

SECURITISATION OF THE REFUGEE ISSUE IN GERMANY: THE FAR RIGHT CHALLENGE TO GOVERNMENT POLICIES

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ABSTRACT

The refugee crisis in Germany began as the Syrian Civil war soared into a large-scale conflict. Germany adopted the Open Door Policy and allowed over a million Syrian refugees to enter. This paper focuses on the implication of this refugee crisis on German national politics. In this paper, Barry Buzan and Ole Weaver's theory of securitisation and de-securitisation is used, they describe Securitisation as an extreme version of politicisation and de-securitisation is the process of normalising the issue. Through a case study, we assess the role of securitising actors and desecuritising actors in Germany. The securitising actors include mainly Alternative for Germany (AfD), Pegida movement, Christian Social Union (CSU), whereby they focus on securitising the refugee and migrant issue by treating it as an existential threat to Germany. As a counter narrative the desecuritising actors include the ruling party and their coalition such as the Christian Democratic Union, the Social Democratic Party, the Green Party, and the Left Party which focus on desecuritising the issue. The paper concludes, the process of securitisation has been more effective as compared to the process of desecuritisation in German national politics.

Keywords: German national politics, securitisation, desecuritisation, Syrian refugees, Syrian civil war

INTRODUCTION

The Syrian Refugee Crisis hit Europe in 2015 when the Syrian Civil War escalated to an unprecedented level to threaten the lives of the people, making Syria an unsafe place. The blatant atrocities, including the bombings of civilian residential areas and increased conflict forced the Syrians to migrate to neighboring countries or farther. Over 13 million Syrians have been displaced with around 6.7 million driven out of their homes, but trapped in Syria, and 6.6 million were forced to flee Syria (UNHCR, 2020). While a large number of Syrian refugees are hosted in the neighboring countries such as Turkey, Jordan and Lebanon, many others have crossed the Mediterranean Sea to reach Europe. In Europe, the largest number of Syrian refugees has been accommodated in Germany. The German Chancellor Angela Merkel has adhered to a welcoming stance by adopting the Open Door Policy and

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has hosted over 1.7 million refugees in 2015 and the number has grown since then (Trines, 2019).

As Syrian refugees continue to enter Germany, they have significant impacts on the host state. The impacts range from being positive and negative with varying degrees of responses to that. A refugee is defined as an individual fleeing persecution on the basis of race, religion, nationality, or membership in a social group of a particular political opinion (Goldenziel, 2017). Although migration and seeking of refuge have a long history dating back to primitive times, the number of refugees in Europe began to mount with the Arab uprisings in 2011 (Trilling, 2018). While the refugees provide cheap labor for the host state, they also dominantly act as an economic burden for the same (Smith, 2016). Although the assessments on economic impacts of refugees manifest heterogeneous results, one thing for sure is that it is a challenge for the host countries to provide refugees with a share in almost everything, ranging from resources, health and education facilities to employment opportunities (Clemens, 2017).

The host community of Germany has a mixed response towards the refugee influx even though there were welcoming policies by the government of Chancellor Angela Merkel. While there are population factions who support Chancellor Merkel's humanitarian stance of providing asylum, there are the far-right factions in German public and politics who uphold a staunch anti-refugee and anti-migrant stance. The German political landscape appears to be divisive on the issue of refugees as the political parties of the Christian Social Union (CSU) and the Alternative for Germany (AfD) have acted as securitising actors by portraying the refugees as a threat to German society, cultural values and their economy. On the other hand, the political party of Chancellor Merkel, the Christian Democratic Union (CDU) and the Left Party have upheld a desecuritising stance. The oscillation between securitisation and desecuritisation has affected the immigration and asylum policies of Germany.

This research is based on a case-study method in studying the Syrian Refugee in Germany in the light of the theory of Securitisation and Desecuritisation as presented by Barry Buzan and Ole Weaver from the Copenhagen School of Security Studies. By highlighting the securitising and desecuritising 'speech acts' of the respective actors and leaders, the study will elucidate the political dynamics of Germany that have been shaping the immigration policy since 2015. The study also makes use of the qualitative approach in utilising primary data from speeches and legislations passed in Germany and the European Union. For statistical data, the primary sources such as the online published reports of the German government, UNHCR and the European Union have been consulted. Other secondary sources of data such as books, news reports and journal articles have been researched.

THEORETICAL FRAMEWORK

Security has been one of the central concepts of international relations, as dominant theories such as Realism of the discipline has reflected and weighed in on the concept. Beginning from ancient times, through-out the centuries Security has generated a sense of

competition and rivalry among states. The 20th century was no different, as before the second world war and even after a traditionalist view of security based on the military security of the nation-state had prevailed. With the end of the Cold War, a debate emerged between the “Narrowers” and “Wideners” regarding security, with the narrowers adhering to a state-based notion of security, while the wideners seeking to ‘widen’ the discussion on security by declaring levels of analysis other than the state. Right amidst this debate, the Copenhagen School of Security Studies, emerged in the 1990’s. The proponents of the Copenhagen School, Barry Buzan and Ole Weaver supported the ‘wide’ concept of security. Buzan, in the book, ‘Security, A New Framework for Analysis’, identifies three important levels of analysis which are individual, state and international, across which security becomes indispensable (Buzan, Weaver, & Wilde, 1998). Furthermore, Ole Weaver, in the book ‘On Security’ has drawn attention towards five main sectors, in addition to the military, which are significant referents for security. These sectors are: economy, military, politics, environment and society (Weaver, 1995). Thus, the work of Ole Weaver and Barry Buzan has played a significant role in widening the dimensions for security analysis by enumerating multiple levels and multiple sectors as important referents of security. This paper makes use of this theory to highlight the use of “Speech Acts” in German politics in order to create a narrative for securitisation.

The Theory of Securitisation

Securitisation, as proposed by Barry Buzan and Ole Weaver is an extreme version of politicisation in which an issue of normal politics is transformed into an issue of emergency politics. The referred issue is perceived as an existential security threat for a highly valued referent object - the security and survival of which matters a lot. It is also asserted that due to the extreme importance and urgency of the issue, all sorts of means including extraordinary measures such as the use of force are legitimated. The process of securitisation is considered successful when the actors have convinced the public and the audience about the significance of the issue, the nature of threat and the use of exceptional means (Buzan, Weaver, & Wilde, 1998). The main units of security analysis according to the securitisation theory are the following:

Table 1: Illustrates the Tools of Securitisation and De-securitisation

Tools:	Securitisation	De – securitisation
Referent Object	An object, the survival of which is of utmost importance, but is facing an existential threat. The referent objects are usually objects and issues of common concern, such as the ‘sovereignty’, ‘national-security’, ‘national identity’ or ‘national ideology’.	Emphasises the same ‘Sovereignty’, ‘National security’ and National identity’, or ‘National Ideology’.
Existential Threat:	The issue which is threatening the safety and security of the referent object.	To de-securitise the issue by not treating it as a security threat. The aim is to

		neutralise the existential threat.
Securitising Actor	The actors play the role of securitising the issue of normal politics by manipulating the audience. Actors are political parties, leaders, pressure groups or even governmental institutions.	The actors play the role of de-securitising the issue of existential threat to normal politics by assuring the audience. Actors are political parties, leaders, pressure groups or even governmental institutions
Securitising Speech Acts	The main tool used by the securitising actors. Such as specific words, statements and speeches which portray any issue as an existential threat.	For De-securitising the existential threat, the mediums/tools used are the same but are presented to create a neutralising effect.
Audience	The aimed public which has to be convinced about the apparent security threat which has to be dealt urgently with all possible means	To make policies to assure the people that the existential threat can actually be managed without alarm through policy making.

Source: Authors compilation by analyzing the work of Herta, L. (2017). Security as a Speech Act: Discourse Constructions on the Syrian Refugee Crisis. International Conference RCIC'17 (pp. 283-288). Cluj-Napoca: Babes-Bolyai University Weaver, O. (1995). Securitisation and Desecuritisation. In R. D. Lipschutz, On Security (pp. 47-76). Columbia: Columbia University Press.

SYRIAN REFUGEE CRISIS AND THE RESPONSE OF THE GERMAN GOVERNMENT

Seen by the United Nations as the worst humanitarian crisis and the deadliest conflicts of the 21st century, the Syrian Civil War began with the pretext of the Arab Spring dominating the political landscape of the Middle East (Johnson & Laerke, 2018). Beginning as a peaceful protest against the increasing unemployment, corruption and the lack of political freedom of the authoritarian regime of Bashar-al-Assad, the unrest soon turned into an armed conflict with the intensification of the crackdown. As the war progressed it has expanded to involve several regional and extra-regional players such as Iran, Turkey, Saudi Arabia, Russia and USA (BBC, 2019). An important part of this multi-layered civil war has been the unanimous use of violence by all the parties involved. The Syrian government has been accused by various human rights organisations such as the Human Rights Watch, of committing war crimes with the systematic killings of detainees, bombardment of residential areas, confiscation of food and cutting off the water supplies (Human-Rights-Watch, 2020). According to the statistics of the United Nations, approximately half of the pre-revolution population of Syria which is 13 million out of a total of 22 million has been displaced (Ray, 2018).

A large number of people left and went to the countries within the Middle East and in various countries of Europe. Within the Middle East, Lebanon, Jordan, Egypt, and Iraq hosted the largest number of refugees. In Europe, Germany, France, and Greece are the main destinations for the refugees. Germany has hosted the largest number of refugees, with its Chancellor Angela Merkel adopting the Open Door Policy and relaxing the refugee policies to provide refuge and asylum to a large number of crisis stricken people. Merkel adopted the Open Door Policy by stating, "If we now have to start apologising for showing a friendly face in response to emergency situations, then that's not my country" and that "We will cope" (Sanghani, 2015).

Securitisation of the Refugee Crisis in Germany

The phenomena of securitisation and de-securitisation became prevalent in German politics as a response to the massive refugee influx entering Germany. While migration is a political issue, with the background of such a large number of Syrians entering Germany, a significant number of actors have emerged that have made attempts to securitise the issue of migration by transforming it from a normal political issue to an emergency issue. The prominent securitising actors in Germany are the far-right wing parties that are making use of different arguments as part of the securitising speech act to shift the issue of migration to an issue of sheer urgency.

Table 2: Securitising Actors in German Politics

Securitising Actors	Ideology / Securitising the issue	Methods and Tools
Alternative for Germany (AfD)	<p>Created in response to the Eurozone Crisis. Has adopted an anti-immigrant, anti-refugee, anti-Islam, a conservative nationalist and a xenophobic stance.</p> <ul style="list-style-type: none"> ● Opposes family reunification policy. ● Demands forced deportations and an immediate halt on the refugee influx. 	<p>Stage protests, publication and distribution of</p> <ul style="list-style-type: none"> ● anti-Islam, ● anti-refugee ● anti-immigration literature.
Pegida (Patriotic Europeans against the Islamisation of Occident) movement	<p>Far-right nationalist, anti-Islam and anti-refugee political movement in Germany. One of the most prominent securitising actors in Germany.</p> <ul style="list-style-type: none"> ● Demands an immediate termination of the refugees entering Germany 	<p>Holds protests and rallies. Uses Nazi symbols, attire and references in speeches against the Muslim refugees and migrants.</p> <ul style="list-style-type: none"> ● Has been involved in attacks on refugee settlements and migrants.

		<ul style="list-style-type: none"> ● Has gained dramatic prominence in the aftermath of refugee influx of 2015.
Christian Social Union (CSU)*	<p>Right-winged political party. Forms Coalition with CDU.</p> <ul style="list-style-type: none"> ● Opposes Chancellor Merkel policies and demands to halt the family reunification policy and limit on refugee numbers. 	<p>Uses political pressure. Threats to break away from the coalition with CDU. Threats by Foreign Minister Horst Seehofer to resign in case of non-compliance with the demands of tightening the refugee policy.</p>

*Created in 1945 with a regionalist outlook as a representative political party of Bavaria, the Christian Social Union has won almost all the elections in the state since 1949. At the federal level, it has built a coalition with the Christian Democratic Union (CDU) and is even considered as the ‘sister party’ to CDU

Source: Authors compilation.

IMPACT ON GERMAN POLITICS

With the refugee crisis in the background as the prominent national issue, AfD managed to have a breakthrough in the State elections of 2016 with the anti-immigrant stance as its focus of election campaign.

- As a political party that had emerged only three years back, the prominent position of AfD in the regional elections shook the political landscape of Germany. In three states, including Rhineland Palatinate, Saxony Anhalt and Baden-Wurttemberg, AfD managed to gain 12.6, 24.2 and 15.1 percent of the votes respectively (Oltermann 2016).
- Another significant political achievement for AfD was its success in increasing the voter turnout in the elections. According to the report of The Guardian, over 40 percent of voters in the state of Saxony Anhalt were previously non-voters and 56 percent of the voters of AfD stated that they had voted for the party because of the refugee crisis (Oltermann, 2016; Bremmer, 2018).
- The Federal Election of Germany in 2017 ensured the prominent position of AfD on the political landscape of Germany. The party that had failed in gaining even a single seat in the elections of 2014 now emerged as the third largest political party in Germany. With over 12.6 percent of votes in its account, AfD secured 94 out of 598 seats in the German parliament. With about 7.9 percent of electoral swing in its favor, the AfD also posed a major challenge to its political rivals. The electoral swing in favor of AfD coincided with an electoral swing against the ruling coalition between the Christian Social Union and the Christian Democratic Union. Although the coalition under Angela Merkel managed to gain 246 seats in parliament, this result was 65 seats less than the last elections (Staff-Report, 2018; Mueller, 2018).

The Interplay of Rivalry and Cooperation

Despite the fact that both AfD and CSU have upheld a staunch anti-refugee, anti-immigrant and even anti-Islam rhetoric, both of these parties have not even neared the possibility of a coalition formation. Rather, CSU and AfD act as rivals on the political landscape and have almost competed against one another in providing a more vigorous anti-refugee stance. In the state of Bavaria, in the state elections of 2018, AfD bagged 10 percent votes, which was coincidental with the loss of 10 percent votes as well as the absolute majority of CSU in the state (BBC, 2018). Furthermore, when inquired by a newspaper staff, the leader of CSU, Wolfgang Schaeuble clearly ruled out the possibility of formation of a coalition with the AfD ever (Reuters-Staff, 2018). On the other hand, between AfD and the Pegida movement, the rooms for cooperation and collaboration are kept open. Initially, when the Pegida movement gained momentum in 2015 by amassing protests of over 25,000 people, its leader Lutz Bachmann sought to create a joint political party with the AfD (DW-Staff, 2016). This proposition was rejected by the AfD over concerns of the neo-Nazi style and the conviction of Bachmann in drugs and burglary cases. As the AfD chose to work independently, two years later, in 2018, the party lifted the ban from its leaders from participating in the protests staged by the Pegida movement (Chambers, 2018). Thus, it indicates chances of cooperative collaboration between the political party and the social movement.

Securitising Speech Acts and its Impact

As it has been mentioned earlier, the securitising speech acts are the main tools used by the securitising actors for portraying any issue as a threat of extreme importance and urgency. In the securitising speech acts of the political leaders of the AfD, CSU and the Pegida movement, the refugees are portrayed as the existential threat for Germany. The referent objects vary from the German state, German cultural values, social cohesion, socio-economy as well as political stability.

While critiquing the refugee policy of Chancellor Merkel, the protestors in the Pegida rally chanted “Merkel must go!”. One of the members of the movement - Siegfried Daebritz, prescribed the solution for the refugee problem and stated,

“We must succeed in guarding and controlling Europe’s external borders as well as its internal borders once again.” (Reuters-Staff, 2016).

The far-right parties of the German political landscape are often found chanting a narrative that associates terrorism with the refugees and the Muslim migrants. The leader of the Pegida movement – Bachmann, aired an unapologetic tweet that can even be considered as hate speech. He asserted,

“I don’t get the uproar. You clap-idiots wanted the refugees in Europe. Why are you now wetting yourselves and not at Munich station?” (Harding, 2016).

In a similar way, the leader of CSU, Horst Seehofer, has linked the issue of refugees with Islamic terrorism. He stated,

“Each attack, each act of terrorism, is one too many. Islamist terrorism has arrived in Germany”. The remedy suggested by Seehofer was to increase the security of Germany and to revise the refugee laws of the European Union (Poltz, 2016).

A similar anti-refugee and anti-Islam rhetoric also resonated in the AfD as one of its leaders - Beatrix von Storch, tweeted:

“What the hell is wrong with this country? Are we trying to appease the barbaric, Muslim, rapist hordes of men” (Gedmin, 2019).

CSU upholds a strong anti-immigrant and anti-refugee stance and acts as a prominent securitising actor in the government. Since 2015, the leader of CSU - Horst Seehofer, has sharply criticised the refugee policy of Angela Merkel on various grounds and has raised his voice against letting large influxes of refugees into Germany. Highlighting the social, political and economic consequences of the “burdensome” refugees, the CSU has also become a prominent securitising actor. Vocalising his anti-refugee opinion in 2015, Horst Seehofer in 2016 threatened to consult the Constitutional Court of Germany to make a complaint against the refugee policy of Merkel forcing the government to allow only about 200,000 asylum applications each year, hence an upper limit should be set for the refugees (Neukirch, 2016).

An increasing concern for German government is the close association of the far-right movements with the Nazi past and ideology. In 2015, the walls of a refugee shelter in Westphalia were painted with Swastika signs (the symbol of Nazi Party) (David Beneck, 2016). Moreover, in the anti-refugee protests organised by Pegida as well as by the Alternative for Germany Party, there have been repeated cases of extremists making use of Hitler Salutes (Hucal, 2018).

MEASURING THE EXTENT OF SECURITISATION

The success of the securitising actors can be gauged by the extent the public has been convinced about the nature and urgency of the threat as well as the legitimisation of use of extra-ordinary measures including the use of force to deal with the threat. In the case of the refugee crisis in Germany, it can be gauged by the increasing prominence of securitising parties in the electoral statistics, the use of force and violence against the refugees and the gradual tightening of the refugee and asylum laws. The success of the AfD in the German elections has already been discussed. In addition, the changes in refugee policies will be discussed in the last section.

Numerous incidents have been reported in which the members of rallies and protests of the Pegida movement have vandalised and thrashed foreign-owned shops, and have harassed and thrashed the foreigners working there. In the arson attacks on refugee hostels and in the harassment of refugees and migrants, there have been proofs of direct

and indirect involvement of the Pegida movement. According to the German authorities, in the first ten months of 2015, there were over 490 attacks on asylum seekers (Protesters, police clash at refugee homes in Germany, 2015). Overall, in 2015 only, the number of attacks on detention centers was over 1031, and according to the reports of German Federal Criminal Police Agency (BKA), the average number of attacks constantly amounted to about 70 for every quarter year (Goebel, 2017). These attacks usually involve violence such as property damage, physical attacks and harassment of refugees and use of arson and explosives. According to the German Interior Ministry, in 2016, about 10 attacks had been made on refugees and immigrants in Germany every day (Agerholm, 2017). According to the statistics provided by the Interior Ministry of Germany, 3533 attacks had been on refugee hostels, 2545 attacks had been on individual migrants and over 217 cases had been of attacks on volunteers and organisations working for refugees (BBC-Staff, 2017).

The above-mentioned incidents and statistics reveal the strong anti-refugee sentiment that has resulted in violent attacks on refugee settlements and migrants. The close association between the securitising actors such as the Pegida movement, and the surge of anti-refugee violence elucidates the fact that the process of securitisation has been successful as the people are convinced that the refugee issue is a security threat and are willing to use ‘extra-ordinary means’ such as violence to deal with the threat.

De-securitisation of the Refugee Challenge in Germany

While on one hand the response to refugee influx is that of resistance, attacks and demands to tighten the refugee and asylum policies of Germany as well as that of the EU, there are those who are being led by political parties of Germany such as the Christian Democratic Union (CDU), Social Democratic Party (SDP), The Left Party and the Green Party. Considering the hosting of refugees as their humanitarian responsibility, these parties are playing a de-securitising role in German politics.

Table 3: De-securitising Actors in German Politics

Desecuritising Actors	Ideology / Desecuritising Stance	Methods and Tools
Christian Democratic Union (CDU)	Ruling party of Chancellor Angela Merkel. Embrace the ‘Open Door Policy’. Opposes the ‘Upper limit’ and forced deportations of refugees. <ul style="list-style-type: none"> • Considers refugees to be an economic opportunity as an addition to the labor force. 	Desecuritising actors in Germany are the political parties - the actions and tools used by them mainly involve highlighting the pros of their proposed
Social Democratic Party (SDP)	Centre-left position on the German political landscape. Forms a coalition with the CDU and supports the welcoming refugee policies of Chancellor Merkel.	

	<ul style="list-style-type: none"> • Opposes limiting the number of refugees entering Germany and the ban on family reunifications. 	<p>government refugee policy in their election campaigns. Use of political pressure is also common. In certain cases, parties such as the Left Party have been involved in staging counter protests against the anti-refugee protests.</p>
Green Party	<p>Opposes the limiting of the number of refugees entering Germany. Supports the resumption of family reunifications</p> <ul style="list-style-type: none"> • Opposes forced deportations and focuses on voluntary return of refugees. 	
The Left Party (Die Link)	<p>Occupies a left position on the German political landscape. Contradicts the securitisation of the refugee issues by the far-right political parties.</p> <ul style="list-style-type: none"> • Demands immediate end to the forced deportations of refugees and opposes the ‘Upper Limit’. 	

Source: Author’s own compilation from the Article: Bierbach, M. (2017, September 24). *AfD, CDU, SPD: Where do German parties stand on refugees, asylum and immigration?* Retrieved from DW: <https://www.dw.com/en/afd-cdu-spd-where-do-german-parties-stand-on-refugees-asylum-and-immigration/a-40610988>

Desecuritising Speech Acts and its impact on German politics

As de-securitisation refers to converting a securitised issue back to normal politics, the most prominently used strategy has been to convince the audience that the referred issue is not a security threat. The above-mentioned political parties of German politics have been playing a desecuritising role by highlighting the refugee issue as a humanitarian crisis, by portraying a welcoming stance for the refugees, by opposing the violence inflicted upon refugees and by resisting the tightening of the refugee policies. The German Chancellor came forth to present a humane face of Germany in response to a humanitarian crisis. By stating that “We can do it” and that “If we now have to start apologising for showing a friendly face in response to emergency situations, then that’s not my country”, Merkel has adopted an open door policy for the troubled people of the world. (Idea-Staff, 2015).

Against the anti-immigrant rhetoric and the violence against refugees, the left wing politicians have highlighted their stance by claiming that the real threat to refugees is coming from the far right. A member of the German Parliament, Ulla Jelpke, who belongs to the left wing party Die Linke has claimed that the right wing violence is a domestic security problem and needs to be addressed as a national policy agenda (BBC-Staff, 2017). The left-winged politicians have also staged counter-protests against the anti-refugee protests of AfD and Pegida movements with slogans such as “Solidarity instead of exclusion” (Reuters-Staff, 2016).

The desecuritising forces in Germany have also emphasised on a positive impact of the refugees. Particularly, Angela Merkel has been optimistic that the migrants and

refugees would help to improve the German economy by contributing to the labor force. As the Chancellor said, “I am convinced that, handled properly, today’s great task presented by the influx and the integration of so many people is an opportunity for tomorrow”. She also maintained a stance against social exclusion by the discriminating factions and said, “It is important not to follow those who, with coldness or even hate in their hearts, want to claim Germanness solely for themselves and exclude others.” (Mackey, 2015).

The Impact of Desecuritisation

As the extent of securitisation and desecuritisation is measured by the audience being convinced, in the case of Syrian refugees, the success of desecuritisation can be gauged by the public response towards the refugees. As the counter-protests for the anti-refugees and migrants have already been discussed, there are also other practical aspects of the welcoming attitude of the members of the German host societies towards the Syrian refugees.

Many Germans stood with their Chancellor and engaged in active hospitality. According to various surveys, over 46 percent of Germans had contributed something for the refugees, and it was hardly the 18 percent of population that was completely unwilling to contribute anything for the refugees (Giovanna Dell’Orto, 2018). According to the reports of CNN, over 60 percent of Germans support the warm welcoming policies of Angela Merkel and many football stadiums have been decorated with the banners stating “Refugees Welcome”, and many villages have hosted welcome parties for the refugees. Similarly, a volunteer group named as “Syrian House” has been formulated to provide assistance to newly arriving refugees in navigating and getting familiar with the German laws (Grimm, 2015).

GERMANY’S INTERNATIONAL COMMITMENTS AND STATE RESPONSE

The Refugee Convention of 1951 is based on Article 14 of the 1948 Universal Declaration of Human Rights, which ensures the right to asylum for people facing persecution. (Zamfir, 2015). The Refugee Convention prohibits states from discriminating against refugees, from imposing any extraordinary fiscal charges and taxes on the refugees, from penalising the illegally entered asylum seekers and from expelling and refouling the refugees. The Convention obliges the contracting states to respect the individual rights and personal status of the refugees, to provide access to courts, to provide administrative assistance, travel documents and identity papers for refugees, to cooperate with the UNHCR to deal with refugee issues and to provide facilities for the integration, assimilation and naturalisation of refugees (UNHCR, Convention and Protocol Relating to the Status of Refugees, 2011).

The Dublin Regulation

While all the member states of the European Union have signed the 1951 Refugee Convention, European Union, as a regional organisation additionally recognises the right

to asylum of the crisis-stricken people. To ensure the provision of the refugee rights in a way that none of the member states of the European Union neither becomes overburdened, nor is there any chaotic situation regarding the refugees, the European Union has adopted the Dublin Regulation to specify which countries are responsible for dealing with the asylum applications. The Dublin Regulation recommends transferring the refugees to their country of first entry. The Regulation also provides the right to refugees to submit an application for ‘appeal’ or ‘review’ in case they disagree with the decision to deport them to some other Dublin country (MacGregor, 2020).

German Basic Laws regarding Asylum seekers and Refugees

Furthermore, the German Constitution, also known as the Basic Law of Germany recognises the right to asylum for people who have faced political persecution. The right to asylum is mentioned in Article 16(a) of the German Basic Law. According to Article 16(a), the people facing political persecution have a right to asylum. Paragraph 2 of the Article states that the people entering Germany from the member states of European Union and other states which are signatories of the Refugee Convention of 1951 in which asylum is ensured, are not entitled to this asylum right in Germany. Keeping aside the member states of the European Union, the German parliament reserves the right to specify the states from which people cannot apply for asylum. (Basic Law, 1951; Hailbronner, 1994).

The Impact of Securitisation and Desecuritisation on the Refugee Policies of Germany

Considering the refugee policies of Germany since 2015, a visible change can be observed. With the policies in 2015 being the most welcoming ones for the refugees, they have gradually been securitised over the course of time, as the securitising actors have been successful in portraying the refugee issue as a threat to Germany. The alienation between the coalition parties of CDU and CSU has been a cause of concern as political pressure has been used by CSU to tighten the refugee policies. Furthermore, the increasing prominence of AfD in electoral politics has made the government of Angela Merkel revise the legislation regarding refugees.

Germany suspended the Dublin Regulation to open its doors for more refugees. Germany made use of the “Sovereignty Clause” of the Dublin Convention that allows states to voluntarily take the responsibility of processing asylum applications, for which they are not responsible under the Dublin Regulation. Bypassing the Dublin Regulation, BAMF- Federal office of Migration and Refugees has suspended the compulsory examination that determines the first countries in which the asylum seekers have entered. Also, by suspending the Dublin Convention, Germany has refrained from deporting the refugees back to Italy or Greece, that are usually the first states of entry for the asylum seekers and refugees who cross the Mediterranean to reach Europe (Dernbach, 2015; Toygur & Benvenuti, 2016). German Chancellor Angela Merkel, in an interview stated that just because Greece and Italy had such a geographical position that most of the refugees coming from the sea route landed there, it was unfair and unacceptable that Greece and Italy should alone bear the entire burden of refugees (Jones, 2017).

German Asylum Package I

In 2015, the German supreme legislative body Bundesrat adopted a legislative package referred to as “Asylum Package I”, which consisted of several acts to deal with the refugee situation in Germany. The Act to Improve the Housing, Care, and Treatment of Foreign Minors and Adolescents was adopted, according to which the basic human rights of refugee children were to be protected. The German Bundestag and Bundesrat had also adopted the Act on Acceleration of Asylum Procedures which substituted the provision of cash benefits with benefits in goods. The Act, however, ensures the provision of cash allowances for asylum seekers who are not hosted in reception facilities for buying essential items of up to €216 for a single adult and €194 for adults living in a common household per month. Article 3, 7 and 10 of the Acceleration of Asylum Procedures Act has made the Federal Employment Agency responsible for conducting language classes and providing integration facilities to integrate the refugees in the job market of Germany (Ayoub, 2019).

German Asylum Package II

Considering that the Asylum Package I was not adequate to deal with the ongoing refugee influx, the German government came up with the Asylum Package II that was enforced in March 2016. Under the Asylum Package II, Accelerated Asylum Procedure was to be adopted in which the BAMF has been obliged to decide on asylum applications within one week (7 calendar days). In order to accelerate the process of decisions on asylum applications, BAMF has defined seven categories of people whose applications are more likely to be rejected. These categories include the origination from a safe country, forging of documents, failure to comply with the application procedure, and concerns over public safety, security and order (Nees, 2016). Additionally,

- The asylum seekers falling in the categories in which their applications were likely to be rejected were to be housed within “special reception centres” until the final decision of deportation (Matulovic, 2016).
- “Residence obligation” has been imposed on the asylum applicants that restrict them from leaving a certain area near their residential place. Non-compliance with this law will result in halt in the asylum procedure (Ilgit & Klotz, 2018).
- In defiance of Section 60 of Residence Act that prohibited the deportation of the seriously sick, the Asylum Package II has allowed such action.
- It reduced the monthly expenditure provided to the refugees by 10 Euros. Furthermore, the family reunification law has been halted for two years for those with subsidiary protection (Nees, 2016).
- In case of defining an upper limit or placing a potential cap on the number of refugees entering Germany, the Christian Social Union (CSU) demanded that Germany should take no more than 200,000 refugees in a year. (Eddy, 2017; Connolly, 2017).

European Migration Deal and the Agreement for Tighter Border Controls

To address the refugee crisis which had become a common European concern, European leaders had agreed for an EU migration deal in July 2018. According to the deal, Germany was to send the refugees and migrants back to the states in which they had registered first. These countries included Poland, Belgium, Denmark, Hungary, Latvia, Estonia, Lithuania, Sweden, Finland, Netherlands and Portugal (Emburry-Dennis, 2018). The countries also agreed to tighten controls on the external borders of the European Union. The deal also allowed member states of the European Union to adopt internal administrative as well as legislative measures to prevent refugees from crossing the internal borders of the European Union (Henley, 2018; Dimitriadi, 2016).

Orderly-Return Law 2019

Considering the fact that only one-tenth of the ordered deportations were carried out in the year 2018, the German Parliament had discussed and subsequently adopted the ‘Orderly Return Law’ (MacGregor, 2019). According to the law, serious measures must be taken to facilitate the deportations of the people who have been ordered so. The bill has expanded the grounds for detention and has facilitated detention even in simple cases such as non-cooperation for deportation. The deportation authorities have also been given the right to access the apartments even without judicial order in certain situations. The law has also legitimised the imprisonment of people awaiting deportations with the condition that they will be kept separate from criminals. According to the law, the duration of stay in reception centres has been increased from 6 to 18 months in normal circumstances, and above 18 months in special circumstances. The SPD, The Left, The Green and even members from CDU have opposed and criticised this law (ECRE, 2019).

ANALYTICAL OVERVIEW

The first section of the paper has laid the theoretical base of the article on the Copenhagen School of Security Studies. The Copenhagen School deviates away from the state-centric military based notion of security, and focuses on a more holistic approach that encompasses the individual and system levels of analysis, as well as the economic, social and environmental dimensions (Buzan, Weaver & Wilde, 1998). The second section has elaborated on the Syrian Refugee Crisis of 2015, in response to which, the German government had adopted the ‘Open Door Policy’ (Mohdin, 2017). The third and fourth section have shed light upon the securitising and the desecuritising discourse of the refugee issue in German politics. By highlighting the securitising and desecuritising speech acts, the third and fourth sections presented the resultant impacts (Poltz, 2016; Harding, 2016). The fifth section has accounted for the international commitments of Germany regarding the refugees, such as the International Refugee Convention and the Dublin Regulation (MacGregor, 2020). Furthermore, by highlighting the constitutional stature of refugees and migrants in Germany, the fifth section has briefed the gradual tightening of the refugee policies of Germany since 2015 as a result of securitisation.

Since the German government under Angela Merkel has been facing domestic political pressure, the policies have become securitised over the years. The German

government highlighted its humanitarian responsibility stating that the refugees are not a threat. The first asylum package also reflected a desecuritized attitude of the German government as it did not limit the refugees. Legislation was made to provide more facilities to the refugees and to adopt various measures to integrate them well in the German society. However, in the second asylum package, it became obvious that the attitude and policies of the German government were being affected by the efforts of securitisation by the far right. This can be said because the second asylum package provided a basis to reject asylum applications, restricted the freedom of movement of the refugees, and slightly reduced the facilities provided to the refugees.

With the German national elections in the backdrop and parties like AfD and CSU gaining prominent position in the elections, Angela Merkel had to agree for an upper limit for the number of refugees entering Germany which yet again depicted a tilt towards securitisation of the policies. Furthermore, with the mounting pressure of CSU leader Horst Seehofer who threatened to resign if a solution was not sought for the refugee crisis, the German Chancellor Angela Merkel looked towards the EU for resolution. Resultantly, the EU Migration Deal was concluded according to which Germany was allowed to send the refugees back to the member states of the EU in which they had already registered. The deal also allowed the member states of the EU to impose tighter border controls. The Migration Deal, as well as the imposition of tight border controls also elucidates the fact that the refugee issue has been securitized to an extent that it is reflected in the policies of the government of Angela Merkel, who initially happened to have a highly welcoming stance for the refugees.

CONCLUSION

As a result of the parallel processes of securitisation and desecuritisation, a political crisis has been brewing in Germany. This includes anti-refugee protests, violent attacks on refugees and their residential areas and the counter-protests on German streets, rise of Pegida movement that draws its inspiration from redundant ideology. Additionally, the increasing prominence of the far-right Alternative for Germany and the growing alienation between the ruling political alliance of Christian Social Union and Christian Democratic Union had also taken the government of Angela Merkel on the verge of being dissolved.

In the case of Germany, the securitisation and desecuritisation of refugee issues have reshaped its political landscape. The prominent securitising actors have been the political parties - Alternative for Germany (AfD) and the Christian Social Union, along with the Pegida Movement. These actors in German politics have upheld a strong anti-refugee, anti-migration and anti-Islam stance. The securitising speech acts utilised by these parties include holding the Muslim refugees responsible for the increase in terrorism and crime rate in Germany. They consider the refugees as a burden on the national resources and refer to refugees as a threat to the German state and society. The securitisation of the refugee issue by the right wing parties has driven policy making, creating pressure on the government to accept their demands. The effects of securitisation have overshadowed the efforts of de-securitisation. Apart from the crisis on the political landscape, the

effectiveness of securitisation has been manifested in the increasing strictness and tightness in the refugee policies of Germany.

On the other hand, the prominent desecuritising parties in Germany are the Christian Democratic Union led by Angela Merkel and the Left Party of Germany as the agents of desecuritisation. In their desecuritising speech acts, these parties have provided a counter narrative that the refugee crisis is a humanitarian crisis that deserves a humane response, and have stated that the refugees are not a threat to the German state and society, and that the refugees can prove to be beneficial for the German economy, rather than only being a burden on the state. However, their efforts at desecuritisation have not been as impactful as those of the securitising actors.

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