

Current Immigration and Integration Debates in Germany and the United States: What We Can Learn from Each Other

by Spencer P. Boyer and Victoria Pardini



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Introduction

Over the past few years there has been an evolving discourse over the intersection of immigration, integration, and culture in both Europe and the United States. From German Chancellor Angela Merkel proclaiming the death of multiculturalism in Germany to former French President Nicolas Sarkozy declaring that American and British efforts to encourage diversity have only resulted in diluted national identities and strengthened extremist voices in immigrant communities, the debate within Europe about its demographic future has only become more pronounced. In addition, from the Nordics to Greece, anti-immigration parties and voices have gained strength among populations concerned about the effects of increased diversity. Across the Atlantic, the ongoing immigration reform debate coupled with discussions about how the increase in the U.S. minority population has changed the electoral map have made topics of multiculturalism and inclusion even more polarized.

Similarities and differences between the United States and Germany in the immigration and integration realms are particularly instructive as both countries grapple with extremely diverse populations; heated policy debates about pathways to citizenship; establishing legal frameworks that acknowledge the need for more global talent; and creating more welcoming environments for newcomers. How these debates develop over the next year will impact how successful the United States and Germany will be in managing diversity and positioning themselves for 21st century success as increasingly multicultural societies. While there are notable differences in our immigration histories, legal structures, and social inclusion challenges, there are numerous things the United States and Germany can learn from each other's political and policy approaches. Similarly, the U.S. and the EU could learn a great deal from each other in their approaches to immigration more broadly.

Historical Perspective: Diversity in Europe & Germany

Much of Europe has experienced a significant growth in its immigrant population over the past several decades, particularly in recent years. Throughout the 20th century, immigration to Western European countries increased due to labor needs, economic disparities between European countries, decolonization outside of Europe, and an increase in refugees.¹ Additionally, the dissolution of the Soviet Union and the breakup of Yugoslavia led to the migration of millions of asylum-seekers to Western parts of Europe.² By the

end of the 20th century, most EU countries had seen a tremendous rise in immigrant populations—for example, tripling in number in Spain, where approximately 31 percent of immigrants are from Latin American countries,³ and quadrupling in Italy between 1980 and 1997.⁴

Overall, the European Union has continued to see this exponential growth in its immigrant population in the 21st century. In 2012, the foreign population⁵ of the EU represented approximately 4.1 percent of Europe, or about 20.7 million people. Of this, 38.5 percent of immigrants were from non-EU member states, including 24.5 percent from Africa, 22 percent from Asia, 14.2 percent from the Americas, and 0.8 percent from Oceania.⁶ As of 2011, about 9.4 percent of the world's total 214 million migrants were third-country nationals⁷ living in the EU,⁸ with the largest third-country national groups being from Turkey, Morocco, and Albania.⁹ Approximately 15 to 20 million Muslims live in EU member countries, largely as a result of these migratory experiences.¹⁰

Germany's profound demographic changes have been in line with developments across the continent. In 1950, the foreign population of Germany was approximately 1 percent, or 500,000 people.¹¹ Since

3 Maria Hierro, "Latin American Migration to Spain: Main Reasons and Future Perspectives." *International Organization for Migration*. 18 March 2013, p. 7.

4 Bulent Kaya, "The Changing Face of Europe — Population Flows in the 20th Century." Council of Europe Publishing. February 2002, p. 36.

5 According to the OECD, the foreign population of a country refers to all persons who have that country as the place of usual residence, but who are citizens of another country.

6 "Migration and migrant population statistics" - Statistics Explained (2013/7/4) <http://epp.eurostat.ec.europa.eu/statistics_explained/index.php/Migration_and_migrant_population_statistics>

7 A third country national is an E.U. resident who does not come from an EU member state.

8 Communication from the Commission to the European Parliament and the Council. "Third Annual Report on Immigration and Asylum." European Union: European Commission. May 2012, p. 3.

9 Ibid.

10 Krisitin Archick, Paul Belkin, Christopher M. Blanchard, Carl Ek and Derek E. Mix, "Muslims in Europe: Promoting Integration and Countering Extremism." In *Muslims in Europe: Integration and Counter-Extremism Efforts*. Eds. George T. Rankin and Kenneth M. Cowen. (New York: Nova Science Publishers, Inc., 2012), p. 6.

11 *Migration and Integration: Residence law and policy on*

1 Bulent Kaya, "The Changing Face of Europe — Population Flows in the 20th Century." Council of Europe Publishing. February 2002, p. 20.

2 Ibid., p. 22.

that time, the immigrant population has increased significantly.¹² Most of the growth in the foreign population comprised “guest workers,” who arrived between 1955 and 1973 and asylum seekers who began arriving in larger numbers in 1980. Eventually, an oil crisis at the beginning of the 1970s, a recession, and labor market crisis ended the guest worker program and recruitment push. Although the government intended to decrease the number of foreigners in Germany, many of those already in the country decided to stay in order to retain their residence status, bringing their families with them.¹³ While the German government attempted to incentivize returning to host countries by paying thousands of deutschmarks to guest workers, only a small number who were intending to return home anyway took the money.¹⁴

In 2012, Germany reported the highest number of migrants living in the EU -- 7.4 million foreigners currently reside in Germany of an estimated 33.6 million non-national population in the EU.¹⁵ The diverse Muslim communities in Germany make up about 5 percent of the general population of 81 million.¹⁶ Within the Muslim population, two-thirds have Turkish roots, 14 percent have Albanian, Bosnian, and Bulgarian roots, and 15 percent have Middle Eastern or North African roots.¹⁷ Turks make up the largest ethnic group in Germany, comprising 24.1 percent of the non-national population.¹⁸

Inclusion Efforts

European Union

While immigration is on the rise in Europe, inclusion efforts have struggled to keep pace. European national governments have the primary responsibility for creating and enforcing integration regulations and practices. The European Commission, however, plays a significant role in establishing best practices, benchmarks, and expectations in EU member states.¹⁹ The Commission also coordinates integration policy standards among member states, monitors to ensure compliance, and functions as a forum for member states to pursue cooperative strategies and grapple with common challenges.²⁰

As a framework for integration policy throughout Europe and guidance for EU member states, the European Union established *The Common Basic Principles for Immigrant Integration Policy in migration and integration in Germany*. German Federal Ministry of the Interior. October 2011, p. 13.

12 After World War II, millions of ethnic German expellees returned to the country.

13 Friedrich Heckmann, Elmar Hönekopp, and Edda Currie. “Guest Worker Programs and Circular Migration: What Works?” European Forum on Migration Studies: Immigration Policy Series. May 2009, p. 6.

14 Spencer P. Boyer, “Learning From Each Other: The Integration of Immigrant and Minority Groups in the United States and Europe.” Center for American Progress. April 2009, p. 18.

15 “Migration and migrant population statistics” - Statistics Explained (2013/7/4) <http://epp.eurostat.ec.europa.eu/statistics_explained/index.php/Migration_and_migrant_population_statistics>

16 Kristin Archick, Paul Belkin, Christopher M. Blanchard, Carl Ek and Derek E. Mix, “Muslims in Europe: Promoting Integration and Countering Extremism.” In *Muslims in Europe: Integration and Counter-Extremism Efforts*. Eds. George T. Rankin and Kenneth M. Cowen. (New York: Nova Science Publishers, Inc., 2012), p. 21.

17 Ibid.

18 Ibid.

19 Spencer P. Boyer, “Learning from Each Other,” p. 13.

20 Ibid.

the EU in 2004. Among other things, the principles explain that integration is meant as a “dynamic, two-way process of mutual accommodation,” that employment is key to integration, and that the practice of diverse cultures and religions is guaranteed under the Fundamental Charter of Human Rights.²¹

Subsequently, in 2011 the European Commission proposed the *European Agenda for the Integration of Third-Country Nationals*, focusing on action to increase participation by migrants, emphasizing local action, and highlighting challenges that need to be addressed in order to benefit from migration and diversity. The agenda forms a toolbox for national authorities to choose the measures most likely to help them achieve their integration objectives.²² The European Integration Forum meets twice annually and provides a space for leaders to discuss the challenges and goals of integration.²³

The Commission also proposed a three-pronged strategy in its agenda for the integration of third-country nationals. First, the strategy encourages member states to provide language courses for immigrants at all stages of integration; organize civic participation courses; institute policies to engage immigrants in the labor market; and use financial instruments to support migrants’ participation more effectively.²⁴ Secondly, the strategy promotes action at the local level by addressing issues in disadvantaged urban areas; improving multi-level cooperation between levels of governance; and lending EU financial support for local action.²⁵ Thirdly, the EU encourages involvement from countries of origin by helping migrants with pre-departure information, such as visas and work permits, as well as tuition with language courses. The EU also promotes “circular migration,” so immigrants can bring skills back to their countries of origin.²⁶

The EU established the European Fund for the Integration of non-EU Immigrants—with a total budget of 825 million Euros for the period 2007 - 2013 — to support these initiatives and enhance the ability of EU countries to “develop, implement, monitor and evaluate integration strategies.” The Fund has also created programs for improving diversity management in neighborhoods, providing intercultural training and dialogue, and tools for sharing information and discussing best practices between countries. Beyond 2013, the European Commission has proposed a budget of 10.9 billion Euros for the period 2014 – 2020, which will also focus on law enforcement, the management of the EU’s external borders, and the development of new technology systems, such as the future entry and exit system and Registered Traveller Programme.²⁷

Germany

While receiving integration guidance from the European Commission — including in the areas of education, employment, and language — Germany has developed its own comprehensive integration and inclusion framework.²⁸ Germany continues to grapple with balancing

21 “EU Actions to Make Integration Work.” European Union: European Commission. <http://ec.europa.eu/ewsi/en/EU_actions_integration.cfm>

22 Ibid.

23 Ibid.

24 Communication from the Commission to the European Parliament, the European Economic and Social Committee, and the Committee of the Regions. “European Agenda for the Integration of Third Country Nationals.” European Union: European Commission. July 2011, p. 10.

25 Ibid.

26 Ibid.

27 “Funding Home Affairs Beyond 2013.” European Commission. July 2013.

28 Communication from the Commission to the Council,

decades of fairly open immigration and the need to attract talent in a globalized world with the concerns of many Germans about the short and long-term societal effects of migration flows into the country. Germany's history with guest workers, its large minority population, and the evolving debate over the past decade about citizenship, integration, and inclusion make it a particularly important country to examine vis-à-vis the United States and its political and legal discourse regarding the future of immigrants.

Despite post-war Germany's strong record in accepting individuals seeking asylum and preventing the development of ethnic housing ghettos, for decades Germany, like many EU countries, dedicated only minimal attention to formal integration and inclusion efforts. This was due in part to the erroneous belief that the large guest worker population was only there on a temporary basis. In recent years, however, the focus has increased dramatically, with the German government taking a number of affirmative steps to more fully incorporate individuals of migrant backgrounds in the broader fabric of German society.

In particular, the issue of citizenship in Germany has been inextricably linked to integration efforts. For 150 years, citizenship laws in Germany were based on *jus sanguinis* or "right of blood." One was either born German—to German parents—or not. Even second and third generation residents born in Germany had minimal prospects of naturalization. In 1998, the SPD-Green coalition moved to add to this the right of citizenship based on place of birth, which was in part a gesture to the Turkish community that had been shut out from becoming German citizens. These changes were incorporated into a revised German citizenship law—passed in 1999 and implemented in 2000—which shifted the *jus sanguinis* standard to one where children of non-nationals became eligible for German citizenship if one parent had legal residency for at least five years.²⁹

There are also a number of formalized integration courses and programs for immigrants. As of 2005, immigrants who lack German language proficiency are expected to take mandatory integration courses, focusing on language, history, culture, and rule of law.³⁰ In 2007, the federal government, the 16 Lander (state) governments, local officials, and a number of NGO stakeholders agreed to a new National Integration Plan. The plan and similar efforts have focused primarily on furthering German language and the values of civic engagement and equality, increasing employment opportunities, improving education, and enhancing the lives of women and girls.³¹ In a related effort in 2006, the German government launched the National Conference on Islam in Germany, which was intended to further integrate Muslims in Germany into the political process, although critics have argued that the conferences have suffered from major disagreements and that the results have been murky.³²

the European parliament, the European Economic and Social Committee and the Committee of the Regions. "A Common Agenda for Integration Framework for the Integration of Third-Country Nationals in the European Union." September 2005, pp. 5-10.

29 Krisitin Archick, Paul Belkin, Christopher M. Blanchard, Carl Ek and Derek E. Mix, "Muslims in Europe: Promoting Integration and Countering Extremism." In *Muslims in Europe: Integration and Counter-Extremism Efforts*. Eds. George T. Rankin and Kenneth M. Cowen. (New York: Nova Science Publishers, Inc., 2012), p. 16.

30 Ibid., p. 17.

31 Ibid.

32 "Muslim groups consider boycott of German-Islam Conference." *Deutsche Welle*. 12 March 2010.

Pushback on Integration and Increased Diversity

Europe & Germany

Despite the efforts to foster effective integration at both the EU-level and in Germany, the influx of migrants, especially those with Muslim backgrounds, has fueled a debate over the implications of the expanding community. EU countries take varied approaches to integration, of course, based on their unique histories and cultural norms. Some believe that migrants should assimilate into the public sphere, but not be prevented from retaining diversity at the family-level and in some aspects of civil society, as is the case in France.³³ Others strive for a more multicultural model, which embraces many customs of ethnic groups in the public realm and promotes the sharing of diverse cultural norms in school and through the media and cultural outlets, as is the case in Great Britain.³⁴ And many European governments are attempting to encourage integration among different cultural, ethnic, and religious groups by advancing new citizenship laws and language requirements, promoting dialogue with Muslim organizations, developing "homegrown" imams familiar with European traditions, and bettering educational and economic opportunities.

Despite reported optimism surrounding immigration, integration, and diversity among a slim majority—52 percent—of Europeans,³⁵ significant backlash has erupted over the "changing face" of Europe. Parties on the far right have regularly used issues of immigration and economic crisis as the basis for their electoral campaigns, arguing that citizens must compete with immigrants for jobs.³⁶ In April 2011, the True Finns, a nationalist and populist party, was elected as the third largest party in Finland after winning 19 percent of the vote.³⁷ Anti-immigrant and right wing parties represent swing votes for minority governments in Denmark and the Netherlands,³⁸ and France's far-right National Front party candidate Marine Le Pen won approximately 18 percent of the vote in first-round presidential voting in 2012.³⁹ Additionally, riots erupted in Sweden recently by immigrants in relatively poor districts, in response to the fatal shooting of an elderly immigrant by police. The uprisings have subsequently spurned calls for the deportation of non-native Swedes by the far-right Swedish Democrat party.⁴⁰

33 Anna Triandafyllidou, Tariq Modood and Nasar Meer "Introduction: Diversity, Integration, Secularism and Multiculturalism." In *European Multiculturalisms: Cultural, Religious and Ethnic Challenges*. Eds. Anna Triandafyllidou, Tariq Modood and Nasar Meer, Eds. (Edinburgh: University Press, 2012), p. 3.

34 Will Kymlicka, "Multiculturalism: Success, Failure, and the Future." Migration Policy Institute. February 2012, p. 4.

35 Transatlantic Trends Immigration Survey, 2011. Key Findings, p. 3

36 Terri Givens, *Voting radical right in Western Europe*. (New York: Cambridge University Press, 2005), p. 69.

37 Krisitin Archick, Paul Belkin, Christopher M. Blanchard, Carl Ek and Derek E. Mix, "Muslims in Europe: Promoting Integration and Countering Extremism." In *Muslims in Europe: Integration and Counter-Extremism Efforts*. Eds. George T. Rankin and Kenneth M. Cowen. (New York: Nova Science Publishers, Inc., 2012), p. 8.

38 Ibid.

39 Kim Willsher, "Marine Le Pen scores stunning result in French presidential election." *The Guardian*. 22 April 2012. <<http://www.guardian.co.uk/world/2012/apr/22/marine-le-pen-french-election>>

40 Andrew Higgins, "In Sweden, Riots Put Identity in Question." *The New York Times*. 26 May 2013.

The rise of extremist, anti-diversity groups in recent years has been fostered by a more transnational landscape in which neo-Nazis and other right wing extremists can connect and cooperate more easily over what they perceive to be the economic and cultural threat of immigration.⁴¹ Groups targeting immigrants and diversity more broadly use the tools of a new globalized era to facilitate their activities. The German security service has noted that the Internet is “the most important medium of communication for right wing extremists,”⁴² and has become a safe space to organize events while avoiding scrutiny by law enforcement. Extremists utilize email listings, discussion forums, and social networks, and have formed an interactive community of interest.⁴³

Events like the 2004 murder of filmmaker Theo van Gogh by a Dutch-born Muslim following a provocative documentary featuring a Somali woman who left Islam⁴⁴ or the July 2005 suicide bombings in the London transit system, which left 52 civilians dead and 700 injured,⁴⁵ have often fueled extremist acts of violence and anti-Muslim demonstrations in many European countries, as well as a move toward more violent neo-Nazi groups.⁴⁶ Similarly, the recent murder of a British soldier and the separate murder of a French soldier have sparked violent clashes between rightist groups and those promoting tolerance.⁴⁷

In addition, visa liberalization in recent years granting visa-free travel to EU member states from five countries in the Western Balkans has created an increase in asylum seekers, particularly in Belgium, Luxembourg, and Sweden, adding even greater passion to the debates about the changing face of Europe.⁴⁸ Senior government officials have begun to reevaluate the Schengen area — a territory that ensures the free movement of people without the obstacle of internal borders — in light of the influx of immigrants in member states following uprisings related to the Arab spring in the southern Mediterranean and northern Africa.⁴⁹ In 2011, former Presidents

41 Michael Whine, “Trans-European Trends in Right-Wing Extremism.” In *Mapping the Extreme Right in Contemporary Europe: From Local to Transnational*. Ed. Andrea Mammon, Emmanuel Godkin and Brian Jenkins. (New York: Routledge, 2012), p. 317. For example, [Extremist groups consider themselves and the immigrant threat in antiquated terms, as “defenders of European civilization” threatened by “Ottoman or Moorish invaders.”

42 As noted in *Ibid*, p. 322.

43 *Ibid*.

44 Jason Burke, “The Murder that Shattered Holland’s Liberal Dream.” *The Guardian*. 7 Nov. 2004. <http://www.guardian.co.uk/world/2004/nov/07/terrorism.religion>

45 John F. Burns, “Britain Opens Public Inquest Into 2005 London Terrorist Attacks.” *The New York Times*. 11 Oct. 2010. <http://www.nytimes.com/2010/10/12/world/europe/12britain.html>

46 Michael Whine, “Trans-European Trends in Right-Wing Extremism.” In *Mapping the Extreme Right in Contemporary Europe: From Local to Transnational*. Ed. Andrea Mammon, Emmanuel Godkin and Brian Jenkins. (New York: Routledge, 2012), p. 328.

47 John F. Burns and Alan Cowell, “Leaders in Britain Tackle Radicalization.” *The New York Times*. 3 June 2013.

48 See “Third Report on the Post-Visa Liberalisation Monitoring for the Western Balkan Countries in accordance with the Commission Statement of 8 November 2010.” European Commission. 28 Aug. 2012.

49 “Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions of 16 September 2011 — Schengen governance.” European Commission.

Sarkozy and Silvio Berlusconi sent a joint letter to the European Council and European Commission presidents to consider reinstating internal border controls in cases where there are exceptional difficulties managing external borders by member countries.⁵⁰ Member states can now re-introduce internal border control at their borders, for short durations of time, in cases deemed a threat to public policy or internal security.⁵¹

Germany has experienced its own displays of anti-immigrant backlash in recent years. The belief that Islam is a threat to the core values of German society, for example, is a recurring theme within German integration debates.⁵² Additionally, backlash reached the mainstream after the 2010 publication of book by Thilo Sarrazin claiming that Muslim immigrants were unwilling and unable to integrate into German society topped the national bestseller list.⁵³ The same year, Chancellor Merkel declared in a speech to young members of her Christian Democratic Union party that multiculturalism in Germany had failed, and that it was an “illusion” that foreign workers and citizens could work together.⁵⁴

Historical Perspectives: Diversity in the United States

America’s self-identity as a country of immigrants has been established for much longer than it has been in Europe, with the distinction between “outsiders” and “insiders” being historically complex and fluid.⁵⁵ Since the country’s founding, every ethnic group arriving in the United States has had its own unique challenges. However, it is quite evident that Anglo-Saxon-Protestant immigrants—especially those from Western Europe—were historically more easily incorporated into an Anglo-Saxon-Protestant-dominated America than those from other countries. Many groups, especially Catholics from southern Europe and Ireland, who were once discriminated against and shunned, slowly came to be seen as part of the American mainstream.⁵⁶ Barriers to the integration of white Europeans or their descendants into the mainstream based solely on ancestral origin, or being a non-Protestant Christian, have essentially vanished in 21st century America.⁵⁷

For most of U.S. history, race and color distinctions, as opposed to distinctions based on other factors, have been at the forefront of determining how federal, state, and local governments legally classified and treated American citizens and residents.⁵⁸ Thus, for African Americans and immigrants of color, the integration

50 Les Back, “Fortress Europe? There is a Better Way.” *The Guardian*. 27 April 2011.

51 “Third Annual Report on the Functioning of the Schengen Area, 1 November 2012-30 April 2013: Report from the Commission to the European Parliament and the Council.” European Commission. 31 May 2013.

52 Nasar Meer and Tariq Modood “The Multicultural States We’re In.” In *European Multiculturalisms: Cultural, Religious and Ethnic Challenges*. Eds. Anna Triandafyllidou, Tariq Modood and Nasar Meer, Eds. (Edinburgh: University Press, 2012), p. 71.

53 Kate Connolly, “Bundesbank executive provokes race outcry with book.” *The Guardian*. 30 August 2010. <<http://www.guardian.co.uk/world/2010/aug/30/bundesbank-executive-book-race-row>>

54 Kate Connolly, “Angela Merkel declares death of German multiculturalism.” *The Guardian*. 17 October 2010. <<http://www.guardian.co.uk/world/2010/oct/17/angela-merkel-germany-multiculturalism-failures>>

55 Spencer P. Boyer, “Learning from Each Other,” p. 5.

56 *Ibid*.

57 *Ibid*.

58 *Ibid.*, p. 6.

experience has been much different than it has been for the majority of Europeans.⁵⁹ Traditional color lines have evolved significantly in American society with the influx of Latino and Asian immigrants over the past few decades, along with the strong growth of a multiracial population.⁶⁰ In the past several years, Latinos have overtaken blacks as the largest minority group in the country, reaching 15 percent of the population. Asians are the second-fastest growing minority group after Latinos, reaching 5 percent of the population.⁶¹ Census Bureau figures indicate that by 2042, whites will no longer be the majority population in the United States. In 2000, a little more than 2 percent of Americans identified themselves as multiracial. By 2050, that figure could rise to over 20 percent.⁶²

U.S. Immigration Reform

Despite America's diversity and status as a country of immigrants, U.S. lawmakers have long grappled with how to reshape the American immigration system as well as how to address the status of 11 million undocumented immigrants, border security gaps, and lingering social and economic inclusion challenges for immigrants and their children. Congress most recently attempted to reform U.S. immigration in 2007, but agreement on the bill proved elusive. However, with the impact of increased diversity, demographic changes, and the respective parties' stances on immigration reform, the pressure for a comprehensive immigration reform bill has resurfaced. While the final version of the reform process is currently in development, the Obama administration and many in Congress have made reform the U.S. immigration process a top priority for the second term and the 113th Congress.

The administration has outlined four key principles in reforming immigration: 1) strengthening border security; 2) cracking down on employers who knowingly hire undocumented immigrants; 3) creating a smoother path to citizenship and offering young people the opportunity to earn citizenship more quickly if they pursue military service or higher education; and 4) streamlining legal immigration for individuals who come into the country on worker visas.⁶³ The administration believes this approach creates an important balance between a fair path to citizenship for undocumented immigrants on the one hand, and enforcement and security of national borders on the other.⁶⁴

Senate Bill and Path to Citizenship for Undocumented Immigrants

In April 2013, a bipartisan "gang of eight" senators introduced a plan to reform immigration law in the United States after months of discussion among Democrat and Republican legislators.⁶⁵ The current

59 Ibid.

60 Ibid.

61 Ibid.

62 Ibid.

63 "Fixing Our Broken Immigration System so Everyone Plays by the Rules." *White House Fact Sheet*. 29 Jan. 2013.

64 In response to criticism by some that the administration is not focused enough on the security side, the administration has noted that it has already increased the number of border patrol by 20,000, the highest in history. In addition, the administration deported almost 400,000 undocumented immigrants in 2011, compared to less than 300,000 in 2006.

65 The "gang of eight" senators who initially proposed immigration reform are Michael Bennet (D-CO), Richard Durbin (D-IL), Robert Menendez (D-NJ), Charles Schumer (D-NY), Jeff Flake (R-AZ), Lindsay Graham (R-SC), John McCain (R-AZ), and

bill, which was approved by the Senate in June and is awaiting action in the House of Representatives, attempts to respond to increasing public sentiment in support of both a path to legalization and eventual citizenship for the 11 million undocumented immigrants in the country and additional border security and interior enforcement to prevent illegal immigration into the United States.

Under the Senate plan, undocumented immigrants who apply would be on a 13-year course toward eventually achieving U.S. citizenship. However, they would also be expected to pay thousands of dollars in back taxes and fines.⁶⁶ The bill would cost \$50 billion in border security—doubling the number of U.S. Border Patrol agents along the southern border, requiring the construction of 700 miles of additional fencing, and using radar and unmanned aerial drones to track illegal crossings, among other measures.⁶⁷ These efforts would be working toward the goal of 100 percent surveillance within five years and a 90 percent success rate in apprehending individuals that try to cross the border illegally.⁶⁸ All immigration reform measures would be based upon a trigger mechanism, requiring that border security provisions be fulfilled before the path to citizenship and immigration could be implemented.⁶⁹

The Senate bill would target skilled workers, doubling the number of skilled worker visas to 115,000, and require employers of skilled workers to pay higher salaries and fees. Additionally, the proposal would create a visa program for 20,000 immigrants in low-skilled jobs beginning in 2015, which would increase to 75,000 visas in 2019, though construction companies are limited to no more than 15,000 visas per year.⁷⁰ Farm worker H-2A visas would be limited to 337,000 over three years, and wages would be based on labor-market data for farming jobs.⁷¹ The bill would also put additional requirements on employers, who would be obligated to check the legal status of all job applicants using the U.S. government's E-verify system.⁷²

While the Senate bill would provide a faster citizenship path for young immigrants and farmworkers, after eighteen months it would eliminate visas reserved for foreign siblings and the married adult children over 30 years of age of United States citizens. However, unlimited visas would be available for spouses, children, and parents of U.S. citizens and permanent residents.⁷³

U.S. Integration Efforts

Although the success of inclusion efforts for immigrants in the United States is difficult to quantify, naturalization rates offer some guidance on the success of integration. In addition to the

Marco Rubio (R-FL)

66 Ed O'Keefe. "Senate Approves Comprehensive Immigration Bill." *The Washington Post*. 27 June 2013.

67 Ibid.

68 A proposed law (S. 744), to provide for comprehensive immigration reform and for other purposes. 113th Congress, 1st Session.

69 "Key Provisions of Gang of Eight Senate Proposal." *The Washington Post*. 15 April 2013. <http://www.washingtonpost.com/wp-srv/special/politics/senators-immigration-legislation-provisions/>

70 Ibid.

71 Ibid.

72 Ed O'Keefe. "Senate Approves Comprehensive Immigration Bill." *The Washington Post*. 27 June 2013. http://articles.washingtonpost.com/2013-06-27/politics/40222888_1_immigration-bill-house-speaker-john-a-u-s-border-patrol

73 A proposed law (S. 744), to provide for comprehensive immigration reform and for other purposes. 113th Congress, 1st Session.

right to vote, the ability to bring family members more easily into the United States, access to public benefits, and visa-free travel to many countries,⁷⁴ naturalized citizens actually earn more than their non-U.S. citizen counterparts. The earnings gap between these two groups was 67 percent between 2006 and 2010.⁷⁵

Of a total 40 million immigrants in the United States, about two-fifths held citizenship in 2010, an increase of over 30 percent from the early 1990s. Of the remainder, about 44 percent were unauthorized and so ineligible for citizenship, and about 8 million eligible individuals had not applied.⁷⁶ The number of naturalized citizens is much lower in the United States than in several other countries of immigration. Of those eligible, about two-thirds of immigrants are naturalized citizens, as compared to 80 percent in Canada and 89 percent in Australia.⁷⁷ However, the United States reports higher rates of naturalization than several EU member states in the OECD, including Switzerland, Spain, France, and Germany.⁷⁸

In order to naturalize, immigrants are expected to hold legal permanent residence, demonstrate English language proficiency, pass a naturalization test and a criminal background check, and pay an application fee. U.S. Citizenship and Immigration Services (USCIS) of the Department of Homeland Security (DHS) offers numerous resources to educate immigrants on the naturalization process and the expectations for individuals considering U.S. citizenship. In addition, USCIS oversees the Citizenship Public Education and Awareness Initiative, which promotes “awareness of the rights responsibilities, and importance of citizenship,” as well as giving immigrants resources to prepare them for naturalization.⁷⁹ USCIS also has advertisement campaigns encouraging naturalization, featuring diverse immigrant stories.

USCIS provides a Civics and Citizenship Toolkit, which provides organizations with materials to educate permanent residents about the naturalization process. The toolkit includes a pamphlet for new immigrants, flash cards to prepare for the civics test, a video overview of the naturalization interview and test, and pocket-sized versions of the Constitution and Declaration of Independence, among other resources for prospective citizens.⁸⁰ Additionally, regular information sessions are open to the public to help permanent residents learn about naturalization eligibility, testing, and citizenship rights and responsibilities. USCIS also directs prospective citizens to English courses and citizenship classes in their area in order to prepare for the exam.

The Obama Administration has announced several grant programs since FY 2009 to incentivize more businesses and organizations to help with the integration process. The funding program will offer almost \$10 million in 2013 to public and non-profit organizations that offer both citizenship education and naturalization services to immigrants. These services include the provision of citizenship instruction and ongoing case management to individuals seeking citizenship. So far, the initiative has funded \$23 million in grants to organizations seeking to help approximately 51,000 immigrants.

74 Ibid.

75 Madeleine Sumption and Sarah Flamm. “The Economic Value of Citizenship for Immigrants in the United States.” Migration Policy Institute. September 2012, p. 1.

76 Ibid, p. 2.

77 Ibid, p. 3.

78 Naturalization and the Labour Market Integration of Immigrants. International Migration Outlook: Organisation for Economic Co-operation and Development. 2010, p. 162.

79 “Citizenship Public Education and Awareness Initiative.” U.S. Citizenship and Immigration Services.

80 “Civics and Citizenship Toolkit: Explore the Toolkit.” U.S. Citizenship and Immigration Services.

Ways of Thinking About Integration: What We Can Learn from Each Other

Citizenship & Multiple Identities

Perhaps the most notable similarity in the immigration and integration debates in both Germany and the United States is the central role citizenship plays in related discussions about integration and inclusion. While these debates often revolve around diverse issues such as the specifics of how a pathway to citizenship should be implemented; what obstacles to citizenship should exist for those who arrived illegally; and who should be allowed to have dual citizenship, the debates are generally had within the larger framework of how citizenship impacts the ability of immigrant communities to integrate more effectively, and what that means for the broader society.

In Germany, the citizenship debate has become even more robust since the introduction of a revised citizenship law in 1999, which moved Germany away from the notion of citizenship based on ancestry. While the move was lauded by many as a step in the right direction on inclusion, it also left many others feeling as though the government did not go far enough given that the revised law did not apply to all children born to non-national parents in Germany.⁸¹ Given that Germany still does not permit dual citizenship in most cases for non-EU nationals, the law required many young people from migrant backgrounds—between the ages of 18 and 23—to choose whether to keep German citizenship or that of their parents’ country of origin.⁸² Since the provisions from the 2000 law included the children of foreign nationals who were aged 10 or less, 2008 marked the time when these individuals had to start making a choice.

There is a sentiment among many with migrant backgrounds, however, that they must choose between two poor options—being officially German but a second-class citizen, or residing in Germany with another nationality without full citizenship rights.⁸³ For the past several years, there has been a vigorous debate at the political level about whether there should be further changes to the law, allowing for dual citizenship in most instances, including among those in the Turkish community. Those opposed to dual citizenship for all believe that it encourages immigrants to live separate lives and to maintain identities that are not fully German. Those in favor believe that allowing dual citizenship helps show governmental and societal acceptance of “multiple identities”—e.g. that one can be both German and Turkish without any incongruence.

Elections in the fall of 2013, and the subsequent political makeup of the Bundestag, could have a major impact on how the concept of German citizenship evolves. While Germany’s junior coalition partner, the Free Democrats (FDP), has pushed for an end to dual citizenship restrictions for children of non-EU citizens, Chancellor Merkel’s Christian Democratic Union (CDU) has been skeptical about changing the law to allow dual citizenship across the board.⁸⁴ It even campaigned against the concept of dual citizenship for all when the law was being debated.⁸⁵ Thus, if the CDU is once again part of the ruling coalition, it is unlikely there will be changes. If, on the other hand, the Social Democratic Party (SPD) or German Green Party (Greens) were in a dominant role in the next government, there would likely be movement on this issue.

While the United States does not encourage dual citizenship for its citizens, it is fairly commonplace, and in most instances

81 See Spencer P. Boyer, “Learning from Each Other,” p. 19.

82 Ibid., p. 8.

83 Ibid., p. 22.

84 Derek Scally, “German coalition partner seeks relaxation of dual citizenship laws.” *The Irish Times*. 30 March 2013.

85 Ibid.

uncontroversial. The State Department acknowledges that “[p]ersons may have dual nationality by automatic operation of different laws rather than by choice... [f]or example, a child born in a foreign country to U.S. citizen parents may be both a U.S. citizen and a citizen of the country of birth.”⁸⁶ It also notes that “[i]n order to lose U.S. citizenship, the law requires that the person must apply for the foreign citizenship voluntarily, by free choice, and *with the intention to give up U.S. citizenship*,” through statements or conduct. [emphasis added].⁸⁷ Those with dual nationalities, however, owe allegiance to both the United States and the foreign country. In the end, however, there is no similar debate within the U.S. about whether dual citizenship with other countries should be allowed, or whether those born within the country should ever have to choose between being an American and being the citizen of the country of their parents.

There are, of course, fears in some circles that American traditions and values are in danger by the large number of immigrants arriving on U.S. soil—which we see in some of the rhetoric of exclusion surrounding the immigration bill being debated. However, the debate about whether one can be a “real American” and have multiple identities has been largely put to rest. Americans regularly self-identify in hyphenated ways—e.g. African-Americans, Asian-Americans, Italian-Americans, Greek-Americans, and so forth. The fact that President Obama was elected and re-elected president with over 50% of the vote as a biracial individual with such a diverse past shows that at least a majority of Americans believe that having multiple identities is not a disqualification for having the highest position in the land, and thus is a legitimate part of the American experience.

While Germany should be praised for changing its previously restrictive citizenship laws, it could learn from the American experience of allowing dual citizenship in most instances, which could in turn help with integration efforts. As long as so many individuals with migrant backgrounds feel as though they are not yet fully accepted by the broader German society, requiring young people to choose to give up the citizenship of their parents creates unnecessary tension in these communities. With so many carve-outs for others, the Turkish community has expressed particular consternation that the law appears targeted at only certain groups. Regardless of who wins the 2013 elections, Germany has an opportunity afterwards to revisit this issue and make necessary revisions, which could pay dividends in longer-term integration efforts.

The United States, on the other hand, should do even more to use a path to citizenship as a major tool in U.S. integration efforts, and not just view it as a political or economic necessity or see it primarily through a security lens. The bill being debated in Congress, which would create this path to citizenship, would be an excellent start. While neither side of the immigration debate—those who are focused primarily on security and those focused primarily on a path to citizenship—would get everything they want, the bill passed by the Senate in June 2013 provides a solid pathway for re-shaping America’s relationship with the undocumented and helping integrate them more fully into the U.S. mainstream.

Creating a Welcoming Culture

Along with the rest of Europe, Germany will need to draw new immigrants over the coming decades in order to maintain a vibrant workforce because of weak birth rates among ethnic Germans. While Germany should be lauded for its efforts to foster a more

welcoming culture over the past few years, it still has a ways to go to create an environment that is as attractive to immigrants as those found in countries such as the United States and Canada. On the good news front, Germany is one of the Organisation for Economic Co-operation and Development (OECD) countries with the lowest barriers to immigration for high-skilled workers.⁸⁸ The German immigration system is comparatively open—unlike the United States and many European countries, Germany imposes no annual limit on the number of high-skilled immigrants, the process time for applications is short, and applicants for high-skilled positions are rarely turned down.⁸⁹ University-level graduates from other countries also have comparatively strong access to the German labor market.⁹⁰ On the negative side, the long-term labor migration forecast is fairly poor in comparison with other countries.⁹¹ As the OECD report *Recruiting Immigrant Workers: Germany* notes, the number of immigrant workers in Canada, the United Kingdom, Australia, and Denmark is five to ten times higher.⁹² Among the challenges for Germany are that German employers rarely recruit workers from outside of Germany, due in part to the mediocre reputation and lack of transparency of the German application system.⁹³ The need for strong German language skills is also a difficult hurdle for many immigrants.

While some barriers will be hard to overcome, such as right wing extremist attitudes toward minorities in certain parts of the country, there are other areas that are more within the German government’s control. Germany has made positive steps in recent years to produce more material for newcomers, including the creation of a “Make it in Germany” Web site, designed to help immigrants navigate the complex German system, and a new welcome kit, containing useful informational materials.⁹⁴ Germany also hopes to expand helpdesks in foreign countries by working through local institutions.⁹⁵ Germany should continue to push forward on these efforts. Germany is also becoming a leader when it comes to recognizing foreign professional credentials and making it easier for foreign students to look for a job in Germany after graduation. Germany should do more, however, to assist small to medium-sized companies in their recruitment efforts and to provide additional help with language training. Germany could learn from America’s recent push to incentivize U.S. businesses and organizations to become more involved in the integration process. Germany could also learn from America’s deep experience with bilingual education and English language training for newcomers, with data regarding methods and the rates of English language learning for immigrants stretching back over a century.⁹⁶

The United States is a leader when it comes to being a land of immigration and diversity. According to one global talent index, the United States ranked first in 2011 and is projected to do so again in 2015, with the country’s top strengths being the quality of its universities, the high caliber of its workforce, and a meritocratic environment that is largely unbothered by restrictive labor

88 “Labour Migration: Germany is Open to graduates, but Immigration is Difficult for Medium-Skilled Workers.” Organisation for Economic Co-operation and Development. 4 Jan. 2013.

89 Ibid.

90 Ibid.

91 Ibid.

92 Ibid.

93 Ibid.

94 Jennifer Fraczek, “Germany Tries Warmer Welcome for Immigrants.” *Deutsche Welle*. 2 April 2013.

95 Ibid.

96 See Tomas R. Jimenez, “Immigrants in the United States: How Well Are They Integrating into Society?” *Migration Policy Institute*. May 2011, p. 5-6.

86 “U.S. State Department Services Dual Nationality.” The State Department. < http://travel.state.gov/travel/cis_pa_tw/cis/cis_1753.html >

87 Ibid.

regulations.⁹⁷ However, the United States has its own challenges when it comes to creating a welcoming environment, which it will need to continue to do to remain a leader in the diversity and inclusion realm. As a start, Congress has a tremendous opportunity this summer to pass the comprehensive immigration reform bill currently being debated. Doing so would send a strong message to the immigrant community in the U.S., and to future immigrants, that the United States strives to be at the forefront of embracing diversity. However, the United States could learn from Germany, and follow its lead, in doing more to recognize foreign credentials—both academic and professional. A first step toward this goal may lie in a provision in the Senate bill that would raise the cap on H1-B skilled visas to allow American companies to hire more foreign workers. DHS could also learn from Germany's recent push to create welcoming, informative materials for incoming migrants in their home countries, so that their first experience with the United States is not through a law enforcement prism at the border.

Supra-national and Federal Strategies

Finally, the United States could learn from the EU as a whole when it comes to in-depth, principle-based thinking about integration and inclusion. While the European Commission is still working to ensure that its integration principles and agenda are embraced by EU member states, the EU should be lauded for developing high-level strategic goals at the supra-national level and serving as a hub for sharing best practices throughout Europe. The U.S. integration approach, on the other hand, is comparatively ad-hoc, focused on bilingual education, and locally driven.⁹⁸ The U.S. federal government should consider building on the mandate and progress of the USCIS by creating a National Office of Integration or Inclusion in the White House, which could serve a resource-sharing and coordinating role between the many U.S. agencies that have mandates relating to integration and anti-discrimination—including DHS, and the Departments of Education, Justice, and Housing and Urban Development.⁹⁹

Given that studies show that discrimination in many spheres of daily life continues to be an obstacle to integration throughout Europe, the EU should use the U.S. as a model for helping EU member states strengthen their antidiscrimination laws, which will in turn give the voluntary EU integration guidelines and objectives more teeth.¹⁰⁰ America has a long history of developing and building structures to enforce antidiscrimination legislation. Europe should take greater advantage of this expertise.

97 Heidrick and Struggles, *The Global Talent Index Report: The Outlook to 2015*, Economist Intelligence Unit, at p. 2.

98 Spencer P. Boyer, "Learning from Each Other," p. 29-30.

99 Ibid.

100 Ibid., 15-17, p. 31.



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