

# The reality of exclusive solidarity

## A response to Wolfgang Streeck's "Between Charity and Justice"

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The introductory words of Wolfgang Streeck's article "Between Charity and Justice" are promising. A political economist and class theorist who positions himself on the left, he considers the question of migration in order to address one of the greatest challenges of the present. How can the social question that is institutionalized in the welfare states of the global North be solved in a highly unequal world and in the face of global migration processes? How can the rights of those to whom nationally constituted social policy offers protection be defended without, conversely, closing the borders and relying on nationalistic, exclusive solidarity? In times of growing "authoritarian national radicalism" (Heitmeyer, 2018), critical spirits are needed who take these contested issues seriously. Unfortunately, as the reader quickly discovers, this is not the concern of Wolfgang Streeck. Rarely have we read such a resentful academic article that does not shy away from carving out the deterrent social figure of a strategically fraudulent refugee from individual cases. How to deal with an article that equates current law with justice, sees xenophobia as a natural impulse and advocates the placement of refugees in camps for reasons of cost efficiency? Our first impulse was not to draw any additional attention to this position with a commentary. Our second impulse was to respond: to respond to a fellow sociologist who in recent years has enriched the critical debate with his work on the crisis of capitalism, but now seems to be standing up for a disturbingly nationalistic position. Unfortunately, he is not alone in this, but fits into a 'left-wing nationalist' current that re-fashions the social question as a national question and thus, ultimately (and even if this is not the intention), provides right-wing populists with support (for more details see van Dyk & Graefe, 2018). Our commentary focuses on four points: (1) Streeck's understanding of ideology and reality; (2) his thesis of the deregulating left; (3) his elaboration of justice and charity; and (4) his remarks on population policy and racism.

### 1. Ideology versus reality

Right at the beginning, Wolfgang Streeck opens up a fundamental analytical polarity: the contrast between "ideology" (or morality, feeling, religiousness) and "reality" (facts, figures, truth). He assigns himself to the pole of "reality" by promising his readers a "maximally 'realistic' representation of the social world" (2018, 3). While he admits that this could have certain "normative consequences" (ibid.), he claims for himself a clearly non-normative perspective (3). Obviously, what is at stake here is a dualistic concept of social reality that overrides several centuries of dealing with the question of the relationship of (social) phenomena to the way they are (individually and collectively) perceived. In Streeck's text, "economy", "law" and "culture" appear as non-ideological objective entities that can be clearly distinguished from questions of justice, normative legitimation and everyday moral orientations. On this basis, even highly controversial political questions can

be answered easily. For example, the author frames his assertion that the native population in immigration societies must fight for their cultural survival (2018, 12) not as his particular opinion, but as an objective, even "scientific" fact. Furthermore, it is a fact, he claims, that the costs of a "large-scale intake and resettlement of immigrants" will sooner or later exceed "the mode and the limits of social integration" (9). Indeed, according to recent surveys, about a quarter of the population in Germany feels threatened by cultural diversity (Schönwälder, 2018). What Streeck does not mention, however, is that an "overwhelming majority of 72 percent" perceives "cultural diversity as enriching" (ibid.).

Overall, Streeck seems to have a rather strange understanding of "social construction". As is widely known, all concepts of social construction, despite their differences, stress that individuals can only understand social reality through linguistic-symbolic interpretative practices. Social construction does not imply, as Streeck suggests, that we are dealing with illusionary inventions that have to undergo a tough reality check. Based on his reductionist notion of social construction, Streeck then laments that the categories established in migration law are not always congruent with the real motivations and circumstances of migrants (5). However, he does not see this as an inevitable lack of congruence between (juridical) construction and (social) life worlds, as would be obvious from a more differentiated sociological perspective. Instead, he is describing this phenomenon again in terms of truth and lie, or science and religion (2018, 8).

In the same sense, Streeck states that migrants are not only victims but also rational choice actors who adapt their strategies of migration to the prevailing migration regimes. Here it becomes very clear that Streeck, in the dualism of ideology and reality that he himself has constructed, is by no means on the side of the latter, as he claims. Rather, he represents a clear moral position. In his view, the fact that migrants and refugees act strategically disqualifies them from any entitlement to a better life. Streeck states that the rationality of migrants is above all one thing: highly immoral. With hardly concealed disgust, Streeck enlightens his readers about the fact that at the border of immigration countries migrants regularly tell "stories" about themselves and about the escape route they have taken. The fundamentally puritanical trait of the argumentation is obvious: Only the true and righteous may profit from the blessings of welfare capitalism. Streeck, however, seems to exclude *this* norm from his otherwise so harsh criticism of normativism, as well as his thoroughly normative claim that migration is only acceptable if it remains cost-neutral – for the rich countries.

## 2. The deregulating left: the misconstruction of a new political cleavage

The addressee of Streeck's criticism is what he calls the "deregulating left", driven by the educated middle class, which advocates open borders and global freedom of movement. With its support for the deregulation of national borders, he argues, the left is departing from a historically evolved pro-regulation agenda, "which importantly involved restricting the supply of labor in order to limit competition in labor markets" (2018, 6). According to Streeck, the refugee policy is a welcome occasion for the deregulating left to (finally) break away from the working class and the lower middle class and to enter into a new coalition of deregulation, "now as liberal libertarian Left, fighting side-by-side with the neoliberal Right" (2018, 7). At the same time, he sees workers and members of the lower middle classes being discredited as xenophobically right-wing: The old class struggle, he opines, nowadays laden with moral overtones, is being continued under altered conditions, as a "culture war" (2018, 6) on the lower classes. Although the argument that there are points of overlap between leftists and liberals in immigration policy issues is not fundamentally wrong, Streeck's analysis of the so-called deregulating left is highly polemical, empirically untenable and conceptually misleading.

First, the claim that the left has historically always been in favour of regulation in all areas is just as wrong as the assumption that neo-liberals have always deregulated. Emancipatory forces have often fought against concrete regulations, such as the women's movement against exclusion from politics and work. Conversely, neoliberal actors since Thatcher and Reagan have diligently regulated and steered, whether in the area of domestic security or activating labour market policy. The critique of national border regimes does not, therefore, constitute a move into the deregulation camp, but is part of the emancipatory tradition of constantly questioning existing regulations and rights in terms of their exclusions. The world is too complex to allow regulation and deregulation to be linked to the left or right, regardless of the issue at hand.

Second, the question is who exactly is supposedly part of this deregulating left. According to the title of the article, it shapes debates and politics and is a pivotal actor in the "social construction of immigration policies in rich countries". Is Angela Merkel part of the deregulating left, united with Katja Kipping from the left-wing party *Die Linke* and activists offering asylum in churches? Who is actually in favour of neoliberal deregulation of labour markets *and* open borders at the same time? The latter applies exclusively to parts of *Die Linke*, anti-racist movement groups and some NGOs - none of which, to our knowledge, have been accused of being spearheads of neoliberalism. Conversely, the criticism of a neoliberal turn applies to large parts of the SPD and Greens, but open-border activists are sought in vain here; not to mention the neoliberal FDP, which is happy to welcome migrants with human capital but is closer to the CSU in matters of asylum than to its supposedly left-wing siblings in spirit. The claim of a large neo-liberal open-border coalition, opposed only by a taboo-breaking right (2018, 17), remains false – no matter how often it is repeated.

Streeck's argument also suggests a link between his own argument and sociological analyses that have explored the way in which neoliberalism has succeeded in incorporating positions once considered emancipatory (e.g. Boltanski & Chiapello, 2006). These analyses, however, were always concerned with the structural fit of positions (e.g. with regard to empowerment or self-determination) and less with the active complicity of left-wing and liberal actors. Streeck, however, not only claims active complicity, he goes even further. The emancipatory positions – specifically, the pro-refugees stance – are for him merely a strategic *volte-face*, adopted in order to soothe the guilty conscience of those who have become neo-liberals: "the social figure of the would-be immigrant [...] resurrects the beggar of medieval Catholicism in his function of appeasing the bad conscience" (2018, 8f.).

Third, Streeck presents himself as a political economist who accuses the deregulating left of having abandoned the class struggle and replaced it with a cultural struggle against the lower classes. According to Streeck, the left has pushed the lower classes to defend themselves against neoliberalism and open borders: "[A]s a result, the old working class is forced into a coalition with the protectionist right wing of the capitalist class" (2018, 20). This argument is empirically wrong: although workers and people with little education choose right-wing parties more frequently than average (Sablowski & Thien, 2018), this does not mean that the majority do so. There is a large number of people who do not allow themselves to be forced into a coalition with the right even in difficult circumstances; these people become just as invisible in Streeck's analysis as those who support right-wing politics despite economic and social privileges. Even more decisive is the point that Streeck himself is pursuing a radical culturalization of the conflict over scarce resources. Instead of problematizing the structural conditions in capitalism and the creation of resource scarcity as part of a class struggle from above, he regards scarce resources as a given fact. In his case, distribution battles do not take place between capital and labour, but - for example - between (supposedly fraudulent) underage refugees and Hartz IV recipients (2018, 19); or between the refugees who are placed in camps in the global South and those in the rich countries who allegedly use up many times the resources that the UN lacks to supply

refugees in camps (2018, 10). The fact that nationalism and racism have historically also been a means of dividing the working class is not mentioned by Streeck; for him, class solidarity ends at national borders.

While the heavily criticized deregulating left is the key motor of social change, the xenophobic right appears above all as the imagined enemy of the deregulated left; xenophobia itself is de-problematized by pointing to its supposed historical normality (we return to this below), while right-wing violence and the trivialization of National Socialism are not mentioned. If organized right-wing forces emerge as actors at all, then they are positively connoted as taboo breakers who dare to speak the truth. This is the case, for example, with the supposed social consensus on the recognition of young Afghan asylum seekers, which Streeck strictly rejects: "The only exception [to this consensus] is the far right which, however, is considered not to deserve being heard and answered." (2018, 17) Even though Streeck avoids explicitly joining hands with these forces, the text leaves little doubt that they are closer to his position than the left.

### 3. Justice & Charity: the rejection of Social Rights in the name of the law

There are many good reasons to problematize charity: it is a kind of care, which does not guarantee any right, and it rests on a hierarchy between helpers and those in need. Often – especially in its Christian guise – charity makes no effort to overcome this social divide. However, these are not the (good) reasons that motivate Wolfgang Streeck to criticize charity. Starting from a strict legal positivism that equates law with justice, he rejects charity as a form of anarchy that is critical of law and bureaucracy. By levelling out the important differentiation between legality and legitimacy, the illegitimacy of charity is justified by the fact that it lacks legal character. In fact, what Streeck means by charity remains obscure. He does not differentiate, for example, between cases where charity is intended to challenge exclusions and regulations in current law (as in the case of asylum given by churches, for example), when it steps in to make up for the shortcomings of the state, and when it is even explicitly promoted by the state.

"Christian ideas of supposedly universal charity and boundless beneficence are called upon to discredit legal distinctions between citizens and non-citizens as well as between categories of immigrants with different legal status." (2018, 7) The fact that it is precisely these legal distinctions that are the subject of political controversy and thus also the subject of legitimate criticism is not acknowledged in this opposition of law and charity. That people also have universal human rights beyond their citizenship and legal status – rights which, for example, can be used to argue cogently against returning refugees rescued in the Mediterranean to the camps in Libya – does not play a role in Streeck's reasoning. Legal positivism goes hand in hand with the commitment to economic efficiency, which sees refugees only as cost factors and therefore seeks the most inexpensive form of care. As non-citizens, they are by definition the undeserving poor for Streeck (in contrast to German Hartz-IV recipients), who use unfair means, strategic deception and support by the deregulating left to gain access to the wealthy regions of the global North. Contrary to the empirical evidence that in many European countries there is a lack of adequate care for refugees, he assumes a consistently high level of care, which at the same time serves as an argument for rejecting the admission of refugees to rich countries as inefficient. Instead, he proposes accommodation in refugee camps close to the refugees' origin. He has no objections to *this* kind of charity.

Contrary to first impressions, then, Streeck does not defend social rights guaranteed by the welfare state against spontaneous and unreliable charity. Rather, he attacks those who question the national "birthright lottery" (Shachar, 2009) and who advocate (often in combination with caritative engagement) guaranteed social rights for refugees – be it in medical care or in access to the education system. Those who ask what transnational solidarity

might look like in a globalized and highly unequal world are a thorn in his side, as are those for whom political economy means something different than calculating where the survival of refugees is cheapest. Instead, he argues for the importance of protecting a national collective whose resources are not to be spent on refugees and whose stability is allegedly threatened by "cultural fragmentation" (2018, 11); he even speaks of societies that are "culturally 'balkanized'" (2018, 12). Here his writing reflects a radical cultural essentialism with racist traits. At the same time, Streeck does not reject every form of immigration, because in his view a controlled influx of skilled workers is indispensable in times of demographic change. In contrast to neoliberal actors, however, he is not exclusively concerned with the individual human capital of the migrants to be recruited, but also with their so-called cultural compatibility. The path to Tilo Sarrazin, whom he quotes without agreeing with or criticizing him, is not far off - as we will see in the next section.

#### 4. Racism and population policy

In a revealing footnote, Streeck suggests it is necessary to distinguish between "racism" as a powerful reproach voiced by the moralizing left and "xenophobia" as an anthropological constant (2018, 6, FN 10). If one puts that in perspective to the above-mentioned juxtaposition of reality and ideology, the connection is as follows: Racism is not a problem because it basically exists only as an ideological fiction, and where it seems to appear objectively in social reality, it is a phenomenon "so normal" and even "reasonable as a precaution" (ibid.) that it need not be criticized. Consequently, neither the inhabitants of refugee camps, threatened by right-wing extremists, nor the growing group of poor people with or without a history of migration in the rich countries are presented as victims of repression and exclusion. On the contrary, according to Streeck the true victim of "repression" in Germany is the "xenophobic right" which suffers "exclusion from political discourse and civil inter-discourse" (2018, 7).

Referring to Foucault, Streeck conceives of migration policy as a kind of "population policy" and an "instrument of modern biopolitics" (2018, 13) that is "beset with moral puzzles" (ibid.). But while he locates biopolitics on the side of "morality", which he otherwise sharply criticizes, he himself argues strictly in a biopolitical manner when he states: "Rich countries with low fertility and insufficient population replacement require mass immigration for compelling economic and social reasons" (2018, 30). Following this argument, immigration is just as much an objective economic and cultural burden as it is a demographic necessity – and bio- and population politics are only problematic to the extent that they argue in moral terms. However, according to Foucault, modern biopolitics are not simply characterized by the inevitable play with demographic calculations and their moral embellishment. Rather, biopolitics are a comprehensive strategy of "making live and letting die" (Foucault, 2001), one which forms the political horizon of liberal democratic societies. The dying of refugees in the Mediterranean is an excellent and at the same time highly topical example: unlike older concepts of race hygiene and eugenics, it does not explicitly call for the prohibition of reproduction or the killing of certain groups of people. However, their dying is more or less accepted in the name of protecting the "good life" and prosperity of a group that is imagined to be ethnically and culturally homogeneous. Foucault was interested in precisely this strange logic, according to which the death of the others is not only accepted in the name of the life of one's 'own people', but is justified with reference to freedom, democracy, prosperity and the like. Following Foucault, this logic always revolves around the question of the "value" of individual or collective human life, and this value is justified just as much biologically as economically or culturally - or all together. In this sense, Wolfgang Streeck's article is a vivid example of current biopolitical discourses on migration. In fact, he demands nothing less than a more precise determination of the value of migrants. This is the case when he complains that "debates about the different value of



people" are prevented (2018, 13). Streeck's own strong biopolitical bias is even more evident when he literally complains that "public rankings of the relative value of immigrants from different countries" (2018, 15) are "forbidden".

In addition to taking issue with such highly problematic ideas (in a normative sense) as these, it is worth criticising Streeck's contribution first and foremost because he seeks to hide his political position behind supposed social facts. Contrary to what Streeck claims, his idea of exclusive solidarity is far from being without an alternative. In fact, it is a clear ideological statement offered with its door half-open to the right.

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