin Isin und Kolleg*innen entwickelte Denkfigur erlaubt es, Momente und Praktiken in den Blick zu nehmen, durch die „sich Subjekte unabhängig von Status und Inhalt als Bürger*innen oder, besser noch, als diejenigen konstituieren, denen das Recht auf Rechte zusteht“ (Isin/Nielsen 2008: 18, eigene Übersetzung).

Kollektive Proteste gegen Abschiebungen, an denen sich Personen, die von Abschiebung bedroht sind, beteiligen, fordern politische Rechte nicht nur ein, sondern setzen sie zugleich für den Moment präzedenzhaft durch. Der Bezug auf Recht richtet sich dabei nicht nur auf die Realisierung vorhandener Rechte, sondern zielt auch auf nicht kodifizierte Rechte ab (Lewicki 2016: 6). Mit Ilker Ataç verstehen wir diese Proteste als „performative Handlungen und als Momente des Bruchs, die Machtverhältnisse herausfordern und neue politische Möglichkeiten eröffnen“ (2016: 632; eigene Übersetzung). Im Gegensatz hierzu findet individueller Widerstand gegen Abschiebungen häufig im Verborgenen statt, beispielsweise wenn Personen untertauchen, um sich ihrer Abschiebung zu entziehen. Im Sinne „unmerklicher Politiken“ (Papadoulos et al. 2008, eigene Übersetzung) stellt individueller Widerstand zwar ebenfalls einen Bruch mit der staatlich vorgesehenen (An-)Ordnung dar, indem sich Migrant*innen das Recht zu Bleiben aneignen. Nicht selten und zumindest im Fall eines Untertauchens in die Illegalität führt dies aber zusätzlich zu einer weiteren Prekarisierung der Betroffenen.

Vor dem Hintergrund dieser theoretischen Überlegungen diskutieren wir im Folgenden anhand der Proteste gegen Abschiebungen in Osnabrück, welche kollektiven Strategien gegen Abschiebungen in den Jahren 2014/15 entwickelt wurden und welche Teilhabemöglichkeiten sich hieraus für die an den Protesten beteiligten Geflüchteten ergaben. Des Weiteren analysieren wir, wie sich 2017 unter veränderten Bedingungen erneut Proteste entwickeln konnten und inwiefern hierdurch die Grundlagen für das Ringen um Teilhabe neu strukturiert wurden.

3 Die Proteste von 2014/15

Zwischen März 2014 und Juli 2015 verhinderte das breit getragene „Osnabrücker Bündnis gegen Abschiebungen“ (BgA) 36 Dublin-Abschiebungen (ausführlich

Hinger et al. 2018). Eine erste Abschiebeverhinderung fand im März 2014 statt, nachdem im Plenum einer antirassistischen Gruppe bekannt geworden war, dass ein Teilnehmer nach Italien abgeschoben werden sollte. Über die antirassistische Gruppe und eine nachbarschaftliche Willkommensinitiative wurden spontan ca. 40 Personen telefonisch mobilisiert, die sich vor der Unterkunft des Betroffenen versammelten und – zur Überraschung aller Beteiligten – durch ihre Versammlung die Abschiebung verhindern konnten.

Kurz nach dieser ersten spontanen Aktion wurde in den Räumlichkeiten der Willkommensinitiative ein „Notfalltreffen“ einberufen, an dem auch Vertreter*innen der antirassistischen Gruppe teilnahmen. Mit der Information, dass in Osnabrück rund 80 Geflüchtete im Rahmen des Dublin-Verfahrens in Ersteinreiseländer abgeschoben werden sollten, entwickelten die Aktivist*innen durch die Analyse der Dublin-Verordnung eine Strategie zur Verhinderung von Dublin-Abschiebungen. Durch Blockaden vor den Unterkünften sollten diese solange verzögert werden, bis Deutschland nach Ablauf der sechsmonatigen Überstellungsfrist die Zuständigkeit für die Asylverfahren übernehmen würde. Der Hintergrund ist der folgende: Stellt ein Mitgliedstaat fest, dass nach der Dublin-Verordnung ein anderer Mitgliedstaat für den Antrag zuständig ist, so hat er sechs Monate Zeit, die Person in den entsprechenden Staat zu überstellen. Wird diese Frist überschritten, geht die Zuständigkeit auf den Mitgliedstaat über, der die Überstellung versäumt hat. Dies stellt einen entscheidenden Unterschied zu anderen Abschiebungen dar und bedeutet, dass durch eine Verhinderung der Abschiebung unmittelbar Rechte erstritten werden können.

Beim nächsten Treffen der Initiativen erstellten die Anwesenden eine Telefonliste zur Vernetzung, um spontan Versammlungen organisieren zu können, wann immer eine Abschiebung anstand. Bald hatten sich mehr als 300 Personen für die BgA-Liste angemeldet, darunter antirassistische Aktivist*innen, Kirchenvertreter*innen, Mitglieder verschiedener politischer Parteien, Studierende, Rentner*innen und andere Personen mit und ohne sicheren Aufenthaltsstatus. Was die verschiedenen Akteur*innen vereinte, war die gemeinsame Ablehnung der (Dublin-)Abschiebepaxis. Neben den konkreten Abschiebeverhinderungen wurde eine Reihe von Demonstrationen organisiert, die ein Ende aller Abschiebungen und ein Aussetzen der Dublin-Verordnung forderten.

Im Rahmen dieser Mobilisierungswelle wurden 36 Abschiebungen verhindert, wobei es bei keinem der Fälle zu einem Durchgreifen seitens der Beamt*innen kam. Die Ausländerbehörde reagierte jedoch mit einer Änderung in den Abschiebe-Briefen auf die ersten Blockaden. So wurden die Betroffenen nun aufgefordert, sich fortan vor der Unterkunft bereitzuhalten und sich den Beamt*innen zu erkennen zu geben. Die Unterstützer*innen reagierten darauf mit der Integration der Betroffenen in die Versammlung. Als die Beamt*innen nun

den Namen verlasen und die betroffenen Personen aufforderten, sich zu erkennen zu geben, riefen alle Versammelten „Ich bin’s! Hier!“ (Interview 12.10.2014). Obwohl Kontroversen über die Abschiebeblockaden nicht ausblieben, war das Echo auf die Mobilisierungen zunächst positiv. In der lokalen Presse und in öffentlichen Debatten wurden die Aktionen des BgA als Teil bürgerlichen Engagements und als Zeichen der lebendigen Kultur der Friedensstadt Osnabrück gelobt. Sogar der Osnabrücker Polizeipräsident bekundete im Juli 2014 seine persönliche Sympathie für die Proteste⁴ und der niedersächsische Innenminister, ehemaliger Osnabrücker Oberbürgermeister, bekräftigte im November 2014, er sehe keinen Grund, die Polizeistrategie zu ändern⁵.

In allen Fällen erwirkte das BgA eine Übernahme der Asylverfahren durch Deutschland. In den meisten Fällen erhielten die Antragssteller*innen Aufenthaltsgenehmigungen für 3 Jahre. Die Aktionen mündeten für sie in einer temporären Sicherung des Aufenthaltsstatus und damit verbundenen Teilhabemöglichkeiten: Viele der Betroffenen konnten daraufhin eigene Wohnungen beziehen, an staatlich finanzierten Deutschkursen teilnehmen und teilweise eine Ausbildung oder Arbeit aufnehmen. In einigen Fällen wurde zwar der Zugang zum Asylverfahren erwirkt, aber keine permanente Aufenthaltssicherung. So etwa im Fall von Wazir⁶, eines der aktivsten Mitglieder des BgA, dessen Asylantrag schließlich abgelehnt wurde. Über die, wenn auch temporäre, Sicherung des Aufenthaltsstatus hinaus entstanden im und durch das BgA auch eine Reihe von Freundschaften und die Isolierung, die häufig mit Abschiebbarkeit einhergeht, wurde zumindest teilweise aufgebrochen (Hinger et al. 2018: 172 f). Aktivist*innen des BgA, darunter einige ohne sicheren Aufenthaltsstatus, vernetzten sich zudem weit über den lokalen Kontext hinaus und beteiligten sich zunehmend in einem lokalen sowie überregionalen Rahmen an politischen Kampagnen. Für Wazir, der bei seiner eigenen Abschiebeverhinderung eine Rede gehalten hatte, war klar, dass es bei den Mobilisierungen um viel mehr als ‚nur‘ die Verhinderung der unmittelbaren Abschiebungen ging: „Das ist unser Kampf um Bleiberecht, unsere Rechte, und ein menschenwürdiges Leben.“ (Interview 12.10.2014, eigene Übersetzung)

Diesem Kampf um Rechte in Form von Abschiebeverhinderungen setzten die Gesetzesveränderungen im Jahr 2015 ein vorläufiges Ende. Nachdem im September 2015 zunächst die Niedersächsische Landesregierung beschloss, Abschiebungen mit wenigen Ausnahmen nicht mehr anzukündigen, wurde schließlich im Oktober ein allgemeines Verbot der Abschiebeankündigung in das Aufenthalts-

⁴ Analyse & Kritik, Zeitung für linke Debatte und Praxis vom 19.08.2014.

⁵ Neue Osnabrücker Zeitung vom 21.11.2014.

⁶ Die Namen aller Interviewten wurden anonymisiert.

gesetz aufgenommen (§ 59 Abs. 1 AufenthG, Stand 24. Oktober 2015). Dies verändert die Ausgangslage für die etablierte Protestform kollektiver Abschiebeverhinderungen durch Versammlungen grundlegend.

4 Die Proteste von 2017

Ein Teil der zuvor im BgA Aktiven traf sich mehrmals, um über Anti-Abschiebe-Strategien nachzudenken, die auch ohne eine vorherige Ankündigung des Abschiebetermins funktionieren. Sie richteten erneut ein Alarmtelefon ein, welches die BgA-Liste im Notfall aktivieren sollte. In mehreren Fällen konnten Informationen über eine Abschiebung jedoch erst nach deren Durchführung weitergegeben werden. In einem Fall Anfang 2017 gelang es, spontan Unterstützung zu mobilisieren. Während sich der designierte Abzuschiebende bereits im Polizeiwagen befand, umzingelten die anwesenden Aktivist*innen den Wagen und versuchten die Beamten zu überzeugen, die Abschiebung zu stoppen. Trotz der Proteste wurde die Abschiebung unter Einsatz von Pfefferspray durchgeführt und die lokale Presse berichtete im Vergleich zu früheren Protesten ungewöhnlich negativ. Der Protest wurde jetzt als Angriff auf Rechtsstaatlichkeit gewertet⁷.

Dieses Ereignis stellte einen Wendepunkt für den weiteren Verlauf der Proteste gegen Abschiebungen in Osnabrück dar. Ende Mai 2017 besuchten einige Aktivist*innen der antirassistischen Gruppe eine etwas außerhalb gelegene Unterkunft, wo zu diesem Zeitpunkt etwa 280 sudanesischen Asylbewerber untergebracht waren. Etwa die Hälfte davon war akut von einer Dublin-Abschiebung bedroht. Die Aktivist*innen trafen sich mit einem der Bewohner, welcher in einem Interview mit der Lokalzeitung Kritik an der Situation in der Unterkunft geübt hatte. Sie sprachen über die Anti-Abschiebeproteste des BgA und die aktuellen Schwierigkeiten, woraufhin die Idee zu einem internen Alarmsystem entstand. Am nächsten Tag brachten sie 300 Pfeifen ins Lager und hielten eine erste gemeinsame Nachtschicht mit 20–25 Bewohnern und zehn weiteren Personen ab. Bereits in der fünften Nacht – in dieser waren keine Unterstützer*innen von außerhalb dabei – fand der erste Abschiebeversuch statt, von dem Abdi, einer unserer Interviewpartner ohne sicheren Aufenthaltsstatus, wie folgt berichtet: „Ich hatte [diesmal] keine Nachtschicht und hatte gerade begonnen zu schlafen, als das Pfeifen begann. Nach dem ersten oder zweiten Pfeifen waren es mindestens zweihundert Pfeifen gleichzeitig. Es war nach vier Uhr, alle sprangen aus

⁷ Neue Osnabrücker Zeitung vom 06.01.2017.

ihren Betten, es war Sommer, halbnackt, barfuß, [...] mehr als zweihundertfünfzig [Personen], aus Fenstern, Türen, von überall her.” (Interview 29.9.2018, eigene Ergänzung und Übersetzung)

Die Beamt*innen der Ausländerbehörde und ihre polizeiliche Unterstützung verließen fluchtartig das Gelände. Eine ähnliche Verhinderung gelang zwei weitere Male. In den folgenden Monaten fanden keine weiteren Abschiebungsversuche aus der Unterkunft statt. Durch die erfolgreichen Verhinderungen wurde insbesondere die Angst verringert, die mit der allgegenwärtigen Abschiebebedrohung infolge des allgemeinen Verbots der Ankündigung von Abschiebungen verbunden war. Während zahlreiche Personen aus Angst vor Abschiebungen zuvor häufig außerhalb der Unterkunft schliefen, änderte sich dies mit der ersten Abschiebeverhinderung und „niemand wollte mehr draußen schlafen“, wie Abdi betont (Interview 29.9.2018). Als im September 100 Tage ohne Abschiebung aus der Unterkunft gefeiert wurden, hatten 26 Personen die sechsmonatige Überstellungsfrist überschritten. Neben den kollektiven Verhinderungen der Überstellung war hierfür ein weiterer Aspekt zentral: die Dokumentation aller Dublin-Fälle der Unterkunft inklusive Fristen und die Unterstützung durch Anwalt*innen zur Sicherstellung einer Übernahme der Asylverfahren durch die BRD.

Wie 2014/15 reagierten die Behörden schnell auf die Proteste und boten einigen der (aktivsten) Bewohner*innen Privatwohnungen an, um diese zu einem Auszug zu bewegen. Außerdem wurden keine weiteren Sudanes*innen in die Unterkunft vermittelt. Dies führte aufgrund unterschiedlicher Sprachen zu zunehmenden Verständigungsbarrieren zwischen Bewohner*innen, was Probleme für die gemeinsame Organisation mit sich brachte. Die kollektiven Verhinderungen wurden letztlich auch in dieser Unterkunft letztlich nicht weiter fortgesetzt. Einige der Aktivist*innen aus der Unterkunft engagierten sich jedoch in weiteren lokalen und überregionalen Vernetzungen und Mobilisierungen.

5 Analyse der Dynamiken und Effekte

Um die oben geschilderten Dynamiken der Proteste gegen Abschiebungen verstehen zu können, ist es wichtig, sie in einem multi-skalaren Kontext zu begreifen, der sich ermöglichend oder einschränkend auf die Handlungsmöglichkeiten verschiedener Akteur*innen auswirkt (Buckel 2007: 215). Im Folgenden diskutieren wir zunächst die Entstehung und den Verlauf der Proteste und sodann deren Effekte für die Betroffenen in Bezug auf ihre gesellschaftlichen Teilhabmöglichkeiten.

Für die Entstehung der Proteste gegen Abschiebungen in Osnabrück waren nicht nur Entwicklungen auf Bundes-, sondern auch auf Landes- und lokaler Ebene relevant. Eine wichtige Ausgangsbedingung für die Proteste 2014/15 war der Beschluss im Jahr 2013 der neuen rot-grünen niedersächsischen Landesregierung, Abschiebeterminale anzukündigen, sodass die Betroffenen sich „vorbereiten“ konnten⁸. Hierdurch erklärt sich auch, warum die Osnabrücker Blockadestrategie 2014/15 trotz ihrer weitreichenden Ausstrahlungskraft nur teilweise auf andere Städte außerhalb Niedersachsens übertragen werden konnte.

Für die erfolgreiche Mobilisierung zu kollektiven Verhinderungen und die zumindest zeitweise Aufrechterhaltung der Protestpraxis waren in beiden Fällen des Weiteren eine Reihe lokaler Faktoren zentral: Erstens fußten die Proteste auf der bestehenden aktivistischen Infrastruktur in Form der antirassistischen Gruppe und der Willkommens-Initiative und deren gezielte Kontaktaufnahme mit Bewohner*innen verschiedener Unterkünfte. Zweitens beruhte die erfolgreiche Mobilisierung auf der jeweils spezifischen Unterbringungskonstellation: 2014 hatte die innerstädtische Unterbringung ermöglicht, dass breite Bevölkerungsteile in Kontakt mit Geflüchteten gekommen waren und sich den Abschiebeverhinderungen niedrigschwellig anschließen konnten. Die besagte Unterkunft, in der die Verhinderungspraxis 2017 fortgesetzt wurde, war im Gegensatz dazu erst kurz zuvor am Osnabrücker Stadtrand eröffnet worden. In der sehr großen Unterkunft wurden bis zu 300 sudanesischen Männern untergebracht, von denen die Hälfte akut von einer Dublin-Abschiebung bedroht war. Einige von ihnen waren bereits im Sudan gemeinsam politisch aktiv gewesen. Die gemeinsame Sprache, die politische Vorerfahrung einiger Bewohner sowie ihre große Anzahl ermöglichte die bewährte Verhinderung von Abschiebungen in modifizierter Form durchzusetzen. Dabei konnten die Bewohner*innen auch den zuvor kritisierten Aspekt, dass das Gelände vollständig umzäunt ist und es lediglich einen Zufahrtsweg gibt, für sich nutzen. Drittens war für den Verlauf der Proteste zentral, dass die Mehrheit der Osnabrücker Öffentlichkeit den Protesten wohlgesonnen war und eine explizit deeskalative Polizeistrategie in Bezug auf Proteste gegen Abschiebungen existierte. Mit Ausnahme der Abschiebung im Februar 2017 verzichtete die Polizei anders als in zahlreichen anderen deutschen Städten darauf, Gewalt zur Durchsetzung von Abschiebungen anzuwenden.

Trotz dieser Kontinuitäten auf lokaler Ebene unterscheiden sich die Bedingungen der beiden Protestphasen. Als im September 2015 auf Landesebene und im Oktober 2015 auf Bundesebene das Verbot von Abschiebeankündigungen

⁸ http://www.mi.niedersachsen.de/portal/live.php?navigation_id=14797&article_id=127958&psmand=33 [13.06.2019]

erlassen wurde, erschwerte dies die Möglichkeiten kollektiver Mobilisierung massiv. Zum einen können durch das Ankündigungsverbot Personen, die nicht in einer Unterkunft wohnen, nur schwer bzw. nicht rechtzeitig für eine Protestaktion mobilisiert werden. Das bedeutet, dass die Proteste vornehmlich von Personen ohne sicheren Aufenthaltsstatus bzw. Bewohner*innen von Asylunterkünften selbst organisiert und durchgeführt werden müssen. Die Mobilisierung in Asylunterkünften ist schwierig, weil für Personen mit unsicherem Aufenthaltsstatus eine Teilnahme an Protesten mit einem höheren Risiko verbunden ist, d. h. sie stärkeren Repressionen ausgesetzt sind. Ein Zustandekommen von Protest ist insbesondere bei hoher Fluktuation in Unterkünften und wenn die Bewohner*innen nicht viel außer ihrer aufenthaltsrechtlichen Unsicherheit gemeinsam haben, organisatorisch herausfordernd. In Osnabrück zeigte sich beispielsweise, dass das Modell der kollektiven Verhinderungen 2017 selbst innerhalb der Stadt nicht auf weitere Unterkünfte übertragen werden konnte. Und auch innerhalb der Unterkunft konnte die bestehende Protestinfrastruktur nicht aufrechterhalten werden, als die Behörden eine andere Belegung forcierten.

Das Zusammenspiel verschiedener Faktoren von der lokalen hin zur nationalen Ebene führte also dazu, dass es 2014 zur Entstehung der BgA kam und dass 2017 – wenn auch in veränderter Form und nur über eine gewisse Zeit – die Blockadestrategie erneut angewandt wurde. Ausschlaggebend für den Erfolg der etablierten Proteststrategie war die Kontinuität der rechtlichen Rahmenbedingungen auf europäischer Ebene. Trotz Reformdiskussionen infolge des Sommers 2015⁹ blieb die in der Dublin III-Verordnung enthaltene Überstellungsfrist – die der Schlüssel für die unmittelbare Verbesserung der Situation der Betroffenen durch Verhinderungen ist – bis heute ein verlässlicher Handlungsrahmen für Aktionen gegen Dublin-Abschiebungen. Dass hierdurch für den Betroffenen subjektive Rechte auf eine Übernahme ihrer Asylverfahren bestehen, wurde durch ein Urteil des EuGH vom 25.10.2017¹⁰ unterstrichen.

In Bezug auf die durch die Proteste errungenen Teilhabemöglichkeiten lässt sich feststellen, dass die kollektiven Verhinderungen von 2017 ähnlich erfolgreich waren wie die Blockaden von 2014/15: Zum einen führten die Proteste in beiden Phasen zur Übernahme der Asylverfahren durch Deutschland, wodurch den Betroffenen die legale Teilhabe an verschiedenen gesellschaftlichen Bereichen ermöglicht wurde, die ihnen im Fall einer Abschiebung oder Illegalisierung

⁹ Im Mai 2016 legte die Europäische Kommission das erste Reformpaket für Dublin IV vor, das u. a. die Streichung der Überstellungsfrist vorsah. Die Reformbemühungen waren insgesamt jedoch hochgradig umstritten und es kam zu keiner Einigung der Mitgliedstaaten.

¹⁰ <http://curia.europa.eu/juris/liste.jsf?language=de&num=C-201/16> [11.06.2019].

verwehrt worden wäre. Zum anderen wurde die mit der Abschiebbarkeit verbundene permanente Angst bzw. Unsicherheit vermindert. So konnten sich Personen ohne sicheren Aufenthaltsstatus im Rahmen der Proteste lokal und überregional vernetzen, politisch artikulieren und auch weitergehende Forderungen stark machen, beispielsweise für bessere Lebensbedingungen in den Unterkünften oder Zugang zu Sprach- und Integrationskursen für Personen, denen keine gute Bleibeperspektive zugesprochen wird.

Trotz dieser positiven Einschätzung der in und durch die Proteste erwirkten Teilhabemöglichkeiten ist festzustellen, dass die Aussicht, Rechte durch kollektive Abschiebeverhinderungen zu erstreiten durch das Ankündigungsverbot stark eingeschränkt wurde. Wie oben geschildert sind hierdurch die Ausgangsbedingungen für Blockaden erschwert worden. Nach unserer Einschätzung kann davon ausgegangen werden, dass dort, wo kollektiver Protest verunmöglicht wird oder nicht erfolgreich verläuft, es umso öfter zu Formen des individuellen Widerstandes kommt und die Betroffenen untertauchen. Entgegen der offiziellen Zielsetzung des Ankündigungsverbotes wird das Untertauchen und damit ein illegalisiertes Leben für viele Betroffene eine der wenigen verbliebenen Möglichkeiten einer Abschiebung zu entgehen, was wiederum die Möglichkeiten gesellschaftlicher Teilhabe massiv einschränkt.

6 Fazit

In diesem Beitrag haben wir die Dynamiken und Effekte von Protesten gegen Abschiebung in zwei Fällen von Anti-Abschiebe-Blockaden in Osnabrück zwischen 2014 und 2017 untersucht. Wir haben diese als Kämpfe um Teilhabe konzipiert und analysiert, welche Auswirkungen das Verbot Abschiebungen anzukündigen auf die Proteste und damit verbundene gesellschaftliche Teilhabemöglichkeiten der Betroffenen hat. Dabei wurde deutlich, dass kollektive Verhinderungen von Dublin-Abschiebungen auch unter den verschärften gesetzlichen Rahmenbedingungen weiter stattfinden und dadurch einen Zugang zu Rechten zumindest temporär erwirken können.

Wie wir gezeigt haben, konnte in diesen Auseinandersetzungen Teilhabe erstritten werden. Die Betroffenen konnten sich politisch artikulieren und ihr Etappen-Ziel, die Übernahme ihrer Asylverfahren durch die Bundesrepublik Deutschland, erreichen. In den meisten Fällen resultierte dies zuerst in der Verminderung von Angst vor Abschiebungen und schließlich in der Gewährung 3-jähriger Aufenthaltsstatus, wodurch für die Betroffenen der Zugang zu grundlegenden gesellschaftlichen Bereichen gewährleistet wurde, der ihnen im Fall einer

Abschiebung oder Illegalisierung verwehrt geblieben wäre. Allerdings blieben die Teilhabemöglichkeiten teilweise temporär und prekär, wie das Beispiel von Wazir verdeutlicht. Nachdem seine Abschiebung 2014 durch eine der Blockaden verhindert worden war, war für Wazir phasenweise eine Teilhabe am gesellschaftlichen Leben möglich: er begann sich ein Leben in Osnabrück aufzubauen, zog in eine WG und besuchte selbst finanzierte Deutschkurse. Im Frühjahr 2018 wurde sein Asylantrag jedoch abgelehnt, woraufhin er nach Pakistan abgeschoben werden sollte. Dass er inzwischen verlobt war und einen Ausbildungsplatz hatte, bewog die Behörden nicht dazu, die Abschiebeanordnung zurückzunehmen. Als die Abschiebung erfolgen sollte, war Wazir untergetaucht und seine Mitbewohner*innen blockierten beim Eintreffen der Polizei symbolisch die Tür. Im Gegensatz zur ersten Blockade resultierte daraus für Wazir keine unmittelbare Verbesserung seiner Situation. Er hielt sich einige Zeit illegal in Osnabrück auf, bevor er sich zur eigenständigen Ausreise nach Pakistan entschloss, um eine Abschiebung und die damit verbundene Wiedereinreisesperre zu umgehen. Seit März 2019 ist Wazir zurück in Osnabrück. Aufgrund der bestehenden Ausbildungsvereinbarung war sein Visumsantrag nach mehreren Monaten Wartezeit bewilligt worden. Er setzt nun seine Ausbildung fort.

Dieser Fall verweist zum einen auf die Beschränktheit der Protestform Blockade: Während sie vor dem Hintergrund der Dublin-Überstellungsfrist den Zugang zu Asylverfahren ermöglichen kann, ist sie in Fällen einer Abschiebung, die nicht nach der Dublin-Verordnung erfolgt, wenig aussichtsreich. Im Fall abgelehnter Asylverfahren sind andere Mittel, insbesondere rechtlicher Widerspruch, wesentlich erfolgsversprechender¹¹. Zum anderen verweist der Fall darauf, dass sich Widerstand und Proteste gegen Abschiebungen nicht allein durch gesetzliche Änderungen verhindern lassen, sondern diese ihre Strategien und Taktiken an die veränderten Regelungen anpassen. Entsprechend verstehen wir Auseinandersetzungen um Abschiebungen mit und über Oulios (2015) hinaus als ein permanentes Ringen um Rechte – das Recht zu bleiben, das Recht auf Selbstbestimmung über das eigene Leben und das Recht auf gesellschaftliche Teilhabe unabhängig vom Aufenthaltsstatus.

Sophie Hinger ist Sozialwissenschaftlerin, arbeitet und promoviert am Osnabrücker Institut für Migrationsforschung (IMIS) der Universität Osnabrück. Kontakt: sophie.hinger@uos.de.

Maren Kirchhoff ist Sozialwissenschaftlerin und promoviert mit einem Stipendium der Hans-Böckler-Stiftung ebenfalls am IMIS. Kontakt: mkirchhoff@uos.de.

¹¹ 2018 wurde ein Drittel aller negativen Asylbescheide nach einer inhaltlichen Überprüfung durch Gerichte revidiert.

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5 The Politics of Presence

The cumulative contributions presented in the chapters above dealt with different aspects of negotiations over asylum in the city. They focused on different fields or zones of such negotiations, i.e. the reception, accommodation, and deportation of refugees. Some contributions mainly analysed policies and their implementation, others focused on the individual and collective contestation of these. Especially when taken as an ensemble, the contributions differ from a multi-level governance perspective, because migration policies and bureaucracy are taken as only two elements in the more complex functioning of migration regimes. They also differ from social movement studies, as they engage more deeply with the logics and practices of state institutions and policies than more agency-oriented studies usually do and they do not merely focus on protest events but also on everyday practices. In line with the regime perspective introduced in the first chapter, the cumulative chapters can be read as different ways to zoom into particular parts of a (local) migration regime.

Attempts to grasp migration regimes in their complexity bear the risk of rendering a fragmented analysis that, at its worst, lacks theoretical integrity and analytical clarity (see 1.2). This danger is certainly amplified in a work presented in form of a cumulus with each contribution being shaped by particular circumstances and possibilities for producing and publishing knowledge on migration (see 1.3). However, the attempt to grasp the 'in-between' or the back and forth between different factors, actors, and zones of negotiation also holds the promise of providing new and, at its best, more comprehensive insights into migration regimes. This begs the questions: What binds the cumulative contributions presented above together? How do they add to our understanding of negotiations over the inclusion:exclusion of refugees in and through the city?

This chapter attempts to answer these questions. What is more, it aims to provide an empirically grounded theoretical reflection on urban struggles over the belonging and participation of refugees. On the basis of the case studies presented above, it will be argued that at the heart of urban negotiations over asylum lies the question whose presence is deemed (il)legitimate and of the rights that derive from being present. Against this backdrop, the notion of a *politics of presence in asylum* will be introduced. It will furthermore be elaborated how the politics of presence challenges the control or *policing* of migrant presence. In the remainder of this introduction to the fifth chapter, I will briefly sketch how the politics of presence has been used in the literature.

In political theory, “the politics of presence” has been discussed as a way to democratise political representation (Phillips, 1995)¹. In more radical accounts, the unruly presence of the multitude or those without rights has been described as a way to ‘democratise democracy’ by breaking with the very principle of representative democracy (Lorey, 2020; Rancière, 1999).² These theoretical debates over (radical) democracy were no starting points for my work and not the reason why I have come to formulate local struggles over asylum as ‘politics of presence’. Yet, the parallels and links with these debates in political theory are little surprising. In negotiations over asylum, the limitations of liberal representative democracy become clearly visible. Refugees belong to those groups who find themselves on “a symbolic and material frontier between minimal rights [...] and a straight denial of rights” (Balibar, 2008, p. 530). Exploring the politics of presence in asylum means recognising this denial (or restriction) of rights and, at the same time, highlighting the capacity of asylum-seeking migrants to claim rights.

The *politics of presence in asylum* is here used to denote both the “imperceptible politics”³ (Papadopoulos et al., 2008) of refugees being in the city, as well as their (and their allies’) explicit claims-making. It thus describes attempts to challenge and disrupt the established order of migration control and the exclusive notion of citizenship (as defined by national membership). The politics of migrant presence is juxtaposed with the *police of migrant presence*, here understood as attempts to govern migration, to control, categorise, and render in/visible migrant bodies. While these notions mirror the work of Jacques Rancière (1999), the way they will be used in the following departs from the way Rancière defined ‘politics’ and ‘police’⁴. From a Rancierian understanding, the politics of migrant presence like all ‘proper

¹ The British political scientist Anne Phillips (1995) has coined the notion “politics of presence” in an eponymous book. According to Phillips, “a politics of presence” would take gender, ethnicity and other personal characteristics as legitimate criteria for political representation as opposed to a model of political representation based solely on ideas and values. This would in turn entail more equal access to democratic representation for all citizens, she argues. This notion of a politics of presence differs from the one presented here, because it focuses on the equal access of citizens into elected assemblies, a perspective that excludes non-citizens and denizens like asylum-seeking persons. Yet, the fundamental notion of rethinking citizenship and claiming rights through presence and the emphasis on bodily presence as an irritation/disruption of established orders is echoed here.

² Isabel Lorey (2020), for example, proposes to think of “presentist democracy” as practices that are enacting democratic principles and inventing new forms of democracy and political subjectivities that go beyond the differentiating lines of race, gender, class etc.

³ Imperceptible politics can be understood as those “social forces which are outside of existing regulation and outside policing” (Papadopoulos et al., 2008, p. xv).

⁴ What in liberal democracies is referred to as politics (the institutions, policies and procedures of government) is, according to Rancière, better thought of as a form of domination or police. Politics from his understanding is when the established order is interrupted, e.g. when dominant categorisations between those who can and others who cannot take part are challenged: ‘Politics exists when the natural order of domination is interrupted by the institution of a part of those who have no part’ (p. 11).

politics' are situated outside of and against institutions; they are not so much about claims-making through presence, but rather about affirming presence (cf. De Genova, 2010, p. 103).⁵ From this point of view, all demands to be included and all attempts to respond to such claims are actually already part of the police or the established order – which leaves little prospects for politicisation and politics to occur. Against such a narrow understanding, the here adopted notion of a politics of presence encompasses migrants' claims-making as well as institutional attempts to include migrants, in the sense of 'urban citizenship'. Marisol Garcia (2006) suggests to speak of urban (and regional) forms of citizenship when

“policy instruments are introduced locally and regionally in order to maintain and/or create social entitlements as a result of citizens' demands or as a result of local institutions' innovative practices; and when the mechanisms for political integration provide an open sphere for participation and contestation not only for established citizens, but also for denizens” (p. 754).

Urban citizenship mechanisms are often adopted on the basis of “the domicile principle”, which describes that “a person is [considered as] a citizen of the polity, in which she or he resides, independent of ancestry or location of birth” (Bauder, 2014, p. 92). While such policy measures do not actually constitute citizenship policies, they “do represent a reconfiguration and stretching of legal boundaries around who is considered a valid member of the public” (Varsanyi, 2006, p. 244).

While political claims-making on the basis of presence and efforts to include refugees are not necessarily urban, they are especially probable at the urban scale (Darling, 2017, Uitermark & Nicholls, 2014). This is because it is often in cities that the inegalitarian and exclusionary nature of citizenship becomes obvious (Holston & Appadurai, 1996). There is the grievance of those who live in the city, but cannot fully participate because of their legal status; and the resentments of those who are formally holding rights, but still feel discriminated against and excluded. Accordingly, cities often serve as the arenas, in which struggles over belonging and rights are carried out. The socio-spatial characteristics of cities (size, diversity, and density), furthermore facilitate the formation of activist networks within and between cities (Uitermark & Nicholls, 2014). Through the interconnections between heterogeneous urban populations, political struggles often stretch across different zones or fields and beyond the immediate local context (ibid.). Beyond claiming a right to their city, urban residents are thus also using the city as a

⁵ Along these lines, some migration scholars argue that migration and migrants' claims-making should not be read as enactments of citizenship, but that analytical approaches should go beyond citizenship and the vocabulary of inclusion/exclusion (Papadopoulos & Tsianos, 2013).

strategic site to struggle for broader rights. They are struggling *through* the city (cf. Nicholls & Vermeulen, 2012).

As pointed out throughout this thesis, geography as well as history matter for the way lines of inclusion:exclusion are drawn. Which formal rights (e.g. the right to work, to move outside one's place of residence, to move into private housing) are granted to refugees on the basis of which legal status changes over time and differs between national and sometimes sub-national contexts. In how far, asylum seekers formulate claims and how these are responded to is likewise dependent on the context. The cumulative contributions dealt with local negotiations over the inclusion:exclusion of refugees in a specific geographical context, that of a mid-sized Western German city, embedded in a larger European migration regime, and at a specific historical conjuncture, that is, the period before, during, and after the heightened arrivals of refugees in 2015/16. The following synthesis and reflection, however, will not so much focus on place and time 'as context'. Importantly, describing the city as a site of the politics (and police) of migrant presence does not mean that it is a given and static context or place. Rather the city is an important element and product of the politics of migrant presence, i.e. it is also re-imagined and re-negotiated in the process:

“Urban presence may unite individuals across status and reimagine the city not as a bounded object to be welcomed to or excluded from, but rather as a relational and collaborative production of those present at any given point” (Darling, 2017, pp. 191–192).

In this vein, this chapter will explore how space and time are used and produced in local negotiations over asylum. The focus on presence, i.e. the temporal fixing in space, reflects this double-fold interest. With the 'politics of presence' I thus seek to grasp and to highlight what I see as three fundamental dimensions of urban negotiations over (asylum) migration: First, *the spatial dimension*: i.e. that these negotiations are mediated through and producing space, second, *the temporal dimension*, i.e. that they are involving and producing certain temporalities, and third, *the political dimension*, i.e. that the inclusion and exclusion of refugees is not just determined but continuously negotiated, even though these negotiations involve highly asymmetrical power relations. The three dimensions will be discussed against the background of the cumulative parts of this thesis.

5.1 The Spatial Dimension

Like much of the work inspired by Lefebvre's writings, the cumulative chapters stress the importance of the connection between spatial production and social interaction. Throughout the cumulative parts of the thesis, it has been highlighted that space both serves as a medium for and presents a product of negotiations over asylum. While some articles take an explicitly

space-sensitive approach, such as those presented in chapter 3, others deliver observations on the function of spatial constructions in negotiations over asylum without necessarily theorising these (chapter 4). In this section, the different observations on the production of space and place in negotiations over asylum made in the cumulative parts will be reviewed. First, symbolic representations or narratives of the city in relation to (asylum) migration will be discussed. Second, the locating of asylum in the city through the production of sites of meaning will be looked at, with a particular attention for their materiality. Third, the embodiment and regimes of (in)visibility connected with negotiations over the presence of asylum-seekers in the city will be considered.

5.1.1 Narrating (Asylum) Migration in the City

The way the city is narrated plays a key role in urban negotiations over asylum. Narratives of the city indicate who belongs (or not) to the city and whose presence is (not) welcome. This point will be illustrated with two representations of the city that are commonly advanced in negotiations over the inclusion:exclusion of (asylum-seeking) migrants in the city and that were also taken up in the cumulative parts above: *the sanctuary city narrative* and *the overloaded city narrative*.

According to the sanctuary city narrative, the local, i.e. the city, is particularly inclusive and welcoming towards (asylum-seeking) newcomers, especially in comparison with the (supra-) national scale. Chapter 4.2 gave several examples of such a representation in the case of Osnabrück. The contribution mentioned that the Osnabrück City Council adopted an integration concept for refugees, including those still in process of claiming asylum, at a time when asylum applicants were to be excluded from integration measures according to national law. Moreover, the contribution recounted that the City Council endorsed a local initiative to resettle refugees from a camp in Idomeni, Greece and that it declared the city as a ‘Safe Harbour’ (*Sicherer Hafen*) (Stadtrat, 2018).⁶ Through such declarations, the local authorities position themselves in contrast to national and European policies of exclusion, as well as in opposition and in connection to other localities. Declaring the city as a ‘Safe Harbour’ explicitly opposes it to localities supposed to be unsafe or unwelcoming (like Idomeni). At the same time, this label links the city to a growing network of other ‘Safe Harbours’ and ‘solidarity cities’. The fact that many of the places presented as sanctuaries are cities implicitly reproduces an urban-rural

⁶ The notion of the city as a Safe Harbour is in practice closely connected to the city as sanctuary, however the notions also differ: Whereas the sanctuary narrative (and actual measures adopted in line with this narrative) are based on the reasoning that all inhabitants of the city should be rightful members and equal right-bearers, the notion of the city as a Safe Harbour is about welcoming protection-seekers in the city who are not (yet) there.

divide, which is not discussed in any depth in the cumulative parts of the thesis, but would merit further attention.

What is highlighted throughout the cumulative contributions (and especially in 5.1) is that the sanctuary city narrative is linked to a specific aspect in the history or a feature of the city. In the case of Osnabrück, the accommodation and protection of asylum-seekers is said to be a special responsibility, because of the city's history as the 'City of Peace' (a reference to the Peace of Westphalia signed in the city). At the same time, the welcoming of protection-seekers is presented as a proof that 'City of Peace' is more than just a city brand. In chapters 2.2 (Hinger, 2020, pp. 29-30) and 3.2 (Hinger & Schäfer, pp. 65-72) the use of refugee accommodation for city marketing purposes was discussed as part of a broader trend among cities to use migration-based diversity as a locational factor in inter-communal competition. It is important to note, that the sanctuary city narrative does not equalise the discourse on migration-based diversity as an asset for cities and that it represents in most cases more than paying lip-service to humanitarian ideas for the sake of city-marketing⁷. At the same time, there are local variations in how such narratives and images of the city are used.

While in some cities, brands and slogans do little more than appear on tourist magazines and the city's website, in other cases, such slogans are an important part of negotiations over what and who the city is (not). In Osnabrück, the city brand is in fact referred to by different actors for different purposes, and thus is both a product and relevant medium of negotiations in the city. Activist have for example appropriated the city brand to pressure local authorities to live up to the ideal of the 'City of Peace' when protesting against (Dublin-)deportations, resettlement to the city, and better living conditions for persons with an insecure legal status (see chapter 4). An especially vivid

Figure 3: Picture of a Banner used in a protest march



Source: No Lager Osnabrück, 2017

⁷ In September 2020, the German Federal Minister of the Interior reproached those local authorities that declared their city as "Safe Harbours" of "a heroic self-portrayal of [their] own humanity" and called into question whether the claims of the municipalities were really driven by humanitarian concerns (Deutscher Bundestag, 2020, p. 21942 D)

reference to the city brand was a banner carried in an anti-deportation protest in 2017 showing a blood-stained dove sitting on top of the city's logo, which read "Deportation City" instead of 'City of Peace' (see figure 3). Also, in other cities, references to specific narratives and images of the city are used in negotiations over (asylum) migration, as the comparison between Osnabrück in Leipzig in chapter 5.1 showed. In Leipzig the same historical event, namely the peaceful revolution to which Leipzig was one of the main sites, has been taken up by different sides in negotiations over (asylum) migration. As shortly mentioned in 5.1, the appropriation of the peaceful revolution slogan 'we are the people' by right-wing anti-immigrant groups made it increasingly difficult for local authorities to refer to this historical feature of the city for a positive image campaign and as a basis for an open and welcoming narrative of the city.

Besides the appropriation or subversion of existing narratives and representations, civil society initiatives also bring their own slogans and narratives of the city into the debate. For example, the concept and vision of 'Solidarity Cities' (see 5.1) was formulated by grassroots-initiatives across Germany as an alternative way to think the city and the local community (Wenke & Kron, 2019). While Solidarity City has remained a grassroots initiative, the related civil society movement *Seabrigde* (*Seebrücke*) has successfully convinced many municipalities to adopt the label 'Safe Harbour', including the City of Osnabrück, as mentioned above. While the ultimate aim of these initiatives is to change migration and border policies and not 'just' introduce another city label, they do negotiate conceptualisations and representations of cities. From a Lefebvrian perspective, envisioning and labelling cities as 'Safe Harbours' or 'Solidarity Cities', is more than 'symbolic politics'. Rather, the production of new and different representations of the city is an intrinsic part of struggles for social change (e.g. Lefebvre, 1996, p. 179) – in this case the devolution of national decision-making competencies regarding immigration and asylum to the local level and a (at least partial) restructuring of citizenship on the basis of the domicile principle.

The second example of a city narrative that is advanced in negotiations over (asylum) migration is that of the 'overloaded city'. Much to the contrary of the sanctuary city narrative, the overloaded city narrative frames the presence of asylum-seekers in the city as a 'problem' and 'burden' for the city. In 2015/16, the migration dynamics and responses to them on the different levels were predominantly represented in terms of a crisis (see 2.1 (Hinger, 2016, pp. 81-83). Not just Europe and the nation states were said to face a 'refugee crisis', also many cities were presented as being overburdened by the newcomers. As specified in chapter 3.1 (Hinger, 2023, p.10), the Association of German Cities (*Deutscher Städtetag*), for example, used the 'overloading' of cities as an argument to demand legal changes (for an early selection of

refugees on the basis of ‘prospects of staying’ and the non-transfer of those deemed unlikely to stay) and more financial resources for municipalities. Interestingly, this narrative was not very present in the case of Osnabrück during and after the 2015 ‘long summer of migration’. As chapter 3.2 (Hinger & Schäfer, 2019) spelled out, the local authorities in Osnabrück, unlike local decision-makers elsewhere, did not (as much) rely on a crisis narrative in their response to the augmented numbers of (asylum-seeking) newcomers in the mid-2010s. Whereas the authorities in Leipzig, for example, reverted to an emergency narrative amongst other things to justify the comeback of mass accommodation centres, not in line with their municipal standards, city representatives in Osnabrück tried to stick to their decentralisation concept and underlined time and again that the city was not facing a crisis. The chapter explained that the representations of migrants in the city played a fundamental role for the way the city authorities responded to the augmented arrivals in 2015. It moreover concluded that the different representations and responses in the two cities can, at least partly, be explained through different actor constellations and dynamics and local (migration) histories. Whereas civil society groups have been rather successful in Osnabrück to work towards the conception of the city as a sanctuary, in Leipzig anti-immigrant forces have contributed to a representation of asylum as a burden and problem for the city.

However, also in the absence of right-wing pressure groups, an ‘overloaded city’ narrative might be adopted, as the following short historical excursus elucidates (which is based on my archival research and not included in the cumulative chapters above): In the beginning of the 1980s, representatives of the city of Osnabrück sought to prevent the opening of an asylum accommodation centre by the regional authorities. A few months earlier, the municipality had, as the first one in Lower Saxony, opened an asylum accommodation centre. The plans of the regional authorities to open a centre in the same neighbourhood as the municipal one evoked strong discontent on the side of the municipal authorities (Sozialausschuss, 1981). This was mainly because the municipality felt ill informed about the project. While previously eager to follow the guidelines of the regional authorities to centralise accommodation for asylum applicants, the City Council and the local administration consequently started to criticise this form of accommodation and pointed to the fact that a second accommodation facility would encumber the city and neighbourhood. The municipality argued that they had already over-fulfilled their ‘refugee quota’ and that the neighbourhood in question would turn into a social hotspot, as it was already home to the municipal asylum accommodation centre and to many ‘foreign workers’. The municipality even took the case to court, but lost in the second instance before the Higher Administrative Court of Lower Saxony (Stadtrat, 1982).

In this case, the municipality above all reverted to the overloaded city narrative, because they felt overrun by the district government. The argument served as a way to re-negotiate their power position vis-à-vis the state. As stated in chapter 1.2, the actors involved in negotiating asylum in the city use this issue to assert their (political and cultural) identities as well as their power positions in relation and contrast to other actors. The overloaded city narrative can thus also be regarded as a way to claim more resources and negotiate competencies and power relations with higher levels of government. To this end, governmental actors rely to a great extent on statistical knowledge and stress the financial burden that refugee accommodation represents for them.⁸ It is little surprising that the municipality of Osnabrück started to keep a statistical record of the number of refugees allocated to the city and the costs associated with their accommodation after this legal dispute with the Lower Saxon authorities (*ibid.*). Underlining that refugee accommodation presents a financial burden for municipalities has been a perennial issue in negotiations between German municipal, regional, and federal authorities. Also, in the case of Osnabrück, asylum accommodation has been framed continuously, and especially with the heightened arrivals in the 2010s, as a financial burden (e.g. Stadt Osnabrück, 2013).

In one regard, the sanctuary and overloaded city narratives could be said to serve a similar aim: Namely, to strengthen the position of municipalities vis-à-vis other levels of governments. Yet, in many other regards they are fundamentally incompatible. They frame asylum in the city in very distinct ways – as a responsibility and even potential benefit on the one side, and as a burden and threat to the city on the other. And they underpin very different political projects regarding the inclusion:exclusion of refugees – a more open and inclusive city on the one hand, and a more exclusionary city on the other. Which narrative prevails is at the heart of urban negotiations over belonging to and through the city. While of course it does matter whether or not a declaration or labelling of a city as Safe Harbour or sanctuary city is actually followed by deeds, it is also clear that a re-ordering of power relations and boundaries of belonging necessitates a narrative of migrant presence as a normal part of the city and not as an exception, burden or threat. As noted above, also researchers take part in such negotiations, as we deconstruct overloaded city narratives or as we reveal the local trap inherent in some accounts of the sanctuary city and push the latter beyond framings based on hospitality and charity.

⁸ The same argument and debate is also reproduced on other levels. As the dispute among European member states around the ‘refugee crisis’ has shown, asylum is here also framed as an issue of ‘burden sharing’ and power relations between member states and between the national and European levels (Rea et al., 2019).

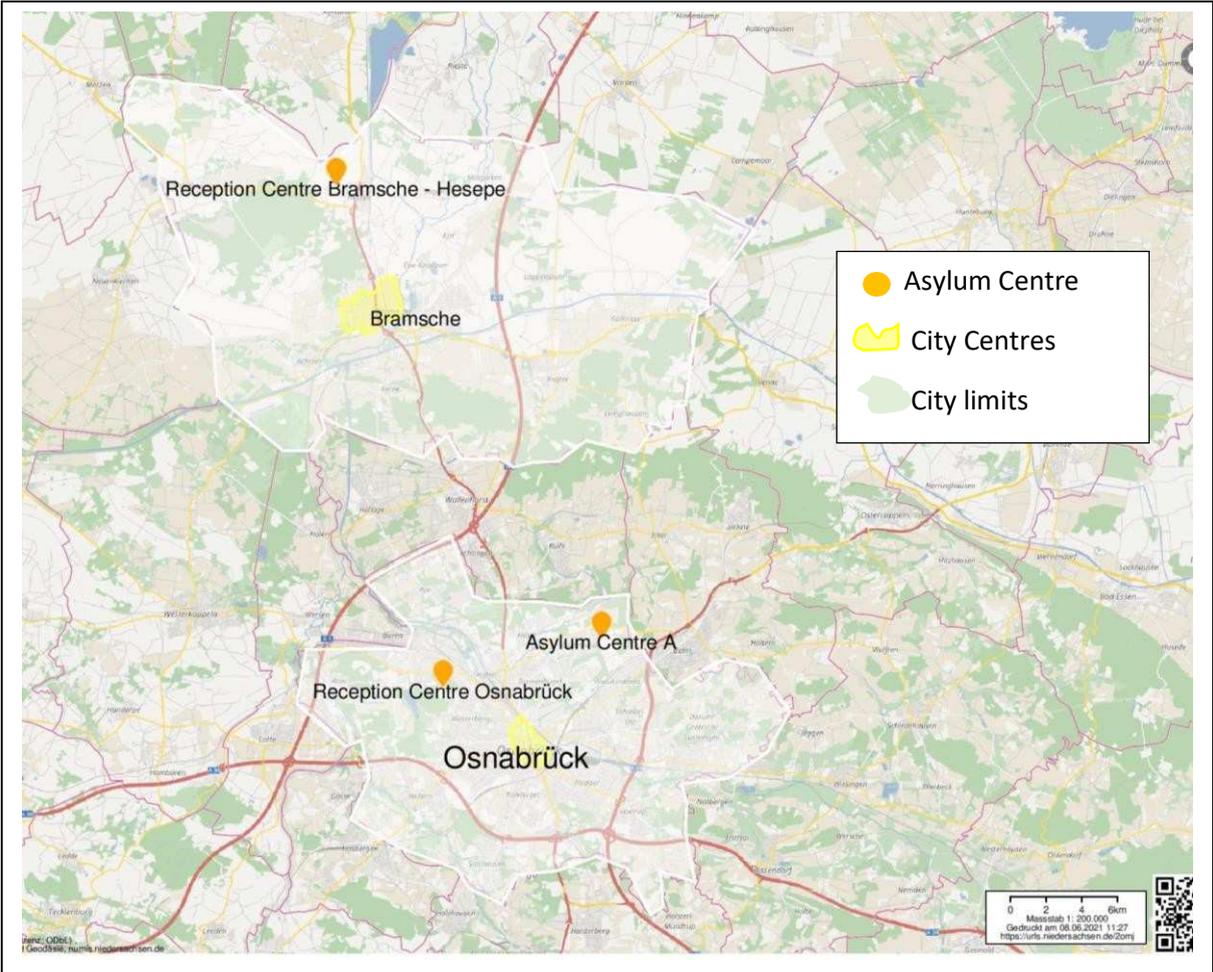
5.1.2 Locating Asylum in the City

Narratives like the ones discussed above localise asylum migration. That is, asylum migration is thereby framed as particularly relevant for the local scale and it is highlighted that the consequences of and responses to (asylum) migration are place-specific. Locating asylum further implies the production of and reference to specific *sites of asylum* in the city (cf. Hinger et al., 2016, p. 15ff). Through such sites, (asylum) migration is made visible as part of the urban landscape. An example of how such sites of asylum are constructed is the above-mentioned dispute between municipal and regional representatives over the opening of a second asylum accommodation centre in the neighbourhood Schinkel in Osnabrück in the beginning of the 1980s. In the reading of some municipal representatives the whole neighbourhood turned into a hotspot due to the opening of two accommodation centres. The neighbourhood, and more specifically the buildings, which were converted into accommodation centres, were thus constructed as (problematic) sites of asylum. Asylum accommodation centres can be seen as architectural manifestations of (attempted) migration control (Darling, 2011). However, the meaning of such sites is only seemingly set in stone. As demonstrated in chapters 3 and 4, they are actually constantly struggled over. Asylum accommodation centres are especially interesting sites precisely because of their ambivalent and constantly contested meaning and function (see 3.1). Taking the case of asylum accommodation, I will, in this section, synthesise the arguments presented in the cumulative contributions regarding the way sites of asylum are produced and struggled over in the city. I will revisit, first, how asylum centres can be regarded as a spatial means and materialisation of migration control, and second, how these same places may be, at least temporarily, turned into sites of community building and resistance. Going beyond the cumulative contributions, I will then reflect on the role of sites of asylum or the built world of asylum as such, i.e. in their material dimension.

In chapter 3.1 (Hinger, 2023) it was shown that some asylum-seeking newcomers are held back in centralized accommodation facilities for prolonged periods, whereas others are channelled into private housing relatively quickly. Especially through long-term stays in isolated and (relatively) closed mass accommodation centres, protection seekers are physically separated from other urban residents. While in Osnabrück – like in many other German cities – a plan for the decentralisation of asylum accommodation was adopted in the early 2010s, this did not represent the end of mass accommodation centres in urban peripheries (3.1 (Hinger, 2023, p. 7)). There has been a continued use, and since 2015, even an increased use of mass accommodation centres across Germany. This is also the case in Osnabrück, even though asylum accommodation has been, at the same time, further decentralised (3.2 (Hinger & Schäfer, 2019, p.73)). One example of a peripheral mass

accommodation centre opened in 2016 is centre A (see 3.1 (Hinger, 2023, p.11ff.) and figure 4). This centre is situated in former military barracks at the Northeastern periphery of the city. Even more isolated is the long-standing regional first reception centre located at the edge of a peripheral neighbourhood of the small city Bramsche nearby Osnabrück (see figure 4). Like centre A, the ‘reception centre’ in Bramsche is located in former military barracks and surrounded by a fence. Both asylum centres are connected to the respective city centres through a bus line, but the asylum centres’ residents have to pay for the bus tickets, which means that the accessibility of the city centres is limited. And it is not just the physical distance separating asylum centres from ‘the city centre’ that makes for their socio-spatial distancing. The regional first reception centre that was opened in 2014 in Osnabrück illustrates this point: Unlike the centre in Bramsche and many other first reception centres, it is located in the city in one of the poshest neighbourhoods (see figure 4).

Figure 4: Map of Selected Asylum Centres in and near Osnabrück



Source: own figure based on a map by OpenStreetMap (Lizenz: ODbL), geo.osnabrueck.de, numis.niedersachsen.de

However, it is, like the centre in Bramsche and centre A also fenced, surveyed and spatially set apart from nearby residential areas. What is more, the people staying there are only temporarily

in the city before being either transferred to municipal follow-up accommodation (mostly in another city) or deported to another country, which makes for little opportunity to enjoy the quality of life in the city and to connect with other urban residents.

The im/mobilisation of asylum seekers through dispersal and assigned accommodation is a way to filter those not yet filtered ‘at the border’ as argued in 3.1 (Hinger, 2023, p.7). According to Jonathan Darling, “dispersal accommodation” (Darling, 2011, p. 266) can be described as a form of “domopolitics”, i.e. the aspiration to “govern the nation like a home” (Walters 2004, as cited in Darling, 2011). It is supposed to re-establish the image of an orderly nation and an alignment between security, nation, and territory, seemingly unsettled by undocumented migration. It does so by transporting an image of the nation (and the city) as both in control of and as caring for those in need of protection (Darling, 2011, p. 267). This also entails the making of the refugee subject as a victim and/or as potentially threatening and in need of disciplining. The creation of the refugee subject as a figure “demanding discipline” (Darling, 2011, p. 269) is taken up in 3.2 (Hinger, 2023), which recounts how local asylum managers seek to teach residents of asylum accommodation centres cleanliness and work ethics and how they select candidates for private housing on the basis of good living behaviour and integration efforts. While sustaining an image of a homely and secure nation, the domopolitical logic underlying asylum accommodation disconnects housing from feelings of security and homeliness for asylum seekers (Darling, 2011). As the contributions in chapter 4 highlight, asylum seekers living in asylum accommodation centres often feel isolated, insecure and exposed in their precarious state of deportability, a point that will be taken up again in the section on the embodiment of asylum.

The chapters 4.1 (Hinger et al. 2018) and 4.2 (Hinger & Kirchhoff, 2019) demonstrated that asylum accommodation centres may not only be regarded as materialisations and means of migration control and domopolitics. Asylum accommodation centres can be said to exist in the first place, because of transnational migration movements and the presence of migrants, which the accommodation centres are one response to. What is more, accommodation centres are also the places where asylum seekers live, and which they can and do appropriate in different ways (Boccagni et al., 2020; van der Horst, 2004). They do this, on the one hand, through mundane acts, such as making their rooms more comfortable (Interview with janitor, 14.6.2017). Another way, in which asylum centre inhabitants are arranging their own living space is by switching rooms or even accommodation centres e.g. in order to live with a friend or under better conditions (see 3.1 (Hinger, 2023, p. 15).

Opposed to such examples of home-making practices is the intentional negligence or even destruction of the assigned living space by the residents. As the janitors often complained, some

asylum centre residents refused to follow the cleaning plan, and some even vandalised the centres, in which they were housed. In how far such practices entail some sort of empowerment is highly questionable. On the one side, residents thereby refuse to be housed, disciplined, and cared for and are thus resisting the domopolitical logic. On the other side, it is rather unlikely that they will thereby ameliorate their own situation or gather political support for their cause. Indeed, practices of negligence and vandalism are usually met with little sympathy by the local authorities and other (urban) residents. Rather, they are presented as a proof of the need to control and discipline those living in the centres (Field diary, visit with Janitors, 7.2.2017).

What does often spark expressions and initiatives of solidarity by other urban residents are bad living conditions in asylum accommodation centres. Also, in Osnabrück, refugee solidarity initiatives were often started, because of dire housing conditions of refugees in the city. In the early 1980s, a refugee rights initiative that later became the association Exil e.V. was started to protest amongst other things against the “inhumane conditions” in the recently opened asylum accommodation centres (Exil magazine, 1983, p. 3). Similarly, in the beginning of the 1990s, the conditions in the newly set up emergency shelters drove some urban residents to politically take sides with the asylum-seeking newcomers. As a member of Exil e.V. recalls, she first got engaged with the association at the beginning of the 1990s, because of

“these first experiences with the shelters. The city was completely overwhelmed by the inrush that came from the Kosovo war [...] many different refugees were crammed together in horrible – really what kind of – accommodation. It was indescribable. And they were in completely run-down taverns that the city had rented [...] I wrote a report back then. There were several initiatives here in the city, for example the [name of a church parish in Osnabrück] and we then set out together and visited this accommodation centre there and [then wrote this report]” (Interview with Exil member, 24.1.2017, own translation).

In the 2010s, it was likewise the opening of accommodation centres that led to the creation of new solidarity initiatives, like the neighbourhood-based welcome initiative described in chapter 2.1 (Hinger, 2016). As different urban residents, both with and without secure residence status, come together in and through asylum centres, the centres turn into sites of encounter, exchange and community building. What is more, the centres may also serve as spaces for refugee self-organisation.

While Jennifer Hyndman’s observation that refugee camps and asylum centres gather the “noncommunities of the excluded” (Hyndman, 2000, p. 183) is certainly accurate, this does not preclude the possibility that communities are formed in and through such places. For example, Centre A which was referred to above as a site symbolising social (in)difference and exclusion, in fact, became a site of self-organisation and resistance, as recounted in chapter 4.2. Not

despite, but partly because of the specific socio-spatial features of this site – its isolated location, the unfavourable living conditions, and the assignment of mainly Sudanese men to the centre, many of whom were facing deportation – community building and political interventions in form of deportation preventions, demonstrations, and a petition to the City Council became possible (4.2). The observation that unfavourable living conditions in accommodation centres may in fact fuel refugee community-building and resistance is also made by Christian Jakob (2016). He asserts that Germany's refugee movement, including organisations such as the Voice Refugee Forum and Women in Exile, was born in isolated asylum centres in former military barracks in East Germany in the 1990s, precisely because of the especially dire living conditions and the social isolation there (Jakob, 2016, pp. 14-15). Likewise, the 2013 refugee protest marches and protest camps which mushroomed across the country were actually initiated in an asylum centre in Würzburg, after a young man had committed suicide in the centre (Jakob, 2016, pp. 16-17). It is not surprising that one of the central claims of the refugee movement has been to end the obligatory stays in asylum accommodation centres.

To sum up, I have argued that asylum accommodation centres may serve different functions: on the one hand, as a means for the control or police of migrant presence; on the other hand, as a means for community-building, solidarity and resistance or what has been referred to as a politics of presence. The police and the politics of migrant presence do not only involve different accounts of migrant presence and ways of *referring to* the sites where this presence becomes visible. They involve the production and/or interaction with these sites. However, in how far the sites *as such*, i.e. in their material or physical dimension, play a role, requires further analysis.

From a radical constructivist perspective space only matters insofar as it becomes relevant in communication. It is thus the reference to sites and not the sites as such that matter. From such a perspective, spatial differentiations such as central vs. peripheral, small-scale vs. large-scale accommodation, and labels such as 'camp' vs. 'communal accommodation' would be looked at with regard to their function and interpreted according to the context in which they are made (social interactions, organisations, systems) (Pott, 2007). This perspective has the great advantage of not limiting the analysis of social interaction to particular container-like places, precisely because the analytical focus does not lie on the places but on communication. Such a perspective would for example reveal the importance of centre X in city B for the negotiation of (sites of) asylum in city A. However, such a perspective tells us little about the practices of appropriation and contestation of the users of sites like asylum accommodation centres. It cannot grasp the interaction between individuals or social groups with the built environment,

i.e. the bodily and sensual experience of buildings or other objects. In short, it seems to dispense too easily with the material, non-verbal dimension of social interaction.

Chapter 3.2 (Hinger & Schäfer, 2019, p. 72) considered “the built world of urban asylum” as one of five axes for an analysis of local migration regimes. It argued from a Lefebvrian perspective that the built world matters, because it can reveal something about the specific (urban) society and its mode of production (Lefebvre, 1996). Differently put, such a perspective focuses on the production of sites (of asylum). In the case of asylum accommodation, it is actually rare that new houses are built for the very purpose of accommodating refugees⁹. As shortly sketched in chapter 3.2 (Hinger & Schäfer, 2019, p. 73), for the great part, existing buildings are re-used as asylum centres. Former military barracks, hotels, hospitals, but also residential houses, taverns, gyms, and warehouses are transformed into asylum centres. The available housing stock in a city is in fact often taken as a reason to accommodate asylum-seeking newcomers in certain ways. For example, the continued use of mass accommodation centres has been in part legitimated with the availability of buildings fit for such a purpose, as e.g. the former military barracks in Osnabrück described in chapter 3. Some architects and urban planners have recently joined the criticism of refugee rights advocates in mourning the absence of a dignified asylum architecture (Friedrich et al., 2015). To come back to the question of the relevance of the built world, it seems however important to take the discussion beyond a Lefebvrian perspective. In the Social Sciences it has become more and more established to think of society not only as consisting of human interaction (which involves as a side effect or medium the production of material objects), but to also consider the way human and non-human actors (or ‘actants’ in Bruno Latour’s vocabulary) interact and co-produce social reality (Knorr Cetina, 1997; Latour, 2005). From Bruno Latour’s perspective a fenced building for example does not only carry a certain symbolical meaning, but it ‘acts’ in the sense that it structures further interaction. While it might be fruitful to think of the way a fence matters in social interaction, it still seems important to stress that the fence is not just there, but that it was placed there by someone for a specific purpose. Integrating both the process of erecting the built world, interacting with it and the way the built world exists as such in one analytical model, Silke Steets (2015) has proposed to think of buildings as “material objectivations”. She builds on the work of Peter L. Berger and Thomas Luckmann (amongst others) who consider ‘objectivations’ as “products of human activity that are available both to their producers and to other men as elements of a common world” and that come to confront their producers as external facts. In line with Berger and Luckmann’s work, Steets further spells

⁹ An exception are emergency shelters, such as containers and tents, and high-profile projects, such as those presented at the 2016 Venice Architecture Biennale (Deutsches Architektenmuseum, 2016).

out that the social production of space in fact involves a triad of ‘externalisation’, ‘objectivation’ and ‘internalisation’.

With regard to asylum centres, ‘externalisation’ would then refer to the making of such sites. ‘Objectivation’ would describe the way we perceive and interact with them (as if they were external facts). According to Steets (2015), the interaction with or use of buildings is recorded in our bodies and minds, which allows us to ‘read’ these (and other similar) buildings. The way we use buildings differs depending on our class/race/gender/age/abilities etc. The perception and use of an asylum centre is obviously not the same for a janitor working there, someone who is obliged to live there, and someone visiting once a week as a volunteer. With ‘internalisation’ Steets discusses the re-appropriation of objective reality by individuals. She highlights that individuals do not only interact differently with buildings depending on their socio-structural characteristics. She further argues that the interaction with the built world consolidates such (ascribed) identities. Steets states that individuals develop a ‘sense of their place’ (Steets, 2016, p. 104) not only through their interactions with other people but also with the built world. This resonates with Massey’s observation that an engagement with particular loci can actually give us a sense of our place in and connection with the wider world (Massey, 1991). While this perspective is not developed in the cumulative contributions, it seems vital for a spatially sensitive perspective on local negotiations over the inclusion:exclusion of refugees. It would be especially fruitful to explore further how individual or collective identities and a sense of one’s place is not only consolidated through experiences with the built world, e.g. by being placed in a peripheral mass accommodation centre. But how from this experience, the impetus for claiming a different place (in Lefebvre’s words the right to the centre or the city) may be born.

5.1.3 Embodying Asylum

Both the narrating of asylum in the city and the production of sites of asylum are linked to the making of the discursive figure of the refugee subject. However, in the city the refugee is more than a legal category, news item, or number. Those seeking asylum are present in the city and through their bodily presence they engage in negotiations over rights. It is this bodily presence that is at the heart of local negotiations over asylum, I have suggested. But what exactly is the role of bodies in these negotiations? In how far are these negotiations necessarily embodied? It is these questions that I will turn to in this last part of the section on the spatial dimension of the politics of presence. Following a short elaboration on the production of the refugee subject as a discursive and thus disembodied figure, I will turn to the role of bodies and embodiment in negotiations over asylum in the city with a particular focus on regimes of in/visibility.

As noted in the introduction (1.2), the refugee subject is a product of migration and border regimes. It is a way of looking at migration and persons on the move or framing one's migration project. And above all, it is a legal category (or rather categories). Law lays down who is a genuine refugee and who is not and what this means in terms of rights. As chapter 2.2 (Hinger, 2020) showed, the categorisations are constantly struggled over and thus due to change. The legal categories both influence, but are also influenced by the actual movements of people and the responses to these. Following the so-called 'refugee crisis', several legislative changes were introduced that made it more difficult for many people to be granted asylum or refugee status, e.g. for those coming from countries declared as safe (2.2 (Hinger, 2020, p.25)). The framing of the migration movements in 2015/16 as a 'refugee crisis' by leading politicians and most media outlets also contributed to perceptions and conceptions of refugees as a threat or as victims in need of help, as discussed in chapter 2.1 (Hinger, 2016, p.81 ff.). The refugee subject is a racialised figure that is further differentiated along lines of class/gender/age/sexuality. And yet it is a disembodied figure, because it is not a person. The same person can be perceived and classified in very different ways depending on the context. State authorities have created the refugee subject in order to be able to administer migration. They categorise, count, monitor, disperse and accommodate the refugee subject. Yet, especially at the local level, it becomes obvious that there is a mismatch between 'the refugee subject' and (asylum-seeking) individuals in the flesh. For example, there is a mismatch between the conception of their stay as only temporary and their de facto long-term presence. Throughout the cumulative chapters, this mismatch was cited as one of the reasons why local responses to migration might differ from national ones.

Those seeking asylum participate in the production of the refugee subject – but on very unequal terms. They do not have a say in the making of the categories and laws that affect their everyday life and being. Indeed, whilst the refugee subject is 'just' a discursive figure it has real and far-reaching consequences on the lives and subjectivities of persons seeking asylum (e.g. Täubig, 2009). This point was not much elaborated on in the cumulus, as this was not the main focus, but it was mentioned (e.g. in 3.1; 4.1; 4.2) that asylum regimes adversely affect migrants' health, both physical and psychological. One of my research participants, Wazir, who had come to Osnabrück as an asylum-seeker and long suffered from the legal insecurity recounted "I got a depression when they want[ed] to deport me [to Hungary]" (Interview with No Lager activists, 8.4.2015). He underlined that being a refugee was not so much about his legal status, but about the consequences this status and the perception of him as a refugee had on his everyday life:

"I feel I'm a refugee. I try many times to do things. Study. So yes, I feel like a refugee. We cannot do something [anything]. [...] This is not life. Nobody wants such a life. I

tried Ausbildung [apprenticeship] in Osnabrück. It's not an easy life! People think that refugees get 300 Euros. We stay for two years and then we get a negative decision. What do we do then? When I go elsewhere, I don't get anything. I cannot work". (ibid.)

Wazir highlights that refugee-ness is tied to certain emotions – of feeling stuck, weary of the difficult circumstances and the stereotyping, and most of all, anxious about the future. I will come back to the feeling of wasting one's life below. For now, I would like to stress that, even though there is no general way in which asylum or refugee-ness is embodied, it is often tied to a feeling of being held back and being less worth. Even when asylum-seeking persons have the right to work, start a job training etc. they may still encounter difficulties due to discrimination and continuous legal insecurity. Wazir for instance eventually started an apprenticeship, but still faced the threat of deportation (4.2).

Chapter 4.1 (Hinger et al., 2018) laid out different aspects of the state of deportability, including social isolation, uncertainty about the future, and harmful in/visibility. Especially the latter point is important to understand the role of bodies in negotiations over asylum, because (dis)appearing or becoming(in)visible is at the heart of both the politics and the policing of migrant presence. In reference to Hannah Arendt's notion of being in/visible, chapter 4.1 described harmful in/visibility as the way those suffering from deportability differ from the citizen: Whilst citizens can appear in public and have the right to a voice, deportable immigrants are supposed to remain invisible and silent in public forums of deliberation. Whereas citizens can slip back into the privacy and anonymity of their private home, deportable immigrants are visible in private, i.e. their privacy is not protected. One of the examples given for the harmful private visibility and the way this affects individuals is the case of Maria, recounted in chapter 4.1 (Hinger et al., 2018, pp.175-176). Maria did not dare to sleep in her room anymore, after she had once been picked up by immigration and police officers in the early morning to be deported to Italy. The deportation was prevented because her housemates literally 'held on' to Maria. The scene in which the immigration officers pulled on one arm, and Maria's housemates on the other underlines the significant bodily dimension of struggles over asylum. It reflects both the violence inflicted on bodies and the way resistance to this violence is also embodied.

Embodied resistance, on the one hand, means appearing, being visible, and speaking up, like Maria's housemates, who came out of their rooms telling the officers to stop pulling Maria's arm and physically intervening in the delicate situation. Numerous other examples of such acts of resistance were given in the cumulative chapters. These include protest marches, petitions, deportation-preventions and traveling despite a geographical restriction (*Residenzpflicht*). Even more than in the case of disadvantaged citizens, the *insurgent presence*¹⁰ of migrants with an insecure legal status disrupts notions of legitimate presence in the public sphere. By

‘coming out of the shadows’ and engaging in claims-making, migrant denizens and non-citizens in part realise what they are claiming: they are enacting themselves as citizens (De Genova, 2010; Isin, 2008; Seif, 2011). And they are thereby not only creating new political subjectivities, but also pushing our very understanding of citizenship towards new horizons (Schwartz, 2019). Embodied resistance, on the other hand, also entails strategies to become invisible. As Kim Rygiel (2011) observes:

“if visibility and voice are a key part of the struggles of some irregular migrant groups like the *sans-papiers* in the struggles over migration, others have found it necessary to navigate the increasingly restrictive regime of border controls through strategies of disembodiment and invisibility” (p. 157).

Indeed, migrants’ response to what De Genova (2013) refers to as the “border spectacle”, i.e. the spectacular rendering visible of migrant ‘illegality’, is often to develop strategies ‘to go unseen’. The cumulative contributions also referred to such strategies of embodied resistance. With regard to the deportation preventions by the Osnabrück Alliance against deportations, it was highlighted how activists both with and without secure residence status shielded the designated deportees from the immigration authorities by standing in front of their houses and organising safe places to sleep (4.1). Knowing that a broad alliance in one case (4.1 (Hinger et al, 2018)) and fellowhousemates in the other case (4.2 (Hinger & Kirchhoff, 2019)) would shield them from the immigration authorities in the case of a deportation, gave designated deportees, at least temporarily, a sense of security and being at home. However, even in those cases in which Dublin deportations were successfully prevented and the cases taken over by Germany, this did not necessarily mean that formal or substantial rights were achieved. Whilst chapter 4.1 (Hinger et al., 2018, pp. 180-181) made the point that the notion of success in migrant struggles for rights need to be broadened (for a similar argument see Leitner & Strunk, 2014, p. 961), the achievements of local activist groups like the ones in Osnabrück should also not be over-estimated. In the case of the successful prevention of Dublin- deportations in Osnabrück, many cases were taken over by Germany, however this was only the beginning of an asylum procedure in Germany, the outcome of which was uncertain and could not in all cases be traced.

¹⁰ The notion of insurgent presence has notably been coined by the American anthropologist James Holston, who used the notion to describe how the urban poor in Brazilian cities inhabited and appropriated urban space. According to (Holston, 1998), “these insurgent forms are found both in organized grassroots mobilizations and in everyday practices that, in different ways, empower, parody, derail or subvert state agendas” (p. 47). The notion thus bears some similarity to the notion of imperceptible politics. Yet, Holston’s notion underlines more the bodily dimension of claiming or inventing forms of citizenship and participation through bodily presence and physical interventions in the urban environment, which is why it is taken up in this section.

This section underlined the importance of bodies in local negotiations over asylum. Bodies figure both as a target of migration control and as a means of resistance, variously becoming or being rendered in/visible. I will conclude by pointing out that local negotiations over asylum also take place without the actual presence of refugees. In some cases, only the announcement that refugees will arrive may already spark fierce local debates. In the case of the Rosenplatz neighbourhood, for instance, local residents debated over the reception of refugees before they were actually there (2.1 (Hinger, 2016, p. 79).

5.2 The Temporal Dimension

What holds me back

It is not the years
that hold me
these will come naturally
here or elsewhere

What holds me
back
is the time lost
here
lived
but which I do not feel

(Sousa Dantas, 1980, own translation)

This poem was printed in the first edition of the Osnabrück-based magazine “Exil” for “foreigners and Germans” in 1983. The poet, Amandio Sousa Dantas, had come to Osnabrück at the beginning of the 1970s as a foreign worker from Portugal to work in Osnabrück’s car industry. The poem echoes what Wazir said more than three decades later about living as a refugee in the city. Both Wazir and Sousa Dantas’ felt that the years spent in Osnabrück were lost years. Yet, there also seem to be differences. Sousa Dantas felt ‘held back’ by the years that he lived in Osnabrück, because he could not seize them. Wazir, on the other hand, felt that the years he spent as an asylum seeker in Osnabrück were stolen from him, because he was kept from ‘doing things’. In this section, I will take a closer look at the role of temporality in negotiations over asylum and reflect on the similarities and differences between the temporalities imposed on and experienced by protection seekers and other migrants with an insecure residence status. First, I will examine how time is produced and used as means to

control (refugee) migration. I then go on to ask: what are the possibilities of refugees to subvert or appropriate bureaucratic time and to produce counter-temporalities? This will be followed by an examination of the ways local time is conceived and experienced as different from national time and how the politics of presence can contribute to deconstructing the state as a homogenous container of space and time. The following discussion on the temporal dimension of negotiations over asylum will not be as elaborate as the preceding section on the spatial dimension. This is because the question of time was not as central in the cumulative contributions. Yet, it is key to understanding the politics of presence in asylum and in fact inherently connected to and intertwined with the socio-spatial practices discussed above.

5.2.1 Bureaucratic Temporalities

In order to discuss how temporality is used as a means of migration control, I return to Wazir's statement of feeling like a refugee quoted above. Wazir suggested that he was kept from 'doing things' and living a good life because of his legal status as an asylum seeker. Wazir described the bureaucratic limbo, in which refugees, especially those not (yet) recognised as such, are stuck. Being in limbo means being put on hold: Asylum seekers have to wait for their first hearing, the transfer from the reception centre to municipal follow-up accommodation, the permission to work, study, or start an apprenticeship, some even for their meals to be served. The asylum accommodation centre, especially in the form of the 'reception centre' (3.2 (Hinger & Schäfer, 2019, p.73), can be described as the spatial manifestation of this bureaucratic limbo (cf. Devlin et al., 2021). It symbolises and materialises the space-time of the waiting room. As pointed out above, asylum centres are not conceptualised as homes, but as (more or less) temporary shelters and those staying in the centres are not supposed to make themselves at home, but to behave like guests. The bureaucratic limbo for refugees means waiting for a future that is uncertain and daunting. As discussed in chapter 4, the state of deportability, i.e. the omnipresent possibility of an abrupt ending of their stay through deportation, puts refugees' presence into parentheses. As Shahram Khosravi (2018) affirms: "Deportability is a statement of a spatial as well as a temporal dis- belonging" (p. 39). This state(ment) is experienced by all individuals with an insecure or no residence status, yet to very different degrees. The student studying on a student visa or the so-considered 'guest-worker' may also suffer from temporal dis-belonging, yet an abrupt and imposed ending of their stay is less likely than in the case of the (rejected) asylum seeker. And the (rejected) asylum seeker, unlike the student or the guest worker, has little chance of being rewarded for the time spent in the case of a deportation.¹¹ To

Wazir, his time as an asylum seeker seemed especially wasted, precisely because there was no promise that things would get better in the future: “We stay for two years and then we get a negative decision. What do we do then? When I go elsewhere, I don't get anything.” Wazir expressed the fear of what Koshravi (2018) calls being sent “back to square one” or being kept in circulation and thereby in the position of never being anywhere or “not becoming” (p. 41). Next to such a ‘putting on hold’ of refugees’ life time, state authorities also use a ‘speeding up’ of asylum procedures as a technique to manage (refugee) migration (cf. Cwerner, 2004). As mentioned in chapter 2.2 (Hinger, 2020, p.55) the speeding up of asylum procedures is presented by authorities as a way to manage (asylum) migration more efficiently. Taking the case of the 2016 Integration Bill, chapter 2.2 (Hinger, 2020) delineated how asylum seekers in Germany are pre-selected on the basis of whether or not they are considered ‘likely to stay’ and accordingly put either on an accelerated integration or deportation track. For the accelerated asylum procedures ‘special reception centres’ later named ‘centres for reception, decision and return’ (*AnkER*-centres) were established (2.2 (Hinger, 2020, p. 25). As anticipated in chapter 2.2 and as supported by recent data on the length of asylum procedures in the *AnkER*-centres (ECRE, 2019, p. 51), the pre-selection and spatial separation has not actually led to shorter procedures, but has mostly served to withdraw or reduce established rights. These measures convey the message that a clear distinction between deserving and undeserving claimants can be made even before or without a proper hearing. As pointed out in chapter 2.2 (Hinger, 2020, p. 25) this legitimates the further illegalisation of migrants and contradicts the very principle of the right to asylum.

Both the putting on hold of refugees’ presence e.g. through the prolonged stays in asylum centres as well as the speeding up of asylum procedures are often legitimated with the need to counter an ‘influx’ of migrants that is perceived and/or presented as an extra-ordinary event. As stressed in chapter 2, the restrictions of rights and limitations of spaces of asylum in Germany from 2015 onwards, were legitimated with the need to counter the ‘refugee crisis’. The construction of migration as a crisis makes possible measures otherwise considered inappropriate and inhumane, such as prolonged stays in sub-standard mass accommodation centres (chapter 3). Yet, while measures introduced in so-considered times of crisis are framed

¹¹ According to John Berger, it is the hope for a future rewarding of their sacrifices that enables migrant workers to live a present that they ‘do not feel’: “The migrant worker sacrifices the present for the future under circumstances which continually confound his sense of continuity. [...] Only when he returns to redeem his exchange-units of time will he gain acknowledgement for what he has done, or, to be more precise, for the way he has done what he was forced to do.” (Berger and Mohr [1975] 2010, p. 191)

as extra-ordinary measures for extra-ordinary times, they often remain permanent features of asylum regimes. A permanent “state of exception” (Agamben, 1998) or “permanent makeshift solutions” (Schäfer, 2019) must thus be regarded as a fundamental feature of (local) migration and asylum regimes.

5.2.2 Appropriating Time

Bureaucratic temporalities significantly restrict refugees’ possibilities to make use of their time. Especially those in an ongoing asylum-procedure and those remaining after the procedure with an insecure or no residence status find their life dominated by the rhythm of asylum bureaucracy as specified above. Yet, while extremely limited, there are possibilities of appropriating time. In fact, practices of appropriating time are closely linked to the socio-spatial practices described above as insurgent presence. For example, when the residents of asylum centres arrange things to feel (more) at home, this is both about appropriating space *and* time. ‘Settling in’ after all means being able to be present in the moment without being haunted by an uncertain future. Despite the difficulties he encountered, Wazir was by no means paralysed. He joined a local anti-racist initiative in Osnabrück, made friends, found work and started an apprenticeship, as recounted in chapter 4. This shows how refugees with an insecure residence status appropriate time. Yet it is also important to note, that finding work and becoming independent from social benefits, whilst an objective for Wazir and many others, may also be turned into a requirement by the state. As stated in chapter 2.2 (Hinger, 2020, p.26 f.), the 2016 Integration Bill lowered the barriers to the German labour market for (some) refugees, but also pressured them to participate in integration measures and to integrate into the labour market. ‘Doing things’ like learning German and working, when turned into a requirement and backed-up with sanctions in case of non-compliance, are certainly less about allowing refugees to appropriate time than another way to impose bureaucratic time.

Besides everyday negotiations over the use of time, refugees and their supporters strategically use and appropriate bureaucratic time. This was done for example in the case of the preventions of Dublin-deportations in Osnabrück analysed in chapter 4. The activists’ aim was to prevent deportations in such a way, that the 6-months deadline for Dublin-transfers would be passed and the asylum case taken over by Germany. This required amongst other things that the activists, with the help of lawyers, followed up on cases so that the deportees were not registered as ‘absconded’ which would have meant a prolongation of the transfer period. In addition to the transfer deadline, the activists’ strategy depended on and made use of the announcement of deportations. As they knew the date and time of the deportation in advance, the Alliance could

organise an assembly to prevent the deportation. When first the regional government and then the national government prohibited the announcement of deportations in 2014 and 2015, Dublin-deportations could no longer be prevented by the Alliance (4.1 (Hinger et al, 2018, p. 170)). This shows that a strategic use of bureaucratic time is possible, but extremely precarious. Even though a series of deportation preventions was organised subsequently by the residents of Centre A with a different tactic (that relied on the transfer period but did not necessitate the announcement of deportations) also this initiative did not last long (4.2). More established is the practice of offering church asylum to protect those refugees from deportation, who are considered especially vulnerable (Kirchhoff, 2017). Since 2012, the majority of known cases of church asylum in Germany have also been ‘Dublin-cases’, which are considered ‘successful’ when the asylum procedure is taken over by Germany (Asyl in der Kirche, 2021). It must be noted, that, first, the strategic use of bureaucratic time importantly relies on citizen support, and that, second, it achieves in most cases, ‘more time’, i.e. the (temporary) suspension of deportation, but not necessarily more rights.

5.2.3 Multiple Space:Times

There has been increased attempts to problematise the “taken for grantedness” of time and temporalities in the field of migration studies in the last two decades (Griffiths, 2013). Scholars have examined, on the one hand, how temporalities mean and matter for individual migration projects and subjectivities. This includes experiencing “fragmented journeys” (Collyer, 2010) and bureaucratic or legal limbo (Griffiths, 2014; Mountz et al., 2002), but also how migrants “make (their own) time” both in the sense of ‘making do’ with the given circumstances as well as seeing and constructing “life in its whole length” (Täubig, 2009). On the other hand, scholars have studied the institutional time of the state and have drawn attention to the acceleration and/or deceleration as modes of migration governance (Cwerner, 2004; Eule et al., 2019; Griffiths, 2014). Yet, in many scholarly accounts of migration (governance) an understanding of the state as both a spatial and temporal container is reproduced.

The politics of presence could contribute to this debate, because it highlights that there are multiple bureaucratic temporalities and spatialities. With this I do not refer to the already mentioned acceleration and deceleration, but to the fact that the attempts to coordinate and homogenise time within the (nation) state are always only partially successful. The cumulative contributions illustrate that there is not only a time lag, the time between the adoption of a policy and its implementation, but also a time gap, i.e. a different conceptualisation and experience of time at different levels and in different localities. For example, the labelling of migration

movements as a crisis or emergency by the national government or national media outlets may or may not (as much) strike a chord with the way migration is experienced and narrated locally (2.1 (Hinger, 2016); 3.1 (Hinger, 2023)). And local events like the opening of an asylum centre, the prevention of a deportation, or the attack on an asylum centre may mark an important turning point for the local perception and experience, but may not resonate outside the respective local context.

What is more, the time an individual has lived in the city might not only entail informal social recognition, but also recognition on a more formal level. Indeed, a long-term stay in the city might entail the granting of certain substantial rights, as the step-model of asylum accommodation exemplifies (the model resting on the idea of improving the housing conditions of asylum seekers after some time) (see 3.1 (Hinger, 2023, pp. 17-18). Sébastien Chauvin and Blanca Garcés-Mascareñas (2012) remark that also beyond the local level, the proven presence and good conduct of illegalised migrants might be recognised as a ground for becoming less deportable or more legal. Yet, they also affirm that it is on the urban level that “the mere fact” of presence is most readily embraced as a ground for the granting of access or rights (p. 244). Especially when such recognition is taking place on a more formal level, as in the case of the multi-step accommodation model, the question is raised: how much presence is needed for the domicile principle to apply? Does it suffice to ‘just be’ in the city or does it require a certain time spent in the city and how to measure this?¹²

The politics of presence points to a conception that goes beyond rights based on (fixed) domicile. It may be used to critique requirements of residence for the granting of rights. As Jonathan Darling (2017) argues, presence is neither tied to a certain spatial form nor length of stay, but rather constitutes “a statement of social fact and a transversal connection” (p. 191). Indeed, the presence of (asylum-seeking) migrants in the city indicates multiple connections to other space:times¹³ and selves. Amandio Sousa Dantas (1981), cited in the beginning of this section, described this connection to another space:time in a poem entitled “nostalgia”:

I know in this moment
in my homeland
The leaves of the plane tree
Fall softly
Into the water
(Sousa Dantas, 1981, p. 49, own translation)

¹² These questions are equally debated by other scholars, see e.g. Bauder, 2014; Carens, 2010; Darling, 2017.

¹³ Again, I use the colon to denote the interrelatedness between space and time.

In the poem, Sousa Dantas describes not only his nostalgia for a certain place – his ‘homeland’, but also for an experience of this place at a certain time of the year (in autumn). His nostalgia eventually led him to return to Portugal, an option that is not necessarily given for persons seeking asylum. Wazir, for example, had to return to his country of origin for some time to forego a deportation (see 4.2), but did so undercover, because he still feared persecution, and sought to return to Osnabrück as soon as possible. Since a ‘return’ might not be desired and/or possible for refugees, their double presence or presence in multiple time:spaces might remain virtual, like in the case of Wazir and Abdi (see 4.2). Abdi follows the protests of comrades in his home country mainly via social media, and communicates with friends and family based in several locations via messenger services. But these other space:times remain an integral part of his life in Osnabrück. At least to some extent, the following observation by Luis Fernandez and Joel Olson (2011) with regard to undocumented migrants in the US thus also applies to refugees:

“[they] belong to multiple political communities, and are demanding the right to participate in each. The idea of a citizenship that would give them the ‘right’ to remain in one place does not resonate with them. ‘Home’ is in multiple locations” (Fernandez & Olson, 2011, pp. 412–413).

Having a home in multiple locations forcibly requires a double presence, being here and there, living and calculating multiple temporalities. The politics of presence in asylum is thus forcibly a “politics of place beyond place” (Massey et al., 2009). It is as much about the right to stay and participate in local affairs, as it is about the possibility to move on and to participate beyond one’s place of residence.

To conclude, refugees, find their lives restricted by bureaucratic temporalities, especially during the asylum procedure. Yet to some extent they can and do appropriate time. The appropriation of time by refugees may be facilitated by the time gaps and lags between different scales. The latter could be described as multiple or fragmented bureaucratic temporalities. Also individual temporalities are obviously multiple. There is not only a diversity of individual perceptions and uses of time. The same individual might in fact be present in and connected to multiple space:times. This insight has been part and parcel of transnationalist thinking for several decades (e.g. Glick Schiller et al., 1995), yet has not so much been considered in works on local migration regimes and struggles over the right to the city (Bund & Gerhard, 2021; Holm & Gebhardt, 2011; Schmitz & Räuchle, 2019). The politics of presence can thus contribute to the latter debates by pointing to the multiplicity and contested nature of time and space.

5.3 The Political Dimension

The cumulative contributions highlighted how differently positioned actors negotiate and struggle over the inclusion:exclusion of refugees. With Chantal Mouffe, I understand the fundamental conflict or “antagonism” between different social groups as constituting ‘the political’ (Mouffe, 2005). The antagonism of the political, Mouffe asserts, shapes politics or the “set of practices and institutions through which an order is created” (p. 9) – but not in the sense of a reconciliation of positions. Indeed, conflicting positions (e.g. on the deportation of rejected asylum-seekers or obligatory stays in accommodation centres) are seldomly reconciled and reconcilable. Which narrative of and response to the presence of (asylum-seeking) migrants prevails is outcome of a struggle, as has been argued throughout the cumulative thesis. The actors involved in this struggle do not negotiate on equal footing in the sense of bargaining (see 1.2). The negotiations and conflicts over migration and asylum are marked by asymmetrical relationships. There is a “power-geometry” to migration and mobility regimes, which is as much about “who moves and who doesn’t” (Massey, 1991, p. 149), as well as about who decides which movements and whose presence is il/legitimate.

This section will deal with the political and thus also the power dimension of urban negotiations over asylum. It recapitulates: In how far, in what ways, and by whom are dominant lines of inclusion:exclusion reproduced, renegotiated, or rejected in the city? I will begin answering this question by retracing the unequal power relations between actors and the way hierarchies and lines of inclusion:exclusion are (re-)produced at the urban level. In other words, I will look at the police of migrant presence in the city. Second, I will scrutinise the ways in which the politics of presence irritates established notions of (dis)belonging and inclusion:exclusion. Finally, I will link the discussion back to the last two sections and explain in what ways politics of presence is tied to the production of different space:times.

5.3.1 The Police of Migrant Presence

This study set out to trace negotiations over asylum without overestimating the role of the nation state, but also not downplaying the existing hierarchy of scales and asymmetrical relations between state authorities on the one hand, and migrants and their networks, on the other (cf. Wimmer & Glick Schiller, 2002). Undoubtedly, it is largely decided upon at the national level who is transferred to municipal follow-up accommodation from the reception centre and who is not, who may work and study or not, who may stay and who is deported. Those who are dispersed, accommodated, deported and so on are obviously “more on the receiving side”

(Massey, 1991, p. 149) of these decisions. And also local authorities have to act in accordance with the legal provisions established at the (supra-)national and regional levels.

However, as has been pointed out above, local authorities do not only implement but also co-produce legal categorisations and selection procedures. As argued in chapter 3.1 (Hinger, 2023, p. 19), local authorities co-produce formal lines of inclusion:exclusion, because they negotiate with regional and national authorities. And they co-produce (and reproduce) differentiations e.g. on the basis of (prognosed) residence status, age, gender, race and so forth in their daily administrative practice. Like their national counterparts, local administrations take an interest in creating ‘planning security’ by distinguishing between deserving and undeserving refugees and between those likely and those unlikely to stay and accordingly attempt to selectively include refugees into local society (3.1 (Hinger, 2023, p. 12). Such a selection may also be legitimated on the basis of the domicile principle. As mentioned in chapters 2 and 3, the prospect of having to deport ‘urban citizens’ was in fact taken as a reason by local decision-makers to (trying to) exclude refugees deemed unlikely to stay from being transferred to the city.

In addition to local authorities, also other actors like landlords, housing agencies, and volunteers participate in the (re-)production of lines of inclusion:exclusion on the basis of residence status, likelihood of staying, race, gender, good living behaviour and so on. Chapter 3.1 (Hinger, 2023, p. 6) focused above all on the street-level bureaucrats managing asylum accommodation in Osnabrück and how they are being implicated in “everyday bordering” (Yuval-Davis et al., 2018). How ordinary citizens are pushed to act as everyday border-guards was not elucidated in the cumulative contributions, but became clear in my fieldwork. For instance, a group of volunteers that helped refugees find a flat in Osnabrück’s tight housing market, whom I joined regularly between January and June 2017, often rejected flat-seekers on the basis of their insecure residence status. The reason being that they did not want to convey false hopes, as both landlords and housing agencies only rent out for at least one year. While the underlying intentions for selecting on the basis of a supposed likelihood of staying might differ between actors, the outcome for the individuals excluded on this basis is the same.

5.3.2 The Politics of Presence in Asylum

Whilst bordering along the lines of (prognosed) legal status amongst other things is thus a pervading feature of everyday life in the city, there are also ruptures and subversions to this. It is these ruptures, which I have termed the politics of presence in asylum. Such a politics may take on at least three different forms:

First, there is the adoption of measures or also informal practices by local authorities that create possibilities to participate and contest for all urban residents disregarding their legal status, what has been described as forms of *urban citizenship* in the introduction to this chapter. Especially in those areas, in which local authorities have formal decision-making power, like housing and integration, local authorities in many German city municipalities, including Osnabrück, have sought to adopt measures to equalise opportunities for everyone living in the city disregarding their legal status (2.2 (Hinger, 2020, pp. 29ff.); 3.2 (Hinger & Schäfer, 2019, p. 63)). Besides concrete measures, such as the partial decentralisation of asylum accommodation, the Osnabrück City Council has also worked towards symbolical inclusion of all residents by narrating (asylum) migration as an integral part of urban society and addressing all urban residents as ‘Osnabrücker’ (as also laid out in 5.1.1). Second, non-governmental actors, from churches and welfare organisations to NGOs and grassroots initiatives, may challenge dominant notions of belonging and (il)legitimate presence through their practical *acts of solidarity* and *claims-making*. In Osnabrück, non-state actors have not only pushed for more inclusionary measures to be adopted, but have also effectively taken on a large share of the practical support work, e.g. offering language courses to those officially excluded from such courses or supporting asylum-seekers to find a flat (2.1 (Hinger, 2016, p.84)). This form of a politics of presence is especially powerful if a heterogeneous set of actors and individuals struggle together (cf. Leitner & Strunk, 2014), as I will further elaborate below.

Third, there is the *imperceptible politics* (Papadopoulos et al., 2008) of migrant presence, which consists in asylum-seeking migrants coming to and simply being in the city. The presence of refugees with insecure residence status is the very basis for claims-making by civil society actors, including the refugees themselves, as well as institutionalised forms of solidarity or urban citizenship. Imperceptible politics does not necessarily mean that these are invisible practices (Papadopoulos et al., 2008, p. xv). As elaborated above (5.1.3), the politics of presence in asylum include both visible claims-making and practices of going unseen.

The obvious question is, in how far and in what ways these three different forms of the politics of presence – urban citizenship, acts of solidarity and imperceptible politics – actually present an irritation of or break with the established order? In Osnabrück, like in most other German cities, concrete measures of urban citizenship, i.e. measures of inclusion adopted by the municipality, have remained rather limited.¹⁴ Besides the (partial) decentralisation of asylum accommodation and several schemes to further the ‘integration’ of asylum-seeking persons, there have been little concrete institutional measures. However, the City Council has embraced

¹⁴ The case is different for the city-states, as they have more decision-making competences.

several civil society initiatives to defend the rights of refugees, as mentioned above. As also briefly mentioned already, institutional attempts to develop a form of urban citizenship based on hospitality might not actually correspond with more radical calls for a right to participation *and* mobility. Nonetheless, they do present an opening to a politics of presence (cf. Darling, 2017). Such declarations make the municipality accountable to citizens' and non-citizens' claims and may make a difference for whether (or not) people feel welcome in the city. Moreover, such declarations may impact the positioning of other municipalities and even 'scale up'. For example, the 2016 declaration of the Osnabrück City Council to accommodate 50 refugees from Idomeni in the city, was followed by several other German municipalities. And the combined effort of the municipalities to pressure the federal government to accept such a relocation, might have been a reason for the federal government to agree to relocate refugees from Greece and Italy to Germany (cf. Heuser, 2017).

In addition to enquiring into the potential of urban citizenship to spread between cities and to scale up, it is important to discuss in how far measures adopted with regard to one field or aspect of the local asylum regime also affect other areas. On the one hand, what is done and said in one area might have only little effect on another, because different areas or fields of asylum are attached to different institutions with their own operational logics: The Social Welfare Department (and the Youth Department) is responsible for refugee accommodation, paying social benefits, and deciding upon access to healthcare. The Immigration Office is responsible for the implementation of the Residence Act (and thus also deportations), and the Integration Commissioner takes care of mostly voluntary services offered to migrants by the municipality, often in cooperation with NGOs and volunteers. As Hannes Schammann and Boris Kühn (2016) put it somewhat bluntly, this division of tasks has allowed Integration Commissioners to play the role of the "good guy" in local asylum administration, whereas the Immigration Office and – albeit to a lesser extent – the Welfare Department present the "bad guys" (p. 32). While the Integration Department may thus push for a more inclusive discourse and integration services also for not (yet) recognised asylum seekers, the Immigration Office might not necessarily follow suit. Indeed, the 2013 Osnabrück Plan for the Integration of Refugees was developed mainly by the Integration Office in cooperation with the Social Welfare Department, but not the Immigration Office. On the other hand, these municipal departments do not operate in a vacuum. They are all part of the same municipal administration and responsive to the same local authorities and public. As Tobias Eule's comparative study of German Immigration Offices in four German cities shows, there are great discrepancies between Immigration Offices, which he explains (amongst other things) with "the little control on the state level and [so] much intervention from the immediate community" (Eule, 2016, p. 100). In other words, strong engagement of civil society organisations and initiatives and/or parts of the local administration

or City Council lobbying for (or against) a generous handling of legal provisions may have some effect on the way the rest of the local administration deals with asylum migration. The effect of ‘community intervention’ is probably reinforced when different parts of the administration (and other actors) work closely together. Following the needs to come up with local responses to the heightened arrivals in 2015/16, many municipalities, including Osnabrück, strengthened the communication, cooperation and thus inter-connection between different municipal institutions. And (asylum) migration increasingly came to be viewed as a cross-cutting issue of municipal administration (Gesemann & Roth, 2016). In how far, this restructuring and the increased cooperation between different municipal actors has lasted well beyond the ‘long summer of migration’ would merit further attention.

Whether and how solidarity initiatives, especially if based on humanitarian principles, are challenging legal notions of belonging is heavily debated both by actors in the field and among scholars. As briefly indicated in chapter 2.1 (Hinger, 2016, pp. 84-86) support initiatives, like the neighbourhood welcome initiative Refugee Assistance Rosenplatz (RAR), stabilise existing systems of differential inclusion, and do not necessarily question asymmetrical power relations between those welcoming and those being welcomed. On the other hand, volunteers build personal relationships with newcomers and thereby get a grasp of the exclusion that refugees are facing. The case of those volunteers of the RAR whose engagement turned outright political with the deportation preventions (2.1 (Hinger, 2016, p. 84)) echoes the arguments made elsewhere about the potential politicisation of volunteers through their activity (e.g. Vandevordt, 2019; Zamponi, 2017). Some scholars have further argued that in times of increased hostility against refugees and a criminalisation of solidarity, even the most mundane, practical support to refugees becomes automatically political (at least in the eyes of political opponents) (Ambrosini, 2020). While this is an important observation, an analysis of solidarity practices and their political nature must go further than that.

A differentiation between “civic solidarity” and “autonomous solidarity” (Agustín & Jørgensen, 2019) might be helpful in distinguishing between those initiatives that are closer to institutional logics and established lines of differential inclusion and those that operate autonomously from state institutions and logics. Especially the claims-making by refugees themselves obviously needs to be differentiated from civil society support, which often reproduces hierarchical relationships between those supporting and those receiving support (e.g. Braun, 2017). Yet, it is important not to presuppose from this differentiation between civic and autonomous solidarity or supporters and refugee activists, how actors will navigate the opportunity structures and constraints, they are confronted with. As Maren Kirchhoff has highlighted, all

solidarity practices are to some degree embedded in and need to navigate hegemonic discourses on (un)deservingness and are thus “differential”, which is characterised by an “ambivalent interaction of exclusive and inclusive aspects” (Kirchhoff, 2020, p. 572). The notion of ‘differential solidarity’ also emphasises that negotiations over lines of inclusion:exclusion do not only take place across, but also within groups. For example, not all solidarity initiatives are against deportations and even within the Osnabrück Alliance against Deportations activists negotiated in the beginning whether the Alliance would (try to) prevent all deportations or only selected ones (4.1 (Hinger et al, 2018, p. 169)). Furthermore, the case of the Osnabrück Alliance against Deportation confirms the argument that it is an alliance or “assemblage” between heterogeneous actors, some of which operate close to others more autonomously from state institutions that might be best suited to advance more radical citizenship rights claims and objectives (Leitner & Strunk, 2014, p. 947). In chapter 4.1 (Hinger et al, 2018, p. pp.179-180)), it was further argued that it makes a difference if activists with and without a secure residence status struggle together. Taking the case of the collective anti- deportation protests of the Alliance, chapter 4.1 (ibid.) suggested that the ‘collective’ was not only important, because activists with a secure residence status were needed to act as a mediator in certain situations, but because differently positioned activists became close friends through their common struggle and together created (temporary) spaces of security and lessened the uncertainty tied to the state of deportability.

A distinction that is relevant for the present analysis is that between visible forms of claims-making and more invisible, everyday practices and ways of being of present. This is important in order to draw attention to the often-neglected micro-practices that might not appear as interruptions or protest at first glance, but that are key to the politics of presence in asylum. This includes both the practices tied to the migration journey, as well as the everyday navigation through local asylum bureaucracies. While some invisible practices like absconding (to forego a deportation) or resisting to follow the cleaning plan in the accommodation centre have been rather considered ‘acts of desperation’ and their disruptive and emancipative potential questioned, it has also been pointed out that invisible and everyday practices of refugees constitute the very basis for claims-making and protest. For example, in chapter 4, it was pointed out that whether or not designated deportees dare to ‘come out of the shadows’ depended on personal characteristics (e.g. being self-confident enough to speak up, having hope that this will change something), but also on local opportunity structures and refugees’ knowledge of these (e.g. knowing whom to contact). Chapter 4.2 (Hinger & Kirchhoff, 2019, p.259) showed that invisible and visible politics of migrant presence are mutually

constitutive (a point also made by Schwiertz, 2019). Invisible community-building and organising within groups and between groups enabled the mobilisation against Dublin deportations. In turn, the long-standing activist infrastructures and mobilisations against deportations facilitated designated deportees to speak up and mobilise against deportations in the first place.

5.3.3 The Political Dimension of Space:Time

The above discussion has confirmed the argument that space serves as a medium for the ordering and stabilisation of migration regimes (Pott, 2018). Yet, this is not supposed to indicate that space constitutes (or furthers) a fixed order. Spatial constructions are always due to change given that they are part and parcel of the dynamic negotiation processes in migration regimes (Pott, 2018, p. 125). As has been highlighted throughout the cumulative contributions and this chapter, space may not only serve to police migration and migrant presence, but also to question established orders, hierarchies and lines of inclusion:exclusion. The notion of a politics of presence in asylum thus challenges notions of space (and place) as given, static, and tied solely to order and stability. As Doreen Massey (1992) pointed out, understanding the spatial as stasis (and thus opposing it to time, since being non-changeable means being timeless) forecloses the possibility of space being political. Against such a view, Massey posited an understanding of space as socially produced, always contested and under construction, and thus open to multiple possible trajectories (see also 1.2). And she insisted on the inseparability of the spatial and the temporal. For analytical purposes, I have separated the spatial, temporal and political dimensions above, yet I have also pointed out that these are empirically intertwined (5.2.3).

As pointed out above, the politics of presence in asylum is not only about (claiming) rights based on the domicile principle. It rather constitutes a “politics of place beyond place” (Massey et al., 2009). As demonstrated above, negotiations over asylum in the city are always multi-scalar and connected to various other places. Some of the measures and discourses of urban citizenship present links between cities (i.e. through city networks or joint declarations of city representatives) and may even “jump scale” (Swyngedouw, 1997). That is, they connect the municipal with the European level, e.g. regarding the resettlement of refugees within the EU (thereby ‘jumping’ the national level). Also, civil society organisations and initiatives do not only seek to alter the course of migration and asylum policies in their locality, but also on other levels. For this purpose, they are often connected to other groups in other localities within and beyond state borders. Especially for refugees themselves, their transnational networks constitute, besides the local opportunity structures, an important base and reference for organising and claims making (cf. Steinhilper, 2017).

5.4 Outlook

This thesis dealt both with attempts to control migrant presence and attempts to challenge and subvert this control. It focused in particular on urban negotiations over asylum migration, based on the observation that migration and the modalities of migrant presence are not only negotiated at the national, but also at the local level, and especially in cities. It set out to examine the emergence of local ways of responding to (unruly) migrant presence and the way this is diverging from and at the same time interconnected with other localities and scales. It asked about the different factors and actors that play into local(ised) negotiations over asylum migration and how, together, these produce a particular ‘regularisation’ of asylum. From a migration regime perspective, I assumed that the practices of the different individual, collective, and institutional actors involved in negotiations over migration are interrelated and that they ‘co-produce’ (and also challenge) the social order. Adopting a migration regime perspective further meant studying how (asylum) migration is observed, and how migrant presence is responded to (and the interconnections between the two). Accordingly, the cumulative chapters of the thesis dealt, with the contested ways of framing asylum migration and the contested modalities of inclusion:exclusion of protection-seekers. In the cumulative contributions, I scrutinised (together with different co-authors) especially two fields or zones of negotiation in urban migration regimes: refugee accommodation and deportations. The chapter on asylum accommodation focused on the distinction between more and less deserving (or vulnerable) refugees and their respective (lack of) access to (decentralised) housing in the city and initiatives to enable a more egalitarian access to decentralise housing in the city. The chapter on deportations dealt with the enforcement of deportations and attempts by local civil society initiatives to prevent this, as well as the consequences of such struggles over deportation. The choice to focus on these local zones of negotiation, like the analysis as a whole, was influenced by the regime perspective and space-theoretical considerations, but above all emerged from an intense involvement with the field. In line with the principles of Grounded Theory, this thesis aimed to develop theory from the data rather than testing existing theories. The notion of a ‘politics of presence in asylum’ laid out in this chapter presents the key outcome of this analysis. Before summarising the key findings, I will first discuss my contribution to the various research fields touched upon, reflect on the gaps in this work, and point out possible avenues for further research.

5.4.1 Scientific Contributions

A little more than a decade ago, Jutta Aumüller and Caroline Brettl (2008) noted that the literature focusing on the local or municipal dimension of migration and integration politics was extremely limited. This, however, has changed, at the latest since the ‘refugee turn’ in migration studies, which also entailed an increased interest in local asylum politics in Germany and Europe. The present thesis contributes to this growing sub-field in migration studies, yet with a slightly different approach and perspective than the majority of studies in this area. Namely, the present work sought to go beyond the dominant focus on policies and state actors. It rather considered how both municipal and civil society initiatives make claims and practice inclusion:exclusion. It thus speaks most directly to multi-level governance approaches with a ‘pluralist’ approach and social movements studies that take into account both civil society initiatives, NGOs, and state-actors (Agustín & Jørgensen, 2019; Ataç et al., 2020).

This study also went beyond the widespread focus on local asylum politics as politics of refugee integration. The inclusion:exclusion of refugees is here understood as both a question of access to municipal services and social systems (here with a focus on housing) and a question of the right to stay and to move. With its focus on anti-deportation protests and negotiations over ‘deportability’, the thesis builds on and contributes to the growing research on struggles over the right to stay and against deportations (e.g. Anderson et al., 2011; Ellermann, 2009; Rosenberger, 2018). It thereby highlights, to take up the statement by Monica Varsanyi cited in the introduction, that local and regional politics are interesting to study, precisely because they blur the boundary between immigration and integration politics.

While deportations can be understood as the ultimate form of exclusion, this thesis contributes to an understanding of inclusion and exclusion not as a dualism but a continuum, as expressed through the joining together of the two terms by a colon. By taking up and emphasising the concept of deportability (De Genova, 2002), the chapters show how deportations often do not function as ‘exclusion from society’ but as a way of stratifying rights in the place of one’s residence. And even after deportation, social relations tying deportees to their former and other places of residence do not simply cease to exist. Anti-deportation protests just like struggles for access to (decentralised) housing and against mass accommodation centres can thus be understood as negotiating inclusion:exclusion.

By focusing on struggles over deportation in a city that can be considered a city of refuge or a sanctuary city – in line with the declarations of city representatives – also marks a contribution to studies on sanctuary cities (e.g. Darling & Bauder, 2019; Garcés-Mascreñas & Gebhardt,

2020). It was stressed that the adoption of a sanctuary city narrative is an important part of working towards urban citizenship, but that the reality of local asylum politics is much more ambiguous than an analytical approach to a city as a 'sanctuary city' might suggest: Local migration regimes are always characterised by compulsion and support, inclusion into schools and the labour market and (pending) deportations, housing in private flats and mass accommodation centres (cf. Hinger et al., 2016). Studies on cities and migration should thus be sensitive to the narratives and labels adopted, and scrutinise why such narratives are adopted, by whom, and how they relate to practices of inclusion:exclusion.

The thesis furthermore ties in with a reflexive approach to migration studies that takes seriously the co-production of migration and questions dominant categories (Dahinden et al., 2020; Nieswand & Drotbohm, 2014). It especially builds on and contributes to the migration and border regime literature, which has paid special attention to the involvement of researchers in the field and which also recognises migrants as agents and scale-makers in migration regimes. Through their presence and their involvement in social movements, it was argued in this study, migrants co-produce local migration regimes and challenge exclusive notions of citizenship. With the focus on negotiations over rights of persons who have already migrated, this thesis differs from the larger part of the critical migration and border regime literature, in the sense that the latter mostly deals with negotiations over unruly cross-border mobility and attempts to control migration flows at the borders (e.g. Hess et al., 2016; Transit Migration Forschungsgruppe, 2007). This thesis and the notion of a politics of presence in asylum thus contributes above all to the literature on migrants' struggles for rights after having migrated (cf. Schwiertz, 2019). Yet it also points to the link between struggles for a right to stay and to move. As stressed above, the notion of a politics of migrant presence is essentially a 'politics of place beyond place'. By tracing both the localisation and the multi-local and inter-scalar dynamics and relations of migration regimes, this study seeks to contribute to the formulation of a space-sensitive approach to migration regimes. Taking seriously the criticism of 'methodological nationalism in migration studies, this thesis neither takes for granted, nor ignores the power of the nation state. Likewise, it does not readily embrace the 'inclusive city thesis', mindful of the danger of 'the local trap'. Tying in with socio-geographical approaches to migration regimes, this study enquired into the functions of spatial references and practices. It highlights that the production of space and temporality is an integral part of negotiations in migration-regimes. The production of space thus serves both the control of migration or what I have called policing of migrant presence and attempts to challenge and subvert this policing.

5.4.2 Gaps and Starting Points for Further Research

In the above discussion of the cumulative contributions, I already identified a few gaps in the cumulus. Given that the thesis was not planned in a cumulative form, the single contributions were not written in a strategic and complementary way. As already mentioned, they were importantly shaped by the respective possibilities and limitations of the different publication contexts and thus do not provide a coherent narrative. Yet, this format gives an insight into the evolving research process. In line with Grounded Theory, they can be considered fragments of an evolving analysis and theory of urban negotiations over asylum. In this section, I will give an overview of limits to the cumulative contributions and the research project as a whole and indicate starting points for further research.

It was argued in the introduction that the production or negotiation of asylum migration in the city can only be grasped adequately by taking into account multiple actors, their perspectives, and (inter-)actions. While taken as a whole, the cumulus does render different perspectives, the single contributions are mostly focused on one ‘side’ of the negotiations. While the contributions in chapter 3 mostly focus on state actors, i.e. the municipal administration and/or City Council managing refugee accommodation, the contributions in chapter 4 centre above all on local civil society initiatives struggling against deportation and deportability. This might give the impression that a clear line between state and non-state actors can be drawn and that municipal actors are more drawn to reproducing lines of inclusion:exclusion than civil society initiatives and organisations. As mentioned in the discussion above, it is not so easy to draw the line between state and non-state actors in migration regimes: Often charity organisations and other civil society actors are (at least partly) financed by state actors, and some civil society organisation closely collaborate with state actors (e.g. ensuring the social work with refugees or the management of an asylum accommodation centre). Highlighting that also civil society actors act as everyday border guards, often despite their own intentions, is important to understand the intricate ways in which lines of inclusion:exclusion are (re-)produced. It would be interesting to explore further, whether the degree of ‘autonomy’ of civil society actors, as suggested by some authors (Agustín & Jørgensen, 2019) makes a difference with regard to the way they might become involved in the policing of migrant presence.

Another important issue, which remains underexplored in the thesis is the interconnection and difference between the different municipal departments. As the cumulative contributions focus above all on one field or zone of negotiation, negotiations within the municipal administration and/or the City Council are not explored. It was indicated above that certain parts of the local administration and certain individuals and political fractions in the City Council embrace for

example a ‘sanctuary city narrative’ and work towards the adoption of measures of urban citizenship, but it is not discussed in any detail in how far this is met with opposition by other parts of the local administration and political representatives. Further research is needed to show whether a certain discourse and attitude adopted by city officials has an impact on their everyday routines. And an in-depth comparison of several municipal departments would be necessary to trace in how far initiatives from one part of the administration, politics and/or civil society pressure affect their day-to-day practices. While the study revealed that the increased migration dynamics in the mid-2010s and heightened attention for asylum migration led to an increased cooperation between different actors (both between state and non-state actors as well as among different state institutions) on asylum-related issues, the effects of this restructuring could not be traced in any detail. A long-term and comparative analysis of municipal administrative structures and inter-departmental cooperation would be necessary to see both the effects and the durability of administrative restructuring taking place in times of heightened pressure.

This study highlighted the importance of discourses or narratives of asylum migration in the city and the way refugees are categorised (e.g. as ‘guests’ vs. legitimate residents) for feelings of belonging and as a basis for a politics of presence. Yet, whether and how narratives and labels such as ‘sanctuary city’ or ‘safe haven’ really make a difference for the inclusion:exclusion of refugees in different areas requires further (comparative) analysis. Importantly, such an analysis would also include city municipalities that adopt an anti-migrant or anti-refugee discourse. Also a consideration of rural municipalities would be relevant in order to explore in how far ‘sanctuary narratives’ (as well as narratives of overload and crisis) are also adopted by rural municipalities, with what aims and implications.

This study’s focus on negotiations over asylum migration is furthermore limited in the sense that it cannot show the similarities and differences between negotiations over the presence of refugees and other newcomers. Given the number of zones of negotiations explored here, a comparison between different target groups was not possible. Yet, the present research did indicate that a comparison for example between asylum-seekers and homeless people with regard to their access to decent housing could provide important insights with regard to similarities and differences in the inclusion:exclusion of marginalised urbanites.

Another analytical blind spot in the thesis is also the significance of (institutional) racism in the policing of migrant presence. Whereas several of the cumulative contributions and in particular chapter 3.1 (Hinger, 2023) suggested that race (in combination with gender, class, age etc.)

importantly structures the way asylum accommodation is organised and the way un/deservingness is determined in the city, this point is not discussed in any depth. Especially in a context, in which outright anti-refugee voices and racist violence is marginal, it is important to draw attention to the subtler but deep-seated racist prejudice inherent in the way both state and non-state actors respond to racialized asylum-seeking persons. While the organisation of asylum accommodation along colour lines might be accepted and grounded in experience, it is nevertheless an expression of racist stereotyping. Moreover, there are obvious continuities between the production of the refugee subject as a subject 'to be disciplined and educated' and racist imaginaries positing white European citizens against less different, less modern others (Mayblin, 2017).

Finally, and most importantly, the notion of a politics of presence in asylum merits further research. It has been argued that refugees' belonging or connection to multiple time-spaces forcibly makes the politics of presence a claim for (or insistence on) not just a right to the city, but through the city (the latter entailing the right to move). Further research could scrutinise in how far (multiple) presence figures in refugees' claims-making. While the insistence of a right to stay and to move is certainly an essential part of a politics of presence, claiming rights on the basis of the domicile principle, vulnerability, or merit in many cases might seem a more strategic option. Especially for institutional forms of a politics of presence (referred to as urban citizenship above) it would furthermore be relevant to note in how far measures go beyond rights to participate in local affairs and along which lines new lines of un/deservingness and dis/belonging are defined. In how far are considerations of belonging and deservingness for example tied to a certain duration of stay (past and prospective) in a place, or fixity of residence.

5.4.3 Conclusion

To conclude, I will shortly recapitulate the key findings of this cumulative thesis: I have proposed that local (ised) negotiations over the inclusion:exclusion of refugees can be grasped in terms of a 'politics of presence'. With this notion, I denote practices that challenge and disrupt the control or policing of migrant presence. Such disruptions are essentially based on the imperceptible politics of migrant presence, i.e. their (mostly illegalised) coming to and being in the city. I have argued that the politics of presence should however not be situated merely outside of institutions. Rather, I have proposed to consider both practices by individual migrants, civil society initiatives and organisations, as well as (local) institutions as part of such a politics. With the politics of presence *in asylum*, I have highlighted especially those

discourses, regulations, and practices related to asylum migration. In some instances, I have also referred to a politics of migrant presence to indicate that the modes of negotiating the il/legitimacy of the presence of asylum-seeking newcomers might in fact be very similar to that of other newcomers. The politics of presence in asylum involves the developing of accounts of refugees' presence in the city as legitimate and the opening up of possibilities to participate in local affairs and to move (and participate in local affairs elsewhere). Whether and how such accounts and practices develop, I have contended, depends on the historical and politico-geographical context. What is more, I have shown that space and time serve as a medium in negotiations over the inclusion:exclusion of refugees. On the one hand, their presence is ordered and policed through time and space, e.g. when migrants are im/mobilised through dispersal accommodation. On the other hand, this order is challenged precisely through the appropriation and production of alternative space-times. This implies a re-imagining of the city, in which negotiations over the inclusion:exclusion of refugees take place. Yet, I have also stressed that the politics of presence in asylum is necessarily a 'politics of place beyond place', as it always involves multiple scales and links multiple places.

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Annex A: Overview of Cumulative Contributions and Explanations on Authorship

This thesis encompasses six cumulative contributions, which have been published in (and in one case submitted to) journals or collective volumes. In the following, I will elaborate on the (co-)authorship of these texts. The explanations regarding the co-authored articles were agreed upon with the respective co-authors.

Cumulative contribution 1

Hinger, S. (2016) Asylum in Germany: The Making of the Crisis and the Role of Civil Society, *Human Geography*, 9(2), 78-88. [Chapter 2.1]

I wrote this contribution based on my fieldwork in Osnabrück during my stay as a Marie-Curie fellow at the University of Sussex. I conceptualised and wrote the article without the involvement of others, but by taking into account the comments by the reviewers and editors of the Special Issue, as a part of which the article was published.

Cumulative contribution 2

Hinger, S. (2020) Integration Through Disintegration? The Distinction Between Deserving and Undeserving Refugees in National and Local Integration Policies in Germany. In: Hinger S., Schweitzer R. (eds) *Politics of (Dis)Integration*. IMISCOE Research Series, 19-39, Springer, Cham. [Chapter 2.2]

This single-authored chapter was like 2.1. written during my stay at the University of Sussex. The collective volume to which this chapter presents a contribution emerged out of the debates within the Marie Skłodowska Curie International Training Network Integrim. On an initial draft I received feedback from two other contributors of the book. The chapter thus greatly profited from the discussions and exchanges among the author collective. Together with Reinhard Schweitzer I took on the role as editors of the volume and submitted a proposal to the IMISCOE Book Series Committee. Being selected as one of two books for publication in the IMISCOE Research Series, the volume including the here presented chapter underwent a double-blind peer-review process before publication.

Cumulative contribution 3

Hinger, S (forthcoming) B/ordering through asylum accommodation. Submitted to: *Geographische Zeitschrift* [Chapter 3.1]

This chapter is single-authored and based on my own original fieldwork. The current version profited from feedback on earlier versions of this article by Maren Kirchhoff, Antonie Schmiz and Andreas Pott.

Cumulative contribution 4

Hinger, S. & P. Schäfer (2019) Making a Difference - The Accommodation of Refugees in Leipzig and Osnabrück. *Erdkunde*, 73(1), 63-76. [Chapter 3.2]

This article is product of a long-term exchange and collaboration between myself and Philipp Schäfer. The article is based on my fieldwork in Osnabrück and Philipp Schäfer's fieldwork in Leipzig. We conceptualised and wrote the article together. While the parts on Leipzig are mostly written by Philipp and the ones on Osnabrück by me, we decided not to keep these parts separate but to weave them together in the text. In this way, both of us contributed to all parts of the article in an equal manner. We received comments by the editors of the Special Issue and by two reviewers, which helped us to revise an earlier version of this text.

Cumulative contribution 5

Hinger, S., Kirchhoff, M., & Wiese, R. (2018). "We Belong Together!" Collective Anti-deportation Protests in Osnabrück. In *Protest movements in asylum and deportation* (pp. 163-184). Springer, Cham. [Chapter 4.1.]

I conceptualised and wrote this article together with Maren Kirchhoff and Ricarda Wiese, who were working for the DfG-financed research project „Taking Sides – Protest Against the Deportation of Asylum Seekers in Austria, Germany and Switzerland” at the time. The collective volume in which this chapter was published was outcome of the Taking Sides research project. As our interests in the anti-deportation protests in Osnabrück coincided, we decided to conduct the fieldwork together. The article is based on interviews that Maren Kirchhoff and I prepared and conducted together (most of which were transcribed by Ricarda Wiese) as well as on participant observation. The latter consisted mostly of my and Ricarda Wiese's participation in protest actions and meetings of the No Lager group. The development of the theoretical perspective is based on Maren Kirchhoff's and my preliminary analytical work. On the basis of a joint analysis, we wrote the individual sub-chapters and revised them several times, so that each of us contributed equally to all parts of the article. The final revision of the article, based on feedback from the editors and two anonymous reviewers, was done by Maren Kirchhoff and myself.

Cumulative contribution 6

Hinger, S., & Kirchhoff, M. (2019). Andauerndes Ringen um Teilhabe. *Forschungsjournal Soziale Bewegungen*, 32(3), 350-363. [Chapter 4.2.]

The article is based on the fieldwork that I conducted together with Maren Kirchhoff between 2015 and 2019 (see contribution 5). In addition to the qualitative data material we already worked with in the "We belong Together!" article, we conducted three further interviews and transcribed them. The conception, transcription, and revision of the article as a result of comments – from the “Migration und Gesellschaft” colloquium at the IMIS and from the editors of the Special Issue – was carried out by Maren Kirchhoff and myself.

Annex B: Overview of Interviews

Table 2: Overview of Interviews

The following interviews were conducted by myself (partly together with colleagues) in the context of my PhD research project. The abbreviations stand for myself (SH), Helen Schwenken (HS), Maren Kirchhoff (MK), and Ricarda Wiese (RW)

No	Date	Interviewee / Organisation	Interviewer	Comments
1	06.01.2015	Social worker and Deputy Director of the EAE Bramsche	SH, HS	No recording
2	08.04.2015	Activists, No Lager	SH	Focus group
3	20.05./ 06.07.2015	Municipal Integration Commissioner	SH	
4	06.07.2015	Activist and social worker, Caritas	SH, MK	
5	08.07.2015	SPD-deputy, City Council	SH, MK	Transcription RW
6	16.07.2015	Activist, No Lager	SH, MK	
7	17.07.2015	Head of the EAE Osnabrück, Diakonie	SH, HS	No recording Interview conducted together with students
8	20.07.2015	Neighbour of an asylum centre	SH, MK	
9	20.07.2015	Neighbour of an asylum centre	SH, MK	
10	20.07.2015	Lawyer (Immigration Law)	MK	Transcription RW
11	21.07.2015	Neighbourhood developer, RAR	SH, MK, RW	Transcription RW
12	22.07.2015	Deputy of Die Linke, City Council	SH, MK	Transcription RW
13	22.07.2015	Deacon (Catholic church)	SH, MK	Transcription RW
14	31.08.2015	(former) Chairman of Exil e.V.	SH	
15	01.09.2015	Journalist, NOZ	SH	
16	03.09.2015	Activist, No Lager/Avanti e.V.	SH	
17	04.09.2015	Social worker, Caritas	SH	
18	10.09.2015	Superintendent, Diakonie	SH, RW, HS	
19	15.09.2015	2 Residents of asylum centre, participants in self-organised anti-deportation protest	SH, MK	In English
20	17.09.2015	Neighbourhood developer, RAR	SH, RW	
21	24.09.2015	Head of Municipal Immigration Office	SH	
22	28.09.2015	Member of Exil e.V.	SH	
23	14.10.2015	Head of Service for Accommodation and Social Benefits, Municipal Social Welfare Office	SH	
24	19.01. 2017	Head of asylum drop-in centre, Diakonie	SH	No recording
25	20.01.2017	Volunteer, asylum drop-in centre, RAR	SH	
26	23.01.2017	(former) Police officer	SH	
27	24.1./14.2./2 8.03.2017	(long-term) Member of Exil e.V.	SH	
28	27.01.2017	Activist, founder of initiative 50ausidomeni	SH	

29	06.03.2017	Coordinator of social work with refugees, Municipal Department for Integration	SH	Phone interview
30	20.03.2017	Head of Division Dispersal, LAB NI	SH	No recording
31	14.06.2017	Janitor Asylum Centres	SH	
32	14.06.2017	Social worker, Caritas/ Activist with Pro Asyl, Founding member of Exil e.V.	SH	
33	29.09.2018	Activist, EAI, Solidarity City	SH	In English
34	30.04.2018	Activist, Solidarity City	MK	
35	11.06.2018	Activist, Solidarity City	SH, MK	

Table 3: Overview of further interview material

These interviews were conducted in other contexts than the present PhD project and mostly by other interviewers. The interviews were made available to me in form of transcripts and thus formed part of the data corpus used for this thesis.

1	3.7.2014	Social worker, Outlaw e.V. Teacher, EAE Bramsche Activist, No Lager Volunteer, Freizeit für Flüchtlingskinder	SH and students	Interviews/exchanges led in the framework of a field trip with students
2	10./14.12.2015	Activists, Alliance against deportations	Michael Ruf	Interviews conducted for the documentary theatre project "Asylum dialogues"
3	23.06.2015	Municipal Culture of Peace Department	Marcel Paul	Interview conducted by a student for an assignment under my supervision
4	22.07.2015	Volunteer, Freizeit für Flüchtlingskinder	RW	Interview conducted by a student for an assignment under my supervision
5	11/2001-03/2011	Interviews with social workers and (former) members of the municipal administration dealing with immigration issues	Ute Koch	Interviews conducted as part of the research project „Migration und kulturelle Differenz in Gemeinden“ Transcription Sigrid Pusch

