

German labour minister cuts social assistance to EU immigrants

Martin Kreickenbaum
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New legislation seeks to deny social assistance and Hartz IV benefits to European immigrants who enter Germany to look for work. Minister of Labour and Social Affairs Andrea Nahles (Social Democratic Party/SPD) presented the draft legislation to the chancellor's office on Thursday to be put to a vote.

The law is directed above all against immigrants from the poorer EU countries such as Bulgaria and Romania. It encourages chauvinism and racism and constitutes a massive attack on the social rights of all workers in Europe.

According to Nahles' plan, people from other EU countries "will be excluded on principle from services such as social assistance and basic income for those searching for work," says a press release from the ministry. Only after five years of continuous residence in Germany would they be eligible for all social assistance.

Since it is scarcely possible to survive during such a long period of time without any social safeguards, the law is really about forcing immigrants who are searching for work to leave the country.

Nahles wants to provide affected individuals with a kind of "emergency assistance," for four weeks, which will cover the "immediate need for food, shelter, personal hygiene, and medical treatment." Once the four weeks have ended, the only assistance provided would be a loan to pay for a return trip to the country of origin.

Nahles claimed on Thursday that the draft legislation only represented a "clarification" of existing rules, and that this had become necessary in order "to provide disincentives." The new regulations contain "no undermining of existing law."

This is a bald faced lie. The cancellation of social benefits for five years ignores a judgment of the

German Federal Social Court in Kassel. In December, the court decided that benefits should be provided after a residence of only six months.

The decision was prompted by a legal dispute between the Job Centre in Berlin-Neukölln and Nazifa Alimanovic, who fled from the war in Bosnia Herzegovina in 1990 and came to Germany with her children. She later moved to Sweden, where she received Swedish citizenship. When she returned to Germany, the Job Centre in Neukölln denied her all social assistance.

The case then went all the way to the European court, which agreed in principle with the arguments of the Job Centre and ruled that job seekers who have not found work for six months will lose all claim on social assistance.

The European court referred the case back to the German social courts. The Federal Social Court in Kassel then decided that job seekers should not be left without any social assistance after six months. It explicitly referred to Article 1 of the Basic Law, according to which human dignity is inviolable, and argued that a basic social income is anchored in constitutional law.

However, Andrea Nahles brushed these constitutional law considerations aside with her argument that the affected persons could apply for social assistance in their countries of origin. According to Nahles, there is no right in the EU countries "to freely choose the location of social assistance payments."

This view of the matter is no different from the demands that have been raised by the Christian Democratic Union (CDU) for some time. Its president, Bavarian Minister President Horst Seehofer, already said more than a year ago that Germany is "not the social welfare office of the world." He said he would

defend himself “with the last bullet” against “immigration into the social system.”

Nahles herself had to concede that there was “currently no mass storming” from citizens of EU states on social benefits in Germany. She could only refer to 43,000 people from EU countries, whose source of income is not known to the authorities. The law is therefore “a preventative measure to close a loophole that is potentially available if one takes the judgment of the Federal Social Court as a basis.”

A situation in which payments are imposed on municipalities instead of at the federal level must be prevented, the minister claimed. Cities and communities are responsible for social assistance. Supposedly they were threatened with additional burdens of €600 million.

The deputy managing director of the Association of German Cities and Towns, Helmut Dedy, welcomed the draft legislation, explaining that it was necessary “to provide disincentives to immigrants from other European member states.” Neither Dedy nor Nahles can provide concrete numbers of EU immigrants in need of assistance.

However, Nahles’ primary aim is not to solve a problem that does not exist. Her efforts enjoy the support of both Chancellor Angela Merkel and the employers association, and are aimed above all at restricting the freedom of movement of workers within the European Union.

Her draft legislation takes up and even goes beyond the demand of British Prime Minister David Cameron, who has made denying social benefits to immigrants from other EU member states for a period of four years a condition for Great Britain remaining in the EU.

The media has praised the minister for her legislation, further encouraging chauvinism with its propaganda. The *Süddeutsche Zeitung*, for example, said, “Europe’s poverty problems will not be solved by allowing the poor to chase after social assistance. It is therefore correct that Social Minister Andrea Nahles is now making it clear that social assistance cannot be provided to new immigrants without work.”

The right to choose freely where one lives and works within the European Union has proven to be a chimera. It serves as a symbol for the supposed integration of Europe, but, in reality, the project of the European Union has only led to the dominance of the strongest

nations and corporations, which set the tone for the entire EU. The social and national contradictions within the EU are assuming ever more drastic forms.

The per capita gross domestic product of Bulgaria is just one-fifth of the EU average of €27,400. In Germany, GDP is €37,100, almost seven times higher than in Bulgaria. The average monthly wage of a worker in Bulgaria, as Andrea Nahles herself reported, is €187, while in Denmark it is more than €4,000. But the difference between rich and poor is continuously increasing within the individual countries as well.

In order to prevent major class struggles, the ruling elite is trying to divide the European working class and to channel conflicts in a right-wing direction. The effort to turn immigrants and refugees into scapegoats for the social crisis and brand them as “economic refugees” who are guilty of “social abuse” is grist to the mill of right-wing extremist parties such as the “Alternative for Germany.” The Labour Ministry is thereby making itself into the standard bearer of the right wing.



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