

# Germany: Turkish worker deported for drawing welfare benefits

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After six months of Germany's new immigration laws, the consequences for immigrants and refugees are plain to see. Official promises that the laws would promote the integration of immigrants in Germany have proved illusory; the measures are all about making deportations easier.

The law gives greater powers to the authorities and enables them to act far more repressively against immigrants and refugees. A particularly distressing case occurred recently in the city of Solingen, North Rhine Westphalia; however, it represents only the tip of the iceberg.

According to a report in the June 25 *Solinger Tageblatt*, Turkish immigrant Yusuf Bingöl was deported from Cologne's Wahn airport to Turkey, after living and working in Germany for 35 years. Yusuf Bingöl was not thrown out of the country because he had committed a criminal offence or because his asylum application had been rejected. He was expelled simply because he was unemployed and had claimed welfare benefits.

Yusuf Bingöl came to Germany in 1969 as a 15-year-old, to join his father who was already working here. Like many of his generation, he had not completed an apprenticeship, since with only a short school education and little knowledge of German he had little chance of finding one.

During his three-and-a-half decades living in Germany, Bingöl worked as an unskilled labourer for numerous companies. Disaster struck, however, when at the beginning of January 2005 he applied for unemployment benefits. According to the *Solinger Tagesblatt*, on January 17 he received notification from the authorities that his residency permit would not be extended, since he was no longer able to provide the financial means for his stay. The official communication said he was "obliged to leave the country" and threatened deportation should he disregard the notice. "I have never experienced such a thing," said Bingöl's attorney.

Since Yusuf Bingöl did not follow the instruction to leave the country, he was deported by the authorities to Turkey. Under the existing laws and new "Hartz IV" labour reforms, the deportation is completely legal, regardless of the fact that Bingöl had lived in Germany for 35 years and bore no responsibility for becoming unemployed—the only reason he claimed social security benefits.

The previous legislation governing immigrants' rights also gave the authorities the discretion to deport someone if an immigrant "applied for social security benefits for himself, his relatives residing within Germany, or for persons in his household whom he was responsible to maintain."

However, this power was only rarely used. It mainly served to intimidate and put foreigners under pressure to accept poorly paid jobs.

This passage can also be found almost word for word in the new legislation, where it reads that a foreigner may be deported "if his stay impairs public safety and order or other substantial interests of the Federal Republic of Germany." These "interests" are "substantially impaired" when "a foreigner claims social security benefits for himself, his relatives or other household members."

According to this logic, the receipt of welfare benefits due to unemployment is not regarded as a social right, but as in the Middle Ages is looked upon as an act of grace which actually runs counter to the interests of the state. Those claiming such benefits are consciously defamed as disturbing public safety and order.

Solingen's Commissioner for Immigrants, Anne Wehkamp, regards the entire affair with great unease, even if the authorities' behaviour was completely legal. "If people live among us for such a long time, they must enjoy the same rights and obligations as German citizens," she argues.

Yusuf's younger brother, Kenan Bingöl, was shocked by the inhumane contempt of the present immigration policy and expressed his indignation, "We don't understand why he was deported. He has never been convicted [of any crime], he worked and paid taxes, for years he never sought any assistance. His brothers and sisters, nieces and nephews live here, and his 25-year-old daughter. He is a stranger in Turkey."

A spokesperson for the Solingen authorities, Achim Salzmann, justified the brutal action: "Yusuf Bingöl did not react in time and provide the necessary evidence. Also, he only involved his attorney after February 7." In addition, the administrative tribunal in Düsseldorf has confirmed the position taken by the authorities in Solingen. Cynically, Salzmann added, "If he can prove he has work or someone will guarantee to cover his living costs for five years, we will examine things again, so that Yusuf Bingöl could re-enter the country."

In other words, the authorities are prepared to readmit Bingöl—but only as long as he can be used as cheap labour and refrains from claiming any of his social rights.

In the 1960s, when German industry suffered from a labour shortage and companies were forced to concede better wages, the authorities began a policy of recruiting so-called "Gastarbeiter" (Guest workers) from Italy, Greece, Spain, Portugal, Yugoslavia and Turkey.

By 1971, some 420,000 Turkish workers had arrived in Germany in this way. In November 1973, at the peak of the international economic crisis, the government under Chancellor Willy Brandt (Social Democratic Party) ordered a recruitment ban on such immigrant workers. At the time, immigrants ranked behind Germans when it came to filling public sector jobs, a situation that still persists. This discriminatory policy was not just restricted to jobs, but also extended to denying social security benefits. Immigrants had to fight for years to gain the right to a pension, unemployment pay and health insurance.

Moreover, the granting of work permits became ever more restrictive. For example, under policies adopted by the Helmut Kohl Christian Democratic government, family members who came to Germany to join their relatives would not be given a work permit for five years. This was a clear attempt to undermine the internationally valid right of family unification and to hinder the influx of the spouses and children of “Gastarbeiter” living in Germany. The same policy still applies to refugees who are, as a rule, not only refused a work permit but receive welfare payments at 30 percent below the rate paid to Germans.

Along the same lines, the government and media try to scapegoat immigrants and refugees, blaming them for high unemployment in Germany.

Workers without a German passport have thus been the first to feel the results of economic crises generally and, more recently, the specific effects of globalization. At the end of the 1980s and into the 1990s, when a great deal of industrial production was rationalized and transferred from Germany to other countries, workers were played off against each other in order to push down wages and extend working times. Immigrant workers were the first to be sacked. This section of the population today is afflicted by particularly high levels of unemployment and poverty.

In a discussion with the Turkish daily paper *Evrensel*, the director of the Centre for Turkish Studies described the social situation facing Turkish immigrants in Germany.

While unemployment at the beginning of 2005 averaged 12 percent in Germany as a whole, among Turks it was 31 percent. Among jobless people of Turkish origin, a third were long-term unemployed, looking for work for over one year. In absolute figures, some 216,000 Turkish immigrants are drawing reduced unemployment benefits. If one assumes an average family consists of four members, this means around 864,000 are dependent on such benefits.

In addition, there are 215,000 Turkish retirees, who receive an average monthly pension of €526. As a rule, this income has to provide living expenses for two, making some 430,000 people dependent on pension payments that fall below the poverty line. If one adds these figures together, approximately 1 million people of Turkish origin are now living in Germany below the poverty line.

A government report into wealth and poverty found that almost one in four immigrants should be considered as poor, since their household income was less than 60 percent of the average income. The ratio rose from 19.6 to 24 percent between 1998 and 2004. More than 615,000 immigrants are dependent on welfare payments, a ratio of 8.4 percent, nearly three times as high as those holding a German passport.

Children and young people from immigrant families are clearly disadvantaged when it comes to education. Among school leavers in 2002, 20 percent of those from immigrant families left high school without graduating; among German-born youth, “only” 10 percent fail to graduate. Things do not look much different when it comes to an apprenticeship, let alone obtaining a place in university. The chances of gaining an apprenticeship have considerably worsened for young immigrants in recent years, dropping from a ratio of 10 percent in 1994 to approximately 6.5 percent in 2002. Today, only one in three have a chance of gaining an apprenticeship.

This inequality in accessing education and training is directly linked to the risk of poverty. Some 60 percent of immigrants drawing welfare benefits have no formal job training. Increasing flexibility and deregulation of the job market hits immigrants and refugees particularly hard. Often they have only temporary employment and fluctuate between work and unemployment, living at or near the subsistence level. With the introduction of the Hartz IV labour reforms, they now face the prospect of outright pauperization or being forced to accept low-wage jobs.

Germany’s restrictive immigration laws, which make it possible to simply deport immigrants who become unemployed and claim welfare, are the most potent weapon of the ruling elite for intimidating and suppressing foreign workers. The fact the authorities in Solingen have now made use of this weapon by deporting Yusuf Bingöl is neither an isolated case nor is it a coincidence. The systematic destruction of all rights pertaining to immigrants and refugees opens the way for attacks on the social and democratic rights of all working people. The working class can only defend its rights if it takes responsibility for the fate of the millions of immigrants and refugees living in Germany and throughout Europe.



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