

Jacobi, Milan

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How the political participation of refugees is shaped on the local level: Self-organisation and political opportunities in Cologne

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34/2021

How the Political Participation of Refugees is Shaped on the Local Level

Self-Organisation and Political Opportunities in Cologne

Milan Jacobi

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Milan Jacobi is a researcher in the “Transformation of Political (Dis-)order” programme at the German Development Institute / Deutsches Institut für Entwicklungspolitik (DIE).

Email: milan.jacobi@die-gdi.de

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© Deutsches Institut für Entwicklungspolitik gGmbH
Tulpenfeld 6, 53113 Bonn
☎ +49 (0)228 94927-0
☎ +49 (0)228 94927-130
Email: die@die-gdi.de
<http://www.die-gdi.de>



Abstract

Six years have passed since the so-called “long summer of migration” of 2015, and the numbers of newly arriving asylum-seekers in Germany have flattened. However, as one of the main receiving countries of refugees, other challenges are coming into focus. Besides labour market participation and cultural participation, political participation is crucial to social life. But how to enable the political participation of refugees in host countries remains a challenge. This study examines how refugees without the condition of citizenship, who, thus, lack formal, electoral means of participation, can engage in political activities. To this end, it first uses a qualitative approach to examine how various self-organisations in the city of Cologne, Germany, use their resources to bring their interests into the political decision-making process. Second, it examines the political opportunity structures that exist at the local level to enable refugee self-organisations (RSOs) to engage in political activities. For this purpose, interviews were conducted with representatives of the organisations as well as the municipality and other civil society actors in Cologne. The results show that RSOs can be important partners for municipal decision-makers when it comes to refugee-specific issues. However, the results also suggest that opportunity structures are unevenly distributed among organisations and affect the organisations’ resource endowments, thus limiting access.

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Bonn, November 2021

Preface

Throughout the world the number of refugees and people in refugee-like situations has been increasing, and many face long-lasting displacement situations. To create a more durable solution, local integration into hosting countries has been high on the political agenda in the past years. The focus is oftentimes on the economic, social and cultural integration of the newcomers. Faced with more livelihood-related, daily challenges in the new society, political and civic engagement might seem to be an extravagant, unaffordable commodity. However, political participation is a central element of refugee integration into the hosting society. It can offer them space to shift from being passive recipients to active political agents whose voices are heard. But it remains a challenge, particularly when refugees are not granted citizenship and, thus, lack formal means of participation. Germany is one of the main refugee-receiving countries worldwide. This paper explores how refugee self-organisations can support informal means of political participation of refugees at the local level and, therewith, enable them to articulate their interests and use political opportunity structures. With this, the paper complements ongoing work at the German Development Institute / Deutsches Institut für Entwicklungspolitik (DIE) within the “Contested Mobility” project. Here, the DIE team investigates the extent to which migration policy is contested, its implementation at national and local levels, and its implications for the relevant population groups.

Bonn, November 2021

Dr Jana Kuhnt

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Abbreviations

BAMF	Federal Office for Migration and Refugees / Bundesamt für Migration und Flüchtlinge (Germany)
CDU	Christian Democratic Union of Germany / Christlich Demokratische Union Deutschlands
CSU	Christian Social Union in Bavaria / Christlich-Soziale Union in Bayern
FAM	Forum of Afghan Migrants
MSO	migrant self-organisation
RRC	Rainbow Refugees Cologne
RSO	refugee self-organisation

Executive summary

Currently, 84 million people are considered forcibly displaced. While the vast majority of refugees seek protection in low- and middle-income countries bordering their own country or are internally displaced, Germany has received a high influx of newly arrived refugees and asylum-seekers since 2015. As one of the world's five largest host countries for refugees, Germany has taken in more refugees than any other Western country since the so-called "long summer of migration".

In recent years, the international community has encouraged host countries to empower refugees with self-reliance. In this respect, particular attention is drawn to the local level, highlighting the role that municipalities play in the inclusion of refugees. One aspect of refugee inclusion that has been understudied so far will be highlighted in this paper: the political participation of refugees at the local level. Due to their lack of citizenship, refugees are excluded from most formal or electoral processes and are left with only informal avenues through which to convey their concerns. The possibility of self-organisation is considered a powerful instrument for articulating interests and reaching out to local politicians.

Therefore, this study aims to explore how organisations, in which refugees organise themselves, influence local politics and what the conditions for influence are in the first place. This paper examines the organisations themselves and their equipment with (endogenous) resources, as well as the political opportunity structures provided by the municipality in which the organisations must operate. The German city of Cologne serves as a case study because it perfectly exemplifies the balancing act between a culture of welcome and a culture of rejection, which is valid for the whole of Germany. Its identity as a cosmopolitan city and the events of New Year's Eve 2015/2016 as a caesura in the discussion about German refugee policy highlight the special importance of Cologne as a spatial dimension.

The research approach relies on a comparative design that combines the collection and evaluation of primary and secondary literature as well as qualitative interviews with organisational and municipal representatives to support the data collection. By comparing two refugee self-organisations, the goal was to make statements on which combination of (endogenous) resources and (exogenous) political opportunity structures lead to a selection of specific strategies and tactics in order to achieve the organisations' interests.

The results indicate that refugee self-organisations are a powerful means for refugees and asylum-seekers to be politically active and that, depending on their resources, the organisations can enter the arena of local decision-making, at least where it concerns their own interests. However, as the comparison shows, major differences in how well they are equipped with resources and differences in the perception and use of individual resources are leading to a different kind and degree of influence.

1 Introduction

The political participation and political engagement of a state's citizens are important characteristics of democracies. The mere possibility of participating in political decision-making processes allows citizens to actively shape politics according to their own preferences and ultimately means finding representation in the community (Ptikin, 1967). Opportunities for participation are numerous, but not equally distributed among groups within a population. Although Agenda 2030 identifies access to political participation as an indispensable prerequisite for successful inclusion, formal ways of participation, such as taking part in elections (both active and passive), referendums and, to some extent, membership in political parties, are predominantly linked to the condition of citizenship (Bekaj & Antara, 2018, p. 25). On the other hand, informal opportunities including civil protest, membership in voluntary associations or engagement in voluntary activities are far less subject to legal conditions. Moreover, such informal means of participation include submitting petitions, forming interest groups, contacting political decision-makers or simply talking about political issues with friends and family. However, the value of participation goes beyond the mere opportunity of taking action. For successful coexistence in immigration societies, it is essential that as many citizens as possible, with the diversity of their biographies and political opinions, can contribute to the political decision-making process. In a society strongly shaped by immigration, the political participation of immigrants not only determines the quality of democracy but is also a question of social cohesion (Lasinska, 2015).

Over the past decade, the number of global migration flows has dramatically increased. According to the International Organisation for Migration (IOM), the total number of migrants at mid-year 2020 reached 280 million. Among this group, 20.7 million people are counted as asylum-seekers and refugees, living outside their country of origin. This represents an increase in migrants of 94 per cent compared with 2008 (Migration Data Portal, 2021a). This highly vulnerable population searches not only for safety, but also for "opportunities to rebuild their lives" (Bekaj & Antara, 2018, p. 12). The "long summer of migration" in 2015 set refugees and asylum-seekers on the agenda of public media and politics in Western societies. In 2015, the number of asylum applications increased suddenly by 155 per cent, mainly due to the large number of protection seekers from war-torn countries such as Syria, Afghanistan and Iraq. Within the European Union, no other country received as many refugees as Germany. The sheer number of arrivals between 2015 and 2016 was exceptional, and the challenges they set for societies are long term (Le Blond, 2018, p. 20; Rat für Migration, 2020). European citizens perceive migration-related issues as the main concern of European politics (European Commission, 2019, p. 17). Hosting 1.1 million refugees in 2018, Germany is one of the top five destination countries for asylum-seekers and refugees worldwide (Migration Data Portal, 2021b). In times when migration is highly controversial in politics and society, and where the media and societal discourse is characterised by proxy debates about domestic securitisation issues and the sheer fear of an imminent alienation, refugees' political inclusion is of central interest for the study of social cohesion. Global migration standards, such as the Global Compact on Refugees and its appendix, the Comprehensive Refugee Response Framework, as cornerstones of sustainable, inclusive development of all societies with a focus on migrants and refugees, identify access to the political system as an important prerequisite for successful integration (UNHCR, 2021). However, unlike other migrant groups, the engagement of refugees and asylum-seekers in the political activities of their host countries is highly understudied.

Hence, this work aims to analyse the factors that hinder or promote the political participation of refugees. In doing so, this paper focuses on the local level of refugee integration in Germany, a major refugee hosting country. For this reason, Germany is an interesting case study from which other countries facing similar challenges can learn.

It has been a few years since the “long summer of migration” in 2015, and the number of newly arriving asylum-seekers in Germany has flattened. Nevertheless, an abundance of challenges remains. Findings from displacement research indicate that the newly arrived will not quickly return to resettle their countries of origin (Jakob, 2016). Thus, German officials at all levels, from local authorities to federal politicians, see the integration of refugees as one of the key challenges of the coming years (Gesemann & Roth, 2018, p. 1). Whereas labour market integration or the accommodation of refugees have been on the agenda from the very beginning, the political inclusion of refugees and asylum-seekers as a means of integration is increasingly coming into focus, although it is still assumed that refugees remain excluded from policy formulation due to their legal status and lack of voting rights (BMAS, 2017, p. 24). However, refugees do have opportunities to be politically active – and self-organisation plays a crucial role here. Organisations give refugees the opportunity to act collectively and make their “muted voices” heard, and, thus, make their own contribution to a cohesive society. Therefore, this work aims to examine the role of refugee self-organisations (RSOs) on the local level for the political participation of refugees and to gain insights into how effective they are as stakeholders in the political arena. RSOs, as “bottom-up” entities for formulating refugees’ interests and as a means of political participation, are assessed as interest representatives and pressure groups. Consequently, this paper is guided by the question, *how do refugee self-organisations exert influence on the political decision-making process on the local level?* The epistemological interest of the work thus focuses on the organisations’ structures, resources and strategies and their embeddedness in the institutional context at the municipal level.

To answer the research question, a qualitative comparative case study approach was used; primary and secondary data, such as policy documents, media coverage and records of council meetings, was analysed. The approach was complemented by semi-structured interviews with representatives of two RSOs as well as with representatives from local politics, public administration and civil society in the German city of Cologne. The city is of special interest because it embodies the balancing act between a culture of welcome and a culture of rejection. The city’s identity as a cosmopolitan city on the one hand, and the events of New Year’s Eve 2015/2016 as a caesura in the discussion about German refugee policy, highlight the special importance of Cologne as a spatial dimension.

This discussion paper proceeds as follows. After explaining the relevance of the topic, a comprehensive overview of refugees’ participation opportunities and refugee regimes in the vertical, multi-level system shall be given in Section 2 before introducing the complex theoretical framework of analysis underlying this study. Section 3 offers details on the methodological approach, research design and case selection. Section 4 contains the empirical analysis of RSOs’ interest representation in the local policy formulation processes as well as the main findings. Finally, Section 5 presents a conclusion and specific policy implications.

2 Context, concepts and framework

2.1 Context and relevance

Democracy, as it is understood in this work, includes more than the mere sum of institutions, electoral processes and the functioning of the government: a political culture of representation and participation is essential for the legitimacy of governments and the sustainable functioning of a democracy (Economist Intelligence Unit, 2019, p. 51-52; Pitkin, 1967). However, both this concept, which “requires the active, freely chosen participation of citizens in public life”, and Hannah Pitkin’s (1967) vision of an ideal representative democracy that gives all constituents a voice are challenged by the increasing appearance of persons without citizenship. The exclusion of marginalised groups, such as refugees and asylum-seekers, from opportunities of participation inhibits the comprehensive implementation of democracy. Vice versa, the inclusion of these groups represents not only an indicator for the level of inclusion in host-communities, but also a goal for societies to increase diversity and equality among the population of a country, and, thus, strengthen social cohesion (Ortensi & Riniolo, 2020, p. 134). In Germany, reforms of citizenship law and the Immigration Act have changed the framework conditions over the past decade. The recognition that Germany is an immigration society and the corresponding political tasks have gained new legitimacy (Gesemann & Roth, 2014, p. 14). With regard to the UN’s Sustainable Development Goals, the Global Compact on Refugees and the attached Comprehensive Refugee Response Framework, the issue of political participation is of enormous relevance for both developing countries and countries in the Global North. Under the Agenda 2030, the UN Member States have agreed to “empower and promote the ... political inclusion of all” and to “ensure equal opportunity” as well as to promote “appropriate legislation, policies and action in this regard” (United Nations, 2021a). Moreover, inclusive societies should be strengthened by ensuring “responsive, inclusive, participatory and representative decision-making at all levels” (United Nations, 2021b).

In times of historical peaks of refugee numbers, cities gain growing importance for the protection and social participation of displaced persons worldwide, as they are the places where integration takes place. Cities are drivers of integration in situations of displacement and in contrast to rural areas, refugees in cities have the prospect of access to the labour market and participation (Dick & Kuhnt, 2019). While the political participation of broader groups of migrants¹ has received much attention in German research discourse in the past 20 years, the group of asylum-seekers and refugees has been mostly ignored. Fennema and Tillie, at the end of the millennium, gave the starting signal for a comprehensive investigation of determinants of the political participation of ethnic communities in Europe, exploring the extent to which different migrant groups were integrated into political activities at the local level (Fennema, 2004; Fennema & Tillie, 1999). Relying on Robert Putnam’s civic-community approach (1993), they found a “correlation at the aggregate level between political participation and political trust of ethnic minorities, on the one hand, and the network of ethnic associations on the other” (Jacobs & Tillie, 2004, p. 421). Based on the methodology introduced in Fennema’s (2004) research, much was written about the role

1 In this context, migrants include both those who have recently emigrated from one country to another and those who have only a migrant background and have already taken on the citizenship of the country in which they live.

of ethnic- and migrant-organisations shaping immigrants' mobilisation and the degree of political participation in countries of the Global North (Eggert & Giugni, 2010; Giugni, Michel & Gianni, 2014; Jacobs, Phalet, & Swyngedouw, 2004; Koopmans, 2004; Kranendonk & Vermuelen, 2019; Nguyen-Long, 2016; Pilati & Morales, 2016; Predelli, 2008; Togeby, 2004). On the aggregate level, Katia Pilati (2012) examined the political participation of immigrant organisations in Milan, Italy. Arguing that political engagement is affected by institutional, group-related and network resources, she concludes that it is primarily the role of network resources that sparks the political engagement of organisations due to an increase of political contacts. Pettiniccio and de Vries (2017) investigate the situation of immigrants without citizenship (and who are not EU-based) in thirteen European countries, "whose legal and social status is more fragile" (2017, p. 524). Evaluating different waves of the European Social Survey, their findings indicate that non-citizen immigrants' patterns of informal participation are not substantially different from those of the citizen-immigrants. They conclude that the degree of participation is also influenced by institutional activities. Further, on the basis of national social surveys, other studies ask for the determinants of migrants' political participation on the individual level and reasons for the gap between the degree of participation of migrants and the autochthonous population (Mays et al., 2019; Ortensi & Riniolo, 2020). Studies on German immigrants tend to over-represent labour-immigrants, and within this group, immigrants of Turkish origin who came to Germany as far back as the 1960s (Doerschler, 2004; Fischer-Neumann, 2013; Simon & Ruhs, 2008).

Opportunities for political participation are not equally distributed in a society nor within a group of migrants. Most of the literature on the topic deals with groups of migrants who have been living in a host country for a long time, sometimes for several generations. Refugees are rarely addressed directly despite being one of the most vulnerable and least empowered groups in a society. For them, parts of the German constitution are not valid; this will be elaborated on in Section 2.3.² In 2018, 1.8 million refugees were living in Germany (Destatis, 2020).³ A closer look at this understudied group is, therefore, of great relevance. At the time of publication, there is only one current work regarding the issue: "Political participation of refugees: Bridging the gaps" by Bekaj and Antara (2018). The comprehensive and comparative study explores the "challenges and opportunities related to the political participation of refugees in their host countries and countries of origin" in eight case studies conducted all over the world (Bekaj & Antara, 2018, p. 13). Overall, there is a big gap in the research on the political participation of refugees regarding the interplay between individual resources of refugees and asylum-seekers' self-organisations and the given institutional frameworks that they find in their host country. This applies especially for the largest receiving country in Europe – Germany – where empirical studies on political participation predominantly focus on the presentation and explanation of party affiliation and identification as well as the political interest of migrants (Müssig & Worbs, 2012, p. 16). Findings of those studies, which are nevertheless of contested nature and often compare the autochthonous population with "the migrants", are that migrants identify less with political parties and are less interested in German politics (Diehl & Blohm, 2001; Diehl & Urbahn, 1998; Doerschler, 2004). Taking all this into account, there is a clear research gap

2 See Articles 20 and 116 of the German Grundgesetz.

3 This includes asylum-seekers with recognised or rejected asylum requests as well as ongoing applications.

around the questions *how* and *in which contexts* refugees and asylum-seekers participate politically.

2.2 Political participation and its implications for refugee integration

“Participation” is a term that has experienced change and expanded throughout history. By now, the list of opportunities for participation is infinite. For Verba, Scholzman and Brady (1995, p. 1), “political participation provides the mechanism by which citizens can communicate information about their interests, preferences, and needs and generate pressure to respond”. For Van Deth (2016, p. 2), participation is an “indispensable feature of democracy”. Verba and Nie (1972, p. 1) state that the extent and scope of political participation are important – perhaps even decisive – criteria for assessing the quality of democracy. In this paper, participation is understood as a space that must be created through activities from within the refugee community. Therefore, a comprehensive definition of political participation considers that participation includes voluntary activities that are carried out by political “amateurs” (that is, not a politician or an official) and concern the government (van Deth, 2016).

As mentioned above, opportunities for political engagement are almost infinite, but it makes sense to divide two kinds of participation according to the access to them. First, *formal* political participation, determined by the resource of citizenship, includes any kind of electoral participation. This is essentially true for the electoral process, but also membership in political parties can be restricted through citizenship in some cases. Second, *informal* political participation describes almost any other activity of political engagement including, but not limited to, engaging in organisations, demonstrating, contacting officials, boycotting certain products, attending party rallies, posting political statements online, volunteering, signing petitions, consuming certain products, and expressing one’s political views in music or arts (van Deth, 2016). Those activities reveal much more information about preferences and interests than the voting decision. Interests and demands can be transmitted to decision-makers very specifically (Verba et al., 1995, p. 44f). However, such informal modes of participation are more time- and cost intensive than formal opportunities, while their outcomes are less predictable (Fuchs 1995, p. 142). Regarding the political participation of refugees and asylum-seekers, the distinction between formal and informal means for participation is essential given that this group is excluded from the former due to their lack of citizenship.

The political involvement of refugees and asylum-seekers in decision-making processes depends on a large number of different standards and practices. It has a special role to play in strengthening social cohesion, consolidating democracies and ultimately promoting the integration of this group (Bekaj & Antara, 2018, p. 10). After often long and dangerous journeys, these people find themselves in one of the most marginalised groups of their host society. A predominant opinion in the discussion about the needs of refugees is that the main concerns of refugees are related to housing and entry into socio-economic life. At first glance, political participation seems to be a secondary demand here. But participation and determination of central decisions concerning one’s own living conditions are of central importance for refugees because they rule decisively on their inclusion (recognition as an asylum-seeker or admission as a refugee) or their exclusion (rejection of the asylum application and deportation, if necessary) (Ottersbach, 2011, p. 148).

Furthermore, the public debate on refugees focuses on humanitarian, social, economic and security aspects. Refugees themselves are perceived as passive actors for whom action must be taken. Their potential as independent political agents who want to become part of the host society is often overlooked (Bekaj & Antara, 2018, p. 11-12). However, refugees are very much able to be politically active within their means. One promising possibility is collective action in civil society organisations. Engagement in civil society organisations is not only a means of participation, but also a form of self-help and self-organisation. For refugees and asylum-seekers, self-organisations are, thus, places through which they can participate in the political process. They are, therefore, of enormous importance to the integration of refugees and asylum-seekers (Leinberger, 2006, p. 43). Political self-organisation, as one form of self-organisation, is defined as “a group of people ... who, from an experience of being affected, recognise and formulate common interests and work together to achieve concrete and limited goals in order to improve this situation” (Pappas, 1999, p. 7). Political self-organisation is aimed primarily at influencing political decision-making and decision-making processes (Pappas, 1999, p.7). RSOs constitute a special form of interest group that differs from traditional economic interest groups in terms of its goal orientation and resource base, as well as the strategies it pursues. RSOs can hardly exert pressure through their (non-existent) ability to refuse to perform, as trade unions do. They have to communicate their concerns through other channels (von Winter, 2003, p. 40), which will be elaborated on in the following sections.

The potential of RSOs, however, derives from the significance that policy-makers have long recognised for migrant self-organisations, namely their services for integration or, beyond that, for the inclusion of refugees. Inclusion means nothing other than playing a role in social life and exercising the right to manage everyday life in a self-determined way and to interact with one’s environment. The assimilation expectation that refugees embrace democracy is worth nothing if these people cannot live and experience democracy (Roth, 2018, p. 2). Self-organisation is one way to support this learning process towards self-reliance, while also strengthening social cohesion. Refugees, as a group of particularly vulnerable people who must find their way in a new context, have the opportunity through self-organisation to identify and articulate common interests and make their voices heard.

The meaning of civil society for the political culture and the inclusion of refugees is significant. Voluntary associations or other civil society actors provide opportunities for participation beyond the formal and state-provided participatory moments, and thus, create chances for participation in society as well as the willingness to seize these opportunities (Anheier, Priller, & Zimmer, 2000, p. 72). In this respect, civil society actors also play an important role in inclusion because they increase the social capital of certain groups by endowing them with social capabilities, such as a capacity for compromise and cooperation as well as institutional trust. As a result, members of organisations have a greater willingness to participate (Putnam, 1993; Verba et al., 1995). Finally, civil society actors also serve as drivers of interest articulation of the public, who do not leave the formulation of their political interests exclusively to political representatives (Habermas, 1992, p. 439).

2.3 Refugees’ political participation in the transnational, multi-level system

On the transnational level, within the context of international law, the free expression of one’s own political preferences is a fundamental right. Nevertheless, the methods by which,

the manner in which, and the extent to which refugees and asylum-seekers can participate in politics or political activities in their host countries are up for debate (Mandal, 2003, p. iii). The Convention Relating to the Status of Refugees of 1951 does not give instructions for action and says nothing about the scope of the political rights of refugees, but it does express their duties regarding conforming to the laws and regulations of their country of destination (UNHCR, 2010, p. 16). Only the right to assembly or associate in non-political associations should be regarded by the contracting states. Regarding naturalisation, the states of destination shall “as far as possible facilitate the assimilation and naturalisation of refugees” (UNHCR, 2010, p. 30). The UN Convention of Human Rights, in recognising the inherent dignity and “equal and inalienable rights of all members of the human family”, acknowledges the right to freedom of opinion and expression as well as the right of assembly and associations for everyone, and, therefore, does not distinguish between citizens and foreigners. However, in Article 21, regarding the right to actively or passively participate in elections, this right is limited to the condition of citizenship (UN, 1948, p. 75). The situation is similar regarding the Sustainable Development Goals, where refugees are not explicitly mentioned in the goals relating to political participation or equality nor are they outright excluded. Therefore, an institutional, legal framework for the political engagement of refugees consists of – as Mandal (2003) calls it – *derivative rights*. Following Mandal on this, those rights typically derived from international human rights law and the law on a state’s responsibility. Mandal draws a picture of a political trilemma between activities that the “host state is obliged to allow” (guaranteed through human rights law), activities that the “host state is permitted to allow within its sovereign discretion” (neither subject to human rights law nor permitted) and activities that the “host state is obliged to prevent” (activities prohibited through international law) (Mandal, 2003, p. iii). Within this interplay, the political activities of refugees have to find their space (Mandal, 2003, p. iii). This interplay is exactly what frames European politics and the national politics of EU-member states when it comes to the political rights of migrants and refugees.

At the EU-level, the European Convention on Human Rights regulates political participation in Articles 10, 11 and 14, but at the same time limits it in Article 16. Article 10 ensures the freedom of expression and exercise of these freedoms, while Article 11 guarantees the freedom of assembly and association. Both of these Articles are everyone’s rights. Nevertheless, Article 16 allows restrictions of the political rights of foreigners: “nothing in Articles 10, 11 and 14 shall be regarded as preventing the High Contracting Parties from imposing restrictions on the political activity of aliens” (European Court of Human Rights, 1948, p. 13f.). In 1992, the Council of Europe announced that the Member States signed a convention on the participation of foreigners in municipal public life. This took into account the fact that for the successful integration of immigrants, they should have the same obligations as citizens at the local level and, therefore, the same rights. Further, the convention aimed to guarantee the freedoms of expression, assembly and association, to build representative consultative bodies for foreign residents at the local level and to implement the right to vote in local authority elections for foreign residents (Council of Europe, 1992). To this day, nine EU member-states have ratified the convention, and four more have signed it (Council of Europe, 2020). This was a first step towards a directive in 2003, regarding the legal status of third-country nationals who are long-term residents in the EU. Electoral rights are not mentioned in the directive (European Union, 2011). However, the directive and the Convention from 1992 and, in particular, the Maastricht Treaty led some European countries to introduce voting rights for third-country nationals at the local level for various reasons. In other member states, such as Germany, Austria,

Belgium and France, the introduction of the Maastricht Treaty demanded constitutional changes. Some states took this as an opportunity to introduce this right also for third-country nationals. These states were faced with the question of whether the constitutional amendments should also include the right for third-country nationals to vote. Overall and before the withdrawal of the UK in 2020, 15 EU-member states allowed participation in elections on the municipal level for third-country nationals. Thus, the European Union is creating a legal framework for its member states to introduce voting rights for third-country nationals at the local level, but the implementation and formulation is left to the sovereign states themselves. Although refugees and asylum-seekers are not explicitly excluded, most restrictions, such as length of stay or residence status, leave them out of the picture even in those countries where, in principle, they are allowed local voting rights.

To understand the determinants for the political participation of refugees and asylum-seekers on the national level in Germany, it is necessary to outline the legal framework and institutional setting in the federal context of the state. The citizenship regime in Germany is strict and based on an ethno-cultural perception of belonging. Barriers to naturalisation are very high. In addition to the requirements to speak the language, support oneself and possess a permanent residence permit, naturalisation requires eight years of residence in Germany (this was reduced from 15 by the Citizenship Reform of 1999) (Ragab & Antara, 2018, p. 11). From the national perspective, for a long time, immigrants were considered guests who were not expected to be politically active (Martiniello, 2006, p. 83). Non-citizen migrants are excluded from most formal political rights but enjoy other entitlements under the *Grundgesetz* (Germany's constitution) and the human rights law. According to the former, the right to political participation is derived from the right to free development of his or her personality (Article 2, Paragraph 1) and the freedom of speech, press and information (Article 5, GG). Both basic rights are called "everyone's rights" and apply equally to German citizens and foreigners. In addition, the right to the freedom of assembly (Article 8, GG) and freedom of association (Article 9, (3) GG) are important opportunities for political participation. Article 1 of the *Versammlungsgesetz* (Assembly Act) describes the right to assembly as a right of everyone, only denied to those who do not respect the *Grundgesetz* or are declared unconstitutional. The *Aufenthaltsgesetz* (German Residence Act), which contains the essential legal basis for the entry, exit and residence of foreigners, describes in Article 47 the prohibitions and restrictions on the political activity of foreigners. According to that, foreigners are generally allowed to be politically active but can be restricted if these activities contravene political decision-making, peaceful cohabitation of foreigners and German citizens, foreign policy interests, the legal system of the Federal Republic of Germany or if they are intended to promote parties, other associations, institutions or endeavours outside the territory of the Federal Republic. They can be prohibited, if the activities contravene basic democratic order or if they support the use of violence as a means of enforcement. According to that, foreigners are generally allowed to be active in German political parties or unions, and they have the right to take part in the social security election ("*Sozialwahl*"), elections to professional, self-governing bodies in the area of universities, and to participate actively and passively in work-council elections (Wiedemann, 2006, p. 265). The implementation of the aforementioned European convention in the national framework has been prevented by the government. In May 2019, the Federal Government informed the *Bundestag* (Germany's parliament) that the ratification of the Convention on the Participation of Foreigners in Municipal Public Life (Council of Europe, 1992) is not planned. The Federal Government considers the obligation to "grant every resident foreigner the right to vote and to stand as a candidate...in local

elections” to be unconstitutional (Deutscher Bundestag, 2006, p. 2; Federal Government, 2019, p. 15f.). The reason for this is a 1990 ruling of the Federal Constitutional Court, according to which Article 20, Paragraph 2 and Article 116, Paragraph 1 are superordinate to Article 28, Paragraph 1. The Federal Constitutional Court stated at the time that the right to vote, by the exercise of which the people primarily exercise the state authority to which they are entitled, presupposes, in accordance with the concept of the Grundgesetz, the status of German citizenship.

While immigration, citizenship, naturalisation and residence are the responsibility of the national government, the federal states still have potential leeway for shaping the political participation of third-country nationals (Roth, 2018, p. 638). On the one hand, there are more open and locally variable options for action, but on the other hand, they are also more susceptible to political blockades, resistance to reform and uncoordinated political diversity (Roth, 2018, p. 639). In all federal states, migrants’ advisory councils are implemented, with a varying structure and design. On the level of the federal states and municipal areas, the need for representation of foreigners in local decision-making processes was recognised early. The specific design and regulation of those councils is subject to the federal states (Wiedemann, 2006, p. 272). In the state of North Rhine-Westphalia, the Federal Integration Council is a democratic, legitimated representative body anchored in the state’s constitution since 2012, aiming for the “cultural, social, legal and political equality of migrants” (Landesintegrationsrat NRW, 2020). Furthermore, the Integration Council is the state-level representation of the municipal integration councils of North Rhine-Westphalia. According to the *Gemeindevorordnung* (municipal ordinance) of North Rhine-Westphalia, Paragraph 27, the political participation of people with an immigration history in communities in which there are at least 5,000 foreign residents must be ensured by the formation of an integration council. The council, whose election is open only to non-German citizens or naturalised persons (with the exception of refugees with ongoing asylum procedures), must be consulted on all issues relating to integration and can also take a stand on all other issues dealt with by the local council (*Gemeindevorordnung für das Land Nordrhein-Westfalen*, 2020). From the perspective of the federal states, they have set themselves the task of supporting the integration policy of local authorities. In doing so, they are following the assumption that “integration must take place on the ground and state policy support can be helpful in this regard” (Roth, 2018, p. 640). However, the exclusively advisory function of the councils is often considered unsatisfactory, since they lack opportunities for decision-making (Bayat, 2016, p. 62; Ragab & Antara 2018, p. 13). Therefore, within the design of the institutional framework, the promotion of migrant (self-) organisations plays a special role, not least in order to strengthen civic commitment and participation opportunities for immigrants.

Within these transnational, national and federal frameworks, refugees physically exist on the municipal level. Municipalities operate within tight constraints from above. However, they have their own responsibilities and, thus, scope for action, for example, regarding accommodation, supervision and integration. Moreover, most of the many welcome initiatives of civil society are anchored in the local level (Bielicki, 2015). As outlined above, no voting rights for third-country nationals exist in Germany. Thus, the political rights of non-citizens are restricted. They must inevitably participate differently in the democratic decision-making process in society. However, local authorities can support refugees in this process. For one thing, they can interpret the criteria for discretionary naturalisation through their municipal naturalisation strategy. The naturalisation process is the responsibility of the

local foreigners' authority, it can be strongly controlled locally, as evidenced by a high degree of local variation. On the other hand, cities and municipalities can support the informal participation of refugees by institutionalising advisory bodies, such as advisory councils, on migration policy issues, and thus enable participation in municipal decision-making processes. They can also strengthen cooperation with civil actors and associations in order to enable co-determination in political decisions. In a special way the municipality, as the place of residence of the refugees, offers a possibility of identification that can function as a catalyst for political participation (Scharmman, Younso & Meschter, 2020, p. 13f.). The municipalities in Germany provide many access points where participation is theoretically possible. For this specific reason, this work aims to examine refugees' political participation at the local level.

To conclude, refugee's political participation is, unsurprisingly, a very fragmented issue on all levels in the transnational, multi-level system. Universally valid, normative value standards define the framework of the political participation of foreigners and migrants, but there is plenty of leeway for states on how to cope with potential rights for refugees. In the German case, responsibilities are passed down to the lowest, municipal level. And even there, presumably also because it does not take place in a formalised framework, the concrete design is left to the civil society, that is, self-organisations or civic engagement. In the German case, the design provides access to elementary civil rights for foreigners as well financial state support for migrant organisations, and migrant representatives and advisory councils in the municipal area. In this context, third-country nationals can be politically active within those possibilities, which are informal in nature. On the other hand, Germany denies third-country nationals' access to formal means of political participation (like the right to vote in local elections, according to EU Conventions). Refugees and asylum-seekers are not specifically addressed here and in the case of the former, they are even excluded from the right to vote by the integration councils on the local level. The questions remain, where in this framework do asylum-seekers and refugees find their space? Which opportunities for participation do they have? A possible explanation for this can be found on the local level: civil society in German municipalities and cities serves the purpose of finding collective interests, articulating problems, forming opinions and exerting influence. The concept of civil society is explained in detail in the following section.

2.4 A framework for analysis: civil society and political opportunities structures

The theoretical foundation of this work is reflected in the concept of civil society. The term itself covers an extremely broad spectrum and – from a historical perspective – dates back to Ancient Greece. The following explanations of civil society understand the term as a concept existing beyond the state and the market, in which actors can actively participate in shaping society and formulating policy. From this perspective, the focus is on other opportunities of shaping politics besides participation in elections. Thus, voluntary and collective associations of civil actors play a decisive role. In the following, the concept of *civil society* will be defined, explaining its functions and which factors are crucial for associations to be perceived as relevant actors in decision-making. This is inseparably linked to the concept of *political opportunity structures*.

2.4.1 Civil society: definition

In the 1980s, the polysemic concept of civil society experienced a renaissance through the Eastern European democracy movement and its use against the communist dictatorship that suppressed all forms of engagement outside the state. Civil society was once again perceived as the pursuit of freedom through cooperation, as Tocqueville understood it (Tocqueville, 1835). But also, in Western societies, the term received new attention and became a source of hope for the development of democracy. The concept experienced a change, this time not in demarcation to the state, but between the individual spheres of society. After a century marked by the supremacy of the state and plagued by “dysfunctions” caused by it (with the consequence of dictatorship, totalitarianism and world wars), in the later 20th century the language of democracy and civil society merged (Brinton, 2010, p. 455; Keane, 2010, p. 461ff.; Kocka, 2003, p. 29; Kocka, 2006, p. 132; Leinberger, 2006, p. 11).

In democracy, civil society and governance function as necessary, separate but symbiotic articulations of a system in which the exercise of power, no matter in which sphere of democracy, is subject to the “compromise of agreement” (Keane, 2010, p. 461). Consequently, democratisation is seen as a “process of sharing and public control of the exercise of power by citizens within politics, through the institutionally separate – but always mediated – spheres of civil society and government institutions” (Keane, 2010, p. 461). The resulting conclusion for this work is that the participation of as broad a demographic spectrum of society as possible is of enormous importance for the democracy of a state, if one understands these to be beyond formal participation opportunities, such as governing, voting, party competition and the rule of law.

Articulation of participation	Articulation of integration	Articulation of interests
<ul style="list-style-type: none"> • Provision of participation capacities through civil society actors <p>→ <i>Increases willingness to engage politically</i></p>	<ul style="list-style-type: none"> • Civil society’s actors increase social capital of its members • Endowment of social capabilities • Willingness to cooperate • Willingness to compromise • Increased trust in institutions <p>→ <i>Increases willingness to engage politically</i></p>	<ul style="list-style-type: none"> • Civil society actors formulate and mediate collective interests • Aggregated, long-term interests of certain groups as purpose of civil society organisation <p>→ <i>Collective action as effective instrument for mediating interests to political decision-makers</i></p>
Source: Author		

It is necessary to reflect on the functions of civil society for democracies. These can be briefly summarised as the articulation of participation, integration and interests (see Table 1). The meaning of civil society for the political culture and the integration and development of democracies is significant. Voluntary associations or other civil society actors provide opportunities for participation beyond the formal and state-provided participatory moments, and, thus, create chances for participation in a society as well as the willingness to seize these opportunities (Anheier et al., 2000, p. 72). In this respect, civil society actors also play an important role for integration because they increase the social capital of certain groups by endowing them with social capabilities, such as a capacity for compromise and cooperation as well as institutional trust. As a result, members of

organisations have a greater willingness to participate (Putnam, 1993; Verba et al., 1995). Finally, civil society actors also serve as drivers of interest articulation for the public, who do not leave the formulation of their political interests exclusively to political representatives (Habermas, 1992, p. 439). This is particularly important for groups, such as refugees, asylum-seekers or stateless persons, who have no institutional rights of participation and is, thus, a focal point of this work.

Civil society in a descriptive-analytical sense is defined as an “arena of uncoerced collective action” driven by common interests, values and objectives (CCS, 2006, p. II). It is a distinct sphere or sector localised beyond state, market and private sphere but is not rigidly separated from them and represents a complex and dynamic space with interdependent relationships. The function of civil society can be described as the communication of interests and the articulation of participation. Associations in this space are based on voluntariness, openness, plurality and legality, and their logic of action is oriented towards the common good. Thus, civil society actors are stakeholders of certain interests, united through collective action, in order to challenge politics. A quote by Jeffrey Berry nicely illustrates the connection between participation, collective action and interest representation (1977, p. 3): “Interest groups offer individuals one means of participating collectively in politics for the purpose of trying to influence public policy outcomes. The endeavours of these organizations to ‘lobby’ the institutions of government are the culmination of this collective action”.

2.4.2 Potential influence of civil society actors

In this section, the focus turns to the question of how self-organisations as civil society actors can *exert* influence, which strategies they pursue and what chances of success they have. To clarify these questions, it is important to determine what *success* means and which capacities and constraints affect the ability to exert influence. The success of organisations by officials of the organisation itself is not sufficient proof of actual success. Vice versa, on an institutional level it cannot be expected that officials will admit to being influenced by interest groups. Success is not necessarily only determined through the successful implementation of one’s own interests in the political decision-making process. Success does not have to be the result of a process from initial claims-making to policy implementation. Simply generating public attention, being noticed by political decision-makers, that is, bringing one’s own interests to the table, regardless of the outcome of the individual processes, can also be considered success and, thus, influence, since it determines the visibility of the actors. Success could also be represented by the fact that the status quo is not heading in the opposite direction from what the organisations are striving for, in other words, that the situation is not getting worse. Berry (1977, p. 277) states that “partial victories are a way of life” among public organisation lobbyists. Subsequently, indicators for success can be policy outputs (like court decisions or legislation processes), but they can also be media appearances of an organisation’s claim, or a simple answer from a municipal official to a letter written by an RSO-constituent. Success is not determined by a great magnitude but describes a broad concept in which partial successes also count.

2.4.2.1 Opportunities, strategies and tactics of advocacy

Organisations located in the civil society sphere can express their interests in various forms in the political decision-making process. Information and the ability to exert pressure play

the predominant role. Information is not evenly distributed throughout space. Policy-makers may not know the needs of specific groups within the population. The role of civil society actors in this case would be to address this information asymmetry and to inform political leaders about existing conflict potentials. Access to information provides political leaders with the opportunity to act. If a discrepancy is perceived between their own needs and political decisions, civil society actors can exert pressure (Gabriel, 2000, p. 103). Formal participation procedures, such as elections, are only open to citizens at the individual level. Collective action in the sense of interest representation is organised through other channels. These include institutionalised procedures, such as committees, advisory councils, commissions and hearings. Apart from these direct means of influence, there are also indirect ways of exerting pressure on political decision-makers. This includes protest, campaigns, information and mobilisation of the public (Leinberger, 2006, p. 26).

Relying on a framework by Jeffrey Berry (1977), strategies and tactics of advocacy will be presented that are used by organisations to influence the political decision-making process (see Table 2). Berry describes *tactics* as the most effective short-term “actions taken to advocate certain policy positions”. *Strategies*, superordinate to tactics, are defined as “general approaches to lobbying” in order to pursue the organisational interests (Berry, 1977, p. 212). Tactics can be briefly summarised and assigned to three categories. First, direct lobbying is determined by direct communication between decision-makers and the organisational actors. Second, lobbying through members is the mobilisation of members to exert pressure on decision-makers. Third, lobbying through public mobilisation is the utilisation and altering of the public opinion.⁴ It is important to mention, that these tactics are actual means of participation. In the following, these will briefly presented. Starting with the direct means of lobbying, *personal presentation* of arguments to governmental officials implies access to political decision-makers and, therefore, is highly dependent on organisational capacities and political opportunity structures.

Table 2: Tactics of advocacy		
Direct lobbying	Lobbying through members	Lobbying through public mobilisation
<ul style="list-style-type: none"> • Personal presentations • Congressional hearings • Legal action 	<ul style="list-style-type: none"> • Political protest • Letter writing • Influential members 	<ul style="list-style-type: none"> • Campaign contributions • Releasing research results and public relations
Source: Author		

Congressional hearings are another opportunity for direct influence. Appearances by organisational representers at meetings or consultive hearings could underline the strength of the organisation’s interests, but whether they have real influence remains to be proven. *Legal action* can be used to exert influence in several ways. The filing of complaints or petitions is as much a tactic of litigation as the legal dispute itself (Berry, 1977, p. 214-230). For groups of refugees this is expected to be of particular importance, as it is a powerful tool, for example, in postponing and suspending deportations. More importantly, the *raison d’être* of many non-refugee-led refugee organisations is giving legal advice (Kölner Flüchtlingsrat, 2020; ProAsyl, 2020; Solibund, 2020).

4 For a comprehensive illustration of the tactics presented here, please see Berry, 1977, pp. 212-252.

Addressing the opportunities of lobbying through an organisation's members, *political protest* is a powerful means of advocacy to gain publicity for a group's claim and is expected to increase the awareness of the public (e.g., through press coverage). Furthermore, protests also direct the sensitivity of politicians towards certain issues and thus possibly create responsiveness. Protests usually take place in public and thus increase the visibility for the concerns of certain groups. Protests also provide space for the building of coalitions, as other groups can express solidarity with the content of the protesters. *Letter writing*, or contacting decision-makers, has a simple rationale behind it: officials are expected to react sensitively to direct contact from their constituents. To what extent this applies to refugees must be shown by the analysis (Berry, 1977, pp. 231-238).

Indirect measures of lobbying cast a rather ambivalent picture. *Campaign contribution*, spending of an organisation's financial resources to officials, is not expected to occur in the case of RSOs. This is primarily because the financial resources of self-organisations are provided to the organisation by the state or local authorities. However, *releasing research results and using public relations* to increase awareness of the organisation's issues and interests is perceived as a frequently used instrument for RSOs. This is simply because public attention, backed by scientific evidence, should be an effective tool for achieving one's goals (Berry, 1977, pp. 238-252).

Strategies, according to which actors choose their tactics, are structured by the organisation's goals and capabilities and the structure of the environment, that is, the institutional context. They can be classified into four categories:

- (1) *law*, which includes the tactics of litigation and administrative interventions;
- (2) *embarrassment and confrontation*, which includes all tactics organised in the public sphere to force policy-makers to take notice;
- (3) *information*, which includes those tactics compensating informational asymmetries; and
- (4) *constituency influence*, which includes indirect tactics like letter writing and campaign contributions.

However, exerting influence, in other words, participating in the political arena, does not only depend on the advocacy strategies and tactics of organisations. These are only the "final steps in an interest group's decision-making process" (Berry, 1977, p. 262). Moreover, internal organisational resources as well as external opportunities (and constraints) have a significant impact on the choice of strategies and tactics (Berry, 1977, p. 262). Both the environmental structures, in which civil society actors are located, and the endogenous resources of these actors are explained in the following sections.

2.4.2.2 How context matters: political opportunity structures

The impact of the institutional context on political participation has been demonstrated in various studies (Vráblíková, 2014, p. 203). "Political opportunity structures" is a concept that describes the exogenous structures that promote or constrain political engagement. Political opportunity structures affect an organisation's repertoire of action, their

mobilisation capacity, and the outcomes of organisational claims-making (Giugni, 2004; Kriesi, Koopmans, Duyvendak, & Giugni, 1995; Tarrow, 1989). Civil society actors' access to institutions and decision-makers is a precondition for the functioning of civil society (Kocka, 2003, p. 34). It describes the importance of a political environment in constituting the opportunities for collective action, as well as the scope of those opportunities (McAdam, McCarthy, & Zald, 1996, p. 2). Drawing on the work of McAdam et al. (1996, p. 27), four dimensions of political opportunities on the local level are synthesised:

- (1) the relative openness or closure of the institutionalised political system,
- (2) the presence or absence of elite allies,
- (3) the presence or absence of meaningful access points to the political system, and
- (4) the stability or instability of elite alignments.

But how can the openness of institutions at the local level be measured? How can we identify the presence of allied elites or the absence of access to the political system? Again, political opportunity structures refer to signals by political actors to encourage or discourage other actors – for example, RSOs – to use their internal resources to challenge politics (Tarrow, 1996, p. 56). This broad definition of political opportunities needs to be specified. Institutions are not generally closed or open but varying in their openness according to the actors and their issues. Hence, it is necessary to propose specific sectoral opportunity structures regarding refugees and asylum-seekers. For the field of immigration and ethnic relations politics, Koopmans, Statham, Giugni and Passi (2005) present specific opportunity structures that are adopted here (see Table 3).

Dimensions	Openness or closure of the political system	Presence or absence of elite allies	Presence or absence of access points	(In-)stability of elite alignments
Indicators	<ul style="list-style-type: none"> • Legal framework • Naturalisation rates • Provision of financial resources • Provision of infrastructural resources 	<ul style="list-style-type: none"> • Political orientation of elites 	<ul style="list-style-type: none"> • <i>Formal</i>: advisory boards, councils, committees • <i>Informal</i>: contact to officials, etc. • Horizontal decentralisation 	<ul style="list-style-type: none"> • Over time • State-governmental policy
Source: Koopmans (2005); McAdam et al. (1996, p. 27)				

Evidence for the *openness of institutions* can be drawn from the legal framework and local policies, such as the frequency of naturalisation procedures, and the allocation of financial and infrastructural resources to RSOs (Giugni & Morariu, 2007, p. 7). Higher naturalisation rates indicate open institutions with regard to the mobilisation of immigrants. It is to be expected that migrant organisations will be more strongly represented in civil society and articulate their demands and needs more proactively (Koopmans, 2004, p. 456). Statements about an *absence or presence of allies* should depend on the political orientation of political actors at the local level, that is, their location on the left/right dimension of political ideologies.

A conservative political system is assumed to be rather restrictive regarding immigration issues. Thus, we can expect more migrant mobilisation for equal rights and participation in localities where the share of left-wing voters is high (Koopmans, 2004, p. 456).

Access points to a political system for immigrants must be considered from two perspectives. Institutionalised bodies, such as the integration councils and the “Round Table on Refugee Issues” in Cologne, describe formal means of access. When these informal access points are present in a political system, they tend to be rather rigid. For example, the existence of “integration councils” in German municipalities provides an access point for people with a migration background living in Germany (with the exception of refugees without a clarified residence status). Informal access points, as reaching out to government officials, can vary considerably depending on the group. It is to be expected that resource-strong organisations will have more frequent contacts with officials than resource-poor organisations (Eising, 2004, p. 494). In addition, the horizontal decentralisation of an institution indicates a broader set of access points (Vráblíková, 2014, p. 208).

Finally, the *(in-)stability of elite alignments* is determined through the stability of political systems over time as well as the existence of national policies regarding migration and integration issues (McAdam et al., 1996, p. 27).

2.4.2.3 Mobilisation structures: endogenous resources

The capacity of an organisation to mobilise its members is considered a prerequisite for entry into the political shaping processes of collective actors. If the relatively rigid political systems “shape the prospects for collective action”, the extent of their influence and their ability to mobilise is nevertheless dependent on the diverse structures of an organisation (McAdam, 1996, p. 3). Endogenous resources determine the assertiveness of lobbying and, thus, chances of success and, consequently, the capacity to participate in political life. The more resources a group has, the broader the set of alternatives an organisation can choose in terms of lobbying strategies and tactics (Berry, 1977, p. 262).

Table 4: Endogenous resources		
Organisational capacities	Informational resources	Public attention
<ul style="list-style-type: none"> • Strength of interests • Organisational aim and structure • Financial resources • Infrastructural resources • Size 	<ul style="list-style-type: none"> • Professional expertise • Specialisation • Mediation capacity 	<ul style="list-style-type: none"> • Contact with other civil society actors • Awareness of the public interest • Media literacy
Source: Author		

For the conceptualisation of the measurement of endogenous resources, this study again refers to Jeffrey Berry (1999, p. 119f.), who in his research on citizen groups (RSOs are in this sense civil rights movements) distinguishes between informational resources, public attention and organisational capacities as endogenous resources (see Table 4). These three factors are certainly not the only ones determining organisational success. However, the

approach allows for a systematic examination of different civil society groups in terms of how they mobilise and use their resources.

The meaning of the organisations' capacities, such as structure, aim, financial and infrastructural resources and size, is decisive for the articulation of interests. Resources imply potential influence (Brinkmann, 1984, p. 84). Actors who are regarded as a credible source of information are perceived more strongly by both political actors and the media. Therefore, such groups that own information or expertise and have expertise in specific thematic fields will have easier access to political and media actors (Berry, 1999, p. 130). Another important resource is derived from this. If groups manage to draw public attention to their concerns (especially through the media), policy-makers must also address these concerns. An awareness of whether one's own interests are reasonable for the general public is of enormous importance here (Berry, 1999, p. 119f). Media literacy, thus, is a highly important asset and serves the agenda-setting of civil society actors (Berry, 1999, p. 119f.).

It is necessary to note that endogenous resources and political opportunity structures cannot be considered in isolation from one another.

3 Methodology

Empirical regularities contribute to this research, which aims to draw causal inferences on how RSOs influence local decision-making processes. More precisely, the paper aims to elaborate the conditions under which RSOs, operating in a fixed institutional system, bring their concerns into the political decision-making process and how they succeed (or fail) in doing so. Following the research question, Section 3.1 formulates three hypotheses that are derived from the outlined theory and need to be tested. After that, the precise case in terms of a bounded empirical phenomena is defined. Section 3.2 outlines the specific methods, namely case comparison and process tracing, as well as the techniques, namely desk review and qualitative interviews as a means of data collection. Finally, Section 3.3 concludes with a comprehensive explanation of the case selection.

3.1 Research question and hypothesis

Refugees' political participation is largely ignored in integration policy considerations at the local level. Electoral law as an instrument of political will formation is lacking. RSOs play a crucial role in the formation of political will for this group. In light of these findings, the question arises as to how RSOs manage to effectively introduce their concerns and interests into the political arena and represent them to political decision-makers in the local area. Thus, the epistemology of the research question "How do RSOs exert influence on political decision-making processes on the local level?" is twofold. On the one hand, it tries to elaborate whether endogenous factors determine an RSO's success. On the other hand, it aims to unfold the effects of local political opportunity structures (the institutional context on the local level) on the success of refugee organisations claims-making. More precisely, it is to be examined which specific goals, claims and aims they pursue as well as how effectively the organisation can accommodate the preferences of their members in the arena of political decision-making. Organisations' strategies and tactics for influencing politics in

the formal system and their degree of success will be examined. Based on the theoretical considerations, two hypotheses are to be tested in the confirmatory empirical analysis:

(H1a) RSOs operating in municipalities with relatively open institutions, the presence of allied elites, access to the political system for RSOs and stable alignments of elites should have the structures in place to bring their concerns successfully into the policy-making process.

(H1b) The more endogenous resources an RSO is equipped with – such as organisational structure, information resources and the ability to attract public attention – the more likely it is to succeed in bringing its concerns effectively into the policy-making process at the local level.

If the analysis of the political context shows an open institutional structure, while providing the organisations with the endogenous resources mentioned, the RSOs are expected to apply one or more of the strategies and tactics outlined in Section 2.3.3.1 in order to achieve political success. Both the endogenous resources and the political opportunity structures determine which tactics are used by the RSO. A third hypothesis thus focuses on the mechanisms of exerting influence:

(H2) The strategies of influence and the associated tactics of advocacy applied by RSOs depends on the endogenous resources and political opportunity structures available to the organisation. The more resources and political opportunity structures a group finds, the broader the set of alternatives an organisation can choose in terms of lobbying strategies and tactics.

3.2 Design

The method of choice for this paper is a mix of process tracing and a case comparison following Mill's method of agreement since the study is theory driven and follows a confirmatory approach. Process tracing is a method that allows for the analysis of "single mechanisms on the within-case level, using process observations" (Rohlfing, 2019, p. 5). In a given institutional system, that is a municipality, two refugee-led self-organisations are to be examined to determine how they are equipped with resources and how they use these resources to challenge (or influence) politics. Comparing different cases allows for the analysis to be conducted on the cross-case level and to examine causal effects in order to generate cross-case inferences (Rohlfing, 2012, pp. 28-32). The causalities expected to be observed here are that the more an organisation is equipped with resources and the more opportunity structures it finds on the local level, the broader the set of alternatives an organisation can choose in terms of lobbying strategies and tactics and the more likely it is to succeed regarding its own claims formulation.

Qualitative methods are used to conduct the study. A comprehensive desk review provides an overview of refugees' participation opportunities, the structure of refugee organisations and refugee regimes in the vertical multi-level system (see Section 2). The epistemology of this paper places an emphasis on primary (recordings of council or committee meetings) as well as secondary sources (newspaper or other media articles). Additionally, representatives of the organisations, migration advisory boards and actors from the municipal level as well

as civil society actors were interviewed. The qualitative interviews with officials of the RSOs provide information about the strategies, preferences and opinions of organisational and municipal representatives as well as information about the institutional framework conditions. To avoid a source coverage bias, the interviews are supplemented with further interviews with and statements from representatives of civil society organisations, for example, the welcoming initiatives and migrant self-organisations.

3.3 Case selection

Germany is a case in point for political participation of refugees at the local level because it has become one of the largest receiving countries during the recent refugee movements and received more refugees than any other Global North country. In Germany, the saying “integration happens on-site” has become a dictum. The municipalities were the first to take intensive care of immigrants in Germany and to formulate their own integration concepts and develop action strategies in order to promote a prosperous co-existence at the local level in an increasingly diverse society. Furthermore, voluntary networks, RSOs and municipal integration councils emerged on the local level. Within Germany, the distribution of asylum-seekers is based on the so-called “Königstein key”, a quota that is determined annually by the federal-state commission and determines the proportion of asylum-seekers that each federal state receives. This should ensure an appropriate and fair distribution among the federal states (BAMF, 2020b). As a result, the state of North Rhine-Westphalia receives the most refugees by far. The strong decentralisation of the German governmental system makes the municipal level the most relevant for the study of the political participation of refugees and asylum-seekers, and many direct access points for their participation on this level are expected to be found (Vráblíková, 2014).

With its 1.1 million residents, the city of Cologne is the largest city in the state of North Rhine-Westphalia and one of the largest cities in Germany. Cologne represents a special case in the German discourse around refugees and asylum-seekers. In 2019, 438,249 (about 40 per cent) of its inhabitants had a migration background (Germany’s average is at 26 per cent). Of them, 212,252 are registered as foreigners, that is, persons without German citizenship status (Stadt Köln, 2020a). According to information from the city administration, 6,176 refugees were registered in Cologne at the end of July 2020. Between 2010 and 2016, the number of asylum-seekers in Cologne increased steadily. In July 2016, the highest number of refugees lived in Cologne: 13,842 people (Stadt Köln, 2020a). Since then, refugee numbers have steadily declined, following the trend observed throughout Germany. The main countries of origin of refugees living in Cologne are Syria, Iran and Iraq, followed by refugees from the former Yugoslavia and Afghanistan. The causes of flight include persecution on account of race, religion, nationality, membership in a particular social group or political convictions; civil wars and civil unrest; and various human rights violations (Stadt Köln, 2020b).

As a spatial dimension, the city is particularly interesting for this research for two reasons. The first is regarding the purported opportunity structures in Cologne. An important part of the city’s identity narrative is defined by an alleged openness and tolerance towards all forms of life. The cityscape is, thus, characterised by an international and “intercultural atmosphere” (Bommes & Wilmes, 2007, p. 24). Diversity is writ large in the city. This is matched by the dynamic and vibrant landscape of LGBTQQIP2SAA (hereinafter referred

to as “LGBTQ+”) actors and the annual organisation of Germany’s largest pride parade (Deutsche Welle, 2019). In Cologne, as in many other German cities, there was a visible and vibrant welcoming culture along with the high numbers of refugees coming in 2015/2016, caring for the needs of the displaced peoples. Coordinated by the city, 22,923 refugees who arrived in North Rhine-Westphalia in 42 special trains within 11 weeks were cared for at the specially established “hub” at Cologne/Bonn Airport until December 2015. In addition to helpers from the fire brigade, the city of Cologne, aid organisations and the *Bundeswehr* (Germany’s military), 20 interpreters and 77 volunteers were on duty to provide the arrivals with food, drinks and clothing. After a short stay at the hub, the refugees were taken by bus to various shelters in North Rhine-Westphalia. Over 2,500 residents of Cologne had volunteered to support the helpers at the hub (Stadt Köln, 2015).

The second reason why Cologne is an interesting spatial subject of investigation becomes clear through recent history because Cologne, like few other cities, stands for social tensions, triggered by the large number of newly arrived refugees in 2015/2016. Since New Year’s Eve 2015/2016, Cologne has stood above all for a caesura in the discussion of German refugee policy. That night, multiple cases of sexual assault at Cologne Central Station were reported. In the days and weeks that followed, more than 600 women claimed to be victims of sexual violence. The refugee population was blamed as the main perpetrators. The incidents triggered international controversy – and changed media coverage and asylum legislation in Germany for years to come (Diehl, 2019). Cologne had become a symbol that night. The *New York Times* even declared the end of Germany’s welcoming culture (Smale, 2016). The “Cologne New Year’s Eve” narrative turned into a momentous, discursive event that decisively expanded the field of expression for racist exclusion and restrictive-normalist security rhetoric: the demands for admission “ceilings”, further tightening of the asylum law, better border security and faster deportation of migrants who have committed crimes have become louder and louder. They paved the way for the implementation of the “Asylum Package II” as a further step towards the de facto abolition of the right to asylum. It is even possible to interpret the events as having significantly accelerated the conclusion of the EU-Turkey refugee pact (Giaramita, 2020; Schorer & Schneider, 2017, p. 156). The Minister of the Interior at that time, Thomas de Maizière (of the Christian Democratic Union of Germany (CDU)), advocated for an extension of the list of safe countries of origin, which has been directly linked to the events of New Year’s Eve, at least by some politicians. Stephan Mayer (of the Christian Social Union in Bavaria (CSU)), for example, demanded that Algeria and Morocco should be classified as safe countries of origin because the main protagonists of that night were said to be from these two countries (Göll, 2016). In 2017, the Bundesrat voted against the bill with the votes of the Greens and the Leftists (Bundesrat, 2017). In December 2019, the CDU/CSU parliamentary group pushed ahead with a new attempt to circumvent the Bundesrat, and thus also the rejection of the Greens, in line with the European asylum procedure directives (CDU/CSU, 2019). This excursus on the federal policy level shows, above all, two things. First, it underlines this paper’s theoretical argument that the presence and absence of allies depends on their classification on the political left-right dimension. While right-wing parties called for a more restrictive asylum policy in response to the Cologne events, left-wing parties presented themselves to be allies. Second, it shows the importance of the city of Cologne as a focal point for refugee policy issues that radiate far beyond the municipal level. Finally, Cologne is suitable as a location for this study for several reasons, two of which are that it is characterised by a high number of irregular

migrants and by a tense relationship between a strong civil society of supporters and, as events revealed, a refugee-rejecting attitude within another part of society.

A prerequisite for the application of the comparative method is the comparability of the cases. The units of comparison – in this case RSOs – must, therefore, show a minimum of homogeneity in aspects relevant to the question. The scope conditions for the selection of RSOs are that organisations must represent refugees and be self-organised, implying that the organisations are led by refugees. Furthermore, they must operate in the same municipal area to find the same opportunity structures. The selected cases do fulfil these criteria but are expected to show some differences in the degree to which they are endowed with resources, which is expected to influence the outcome. Two of the organisations contacted not only fulfilled such expectations, but also fulfilled the temporal prerequisites of having been founded in or after 2015 and agreed to be interviewed: SOFRA Cologne, an organisation advocating for specific concerns of LGBTQ+ refugees and the Forum of Afghan Migrants (FAM), which has positioned itself primarily for the suspension of deportations. This left this work with two cases acting in the same municipality and representing the refugee population in Cologne. One interview was conducted with the board representatives of each organisation, one interview with a representative of the Integration Council of the City of Cologne, and one interview with a board member of the Cologne Refugee Council as a representative of local civil society. The interviewees were all male. In addition, there were several unstructured preliminary interviews and telephone calls with other members of local civil society. The number of interviews is small, however, they are supplemented by other primary and secondary sources in order to avoid source coverage bias.

4 Analysis: refugee self-organisations in Cologne

In this section, the city's institutional structure will be analysed in order to unfold the political opportunity structures for RSOs, before analysing and comparing two self-organisations regarding their endogenous resources.

4.1 Political opportunity structures for refugee interests in Cologne

As described in Section 2.4.2.2, political opportunity structures exert a major influence on the extent to which civil society actors take political action as a means of participation. Without such structures, it is difficult for civil society actors to become active. Similarly, systems that are too open to the concerns of groups do not allow enough room to take political action (variables representing the political opportunity structures can be found in Figure A1 of the Appendix). In the following, primary and secondary sources as well as statements taken from the interviews conducted will serve as a basis for analysing whether political opportunity structures in Cologne can be considered open or restrictive.

The opportunities for refugees to participate politically should be in principle a fixed quantity, which is equally valid for any RSO operating within these structures. However, we will see that the two organisations presented here differ in terms of access points to the system according to their interests, which partly opens or closes different possibilities for them.

Furthermore, each municipality has certain leeway filling out the legal framework and, therefore, they follow divergent strategies of integration (Ottersbach, 2011, p. 149). Decisions on asylum applications, for example, are the responsibility of the Federal Office for Migration and Refugees (BAMF) (cf. § 5 para. 1 AsylVfG). However, during and after completion of the asylum procedure, the regulation of residence is the responsibility of the municipal foreigners' authorities. This illustrates how strongly the individual variables that determine political opportunity structures at the municipal level are interrelated with each other. On the one hand, the openness of the political system is determined by the respective municipal design of the legal framework, but the political orientation of the municipal elites as well as the stability of their alignments also have an impact.

Whether a municipality is open to the concerns of refugees depends significantly on the political orientation of their incumbents as well as on the (in-)stability of their alignments. In more and more municipalities, the idea seems to be gaining ground that successful integration of refugees benefits the community as a whole. The integration concept of the city of Cologne contains a separate chapter on the integration of refugees (Stadt Köln, 2006). Furthermore, the municipalities have the possibility to shape reception conditions for refugees and to take their own integration measures. This also includes the promotion of counselling structures for refugees, which are covered by the Cologne Refugee Council or 38 intercultural centres (Interviewee 1). Training of municipal employees on refugee-specific issues and certainly the intercultural opening of the administration are also signs of an open system that sees the social and humanitarian concerns of refugees. Local civil society structures can also exert influence on municipal refugee policy (Prölß, 2011, p. 170). An assessment of the city's political opportunity structures also results from the city's refugee policy alignment over time. Until the early 2000s, the conservative CDU and FDP parties held a majority in the Cologne city council and pushed for an extremely restrictive refugee policy based on deterrence. Refugees were housed in accommodation that "should be as unpleasant as possible so that no more refugees would come" (Interviewee 1). Refugees were also deliberately pushed into asylum procedures that were hopeless for them, with the threat that they would otherwise be deprived of benefits. After the split of the conservative alliance in 2003, the CDU formed a coalition with the Greens, which resulted in a paradigm shift in urban refugee policy (Interviewee 1; Prölß, 2011, p. 171f.). This shift included the establishment of the Round Table for Refugee Issues in which representatives of the council parties, the administration, the church and welfare associations, the police and civil society organisations dealt with questions of accommodation and care. The city has "created organisational and communication structures" in the refugee policy to improve the integration possibilities of refugees. There has been a consensus on this in the city council oriented towards "humanitarian standards", which can be described as relatively stable (Prölß, 2011, p. 182). The large number of newcomers in 2015/2016 has not changed this. The guidelines developed by the Round Table on Refugee Issues in 2004 were not altered even during the "long summer of migration" (Interviewee 1). The Round Table has emerged as a relatively powerful player in local refugee policy. On its recommendation, the city council commissioned a study on the living situations of irregular migrants in 2007 (Bommes & Wilmes, 2007).

In 2015, Henriette Reker, non-party affiliated, but supported by the Greens, CDU, FDP and niche-party "Deine Freunde" was elected mayor of Cologne (Stadt Köln, 2020c). While the city experienced a decline of naturalisation rates – albeit only a slight one – between 2013 and 2015 (from 2,730 to 2,536), there has been a significant increase (from 2,536 in 2015

up to 3,422 in 2019) of naturalisation procedures since Reker took office (IT-NRW, 2017, p. 19; IT-NRW, 2019, p. 12). In general, Reker is well known for her liberal attitude regarding refugee policy. As head of the social affairs department of the city of Cologne, she drew attention early on to the burdens that municipalities were facing due to the large number of refugees and defended measures to accommodate refugees in hotels because the city did not know any other way to help itself. Furthermore, because of her liberal policies on refugees, she was seriously wounded in an assassination attempt the day before the mayoral election (Deutsche Welle, 2015, Pfahl-Traugber, 2015). In 2015, criticism arose against the city administration that they had not prepared sufficiently for the high numbers of refugees. Mayor Reker countered criticism from the Cologne Refugee Council that in 2015 the accommodation facilities were “inhumane” with “the Refugee Council has its role and I have mine”, indicating that her role as an ally also has its limits. She also made clear, however, that the city wants to return to the decentralised solution regarding accommodation of refugees, which was defined in the 2004 guidelines (Faigle, 2015). As incumbent, Henriette Reker has spoken out several times about being able to take in more refugees and has also passed this request on to the Federal Ministry of the Interior (Stadt Düsseldorf, 2018; Stadt Köln, 2020d). She has declared Cologne a “sanctuary city”, which she sees as a “signal for humanity, for the right to asylum and for the integration of refugees”. She is also a critic of European migration and refugee policy (Stadt Köln, 2019).

Another observation that indicates that refugees have allies in Cologne politics and administration is the reaction of the Cologne Council to a decision taken by the federal and state governments in February 2017 to repatriate refugees more easily (Bundesregierung, 2017). The Cologne Council reacted to this (according to a request of the Pirate Party) with relative consensus and called on the administration to ensure that there would be no deportations to Afghanistan from Cologne (Stadt Köln, 2017). The management of the Cologne Foreigners Office reiterated this position that the authority will not deport from Cologne to Afghanistan (Interviewee 2). However, the management was changed in 2020 and did not reaffirm this position. Thus, the stability of the alignment cannot be clearly classified (Interviewee 2; Stadt Köln, 2020e). Overall, we can observe

- a paradigm shift in the municipal refugee policy from restrictive to more open since 2003, in line with a coalition change and which is described as stable policy alignment (**political orientation elites and stable alignment over time**);
- a political elite, which is not necessarily left wing, but is supported by the left-wing party and is well known for a liberal refugee policy (**political orientation of elites**);
- the political elite takes a strong role vis-à-vis policy alignments on the state level regarding refugee issues (**political orientation of elites and stable elite alignment regarding state-governmental alignment**);
- many decentralised access points for refugee issues, including the Refugee Council, Integration Council, Foreign Office, 38 intercultural centres, municipal integration centres and vibrant civil society networks (**formal and informal access points**);
- increasing naturalisation rates since Reker took office (**indicates an open political system and stable alignment of her politics**); and
- a relatively liberal Foreign Office that uses its leeway within the legal framework (**indicates open political system**).

This section has shown that the enabling structures in Cologne indicate that the political system is generally open to the concerns and interests of refugees. The following two sections of the empirical analysis consequently deal with the two selected cases. In addition to their endowment with endogenous resources, it is important to examine whether the assessment made here that the city of Cologne provides sufficient opportunity structures to enable RSOs to operate successfully applies equally to both cases or whether there are differences in access to the opportunity structures, and, therefore, differences in the degree to which and how the RSOs exert influence.

4.2 Case 1: SOFRA Cologne / Rainbow Refugees Cologne

SOFRA Cologne is a space for lesbian, gay, bisexual, transsexual, intersexual and queer refugees as well as ethnic minorities (Sofra Cologne, 2021). SOFRA arose from the need of people with the same preferences, interests and needs to create a safe place of exchange.

Interviewee 4 and the organisation SOFRA represent a marginalised population within a marginalised population by advocating for the specific needs of LGBTQ+ refugees (Mokdad, 2019, p. 129). After his arrival in Germany, as a homosexual person, Interviewee 4 found himself in a hostile environment in the German refugee camps. For this reason, he quickly tried to contact LGBTQ+ associations in the German host society, which were, however, not prepared for the specific needs of LGBTQ+ refugees. For example, regarding the accommodation situation, Interviewee 4 said, “I was often offered to come to public meetings to share my experiences, but I did not get real help for my problems”. However, there was a group of committed LGBTQ+ activists from Cologne civil society who wanted to support the specific needs of LGBTQ+ refugees. At the beginning of 2016, the interviewee – as the only one with a refugee background – was part of the constituent meeting of the newly founded initiative Rainbow Refugees Cologne (RRC). He describes that as the starting point of his activism: “Here I found support, and here I found the structures to develop my political work” (Interviewee 4). After realising he was not alone with his needs, he asked himself what he could do to help the LGBTQ+ population within the refugee community. First, he contacted the municipal LGBTQ+ office within the Diversity Unit of the city of Cologne. There, he was first informed that more details would be needed for a concrete processing of his request than the mere sharing of experiences. The municipality needed numbers to work with. Therefore, the interviewee started documenting cases of violence against LGBTQ+ refugees. He received support from the Cologne-based civil society association Rubicon e.V., which primarily offers counselling for LGBTQ+ people. Rubicon officially hired the interviewee to further its documentation work of violence against LGBTQ+ refugees in North Rhine-Westphalia (Interviewee 4; Mokdad, 2019, p. 130). From this documentation work and the realisation that violence against LGBTQ+ refugees does not occur as just isolated incidents arose the idea of founding a place where those affected can safely meet and spend time together. “*Sofra*” is the Arabic word for dining table, which carries the connotation of a “positive and safe space atmosphere, where they ... discuss mutual support as a community” (Mokdad, 2019, p. 135). Originally planned as a one-off meeting, the interest was so overwhelming that SOFRA continued as a monthly event. The initiator asked himself what else he could offer in addition to a safe place for monthly meetings for the community,

We eat, we dance, we get to know each other, but what more can I offer? Here I had the idea to invite other associations, other experts or to give my own lectures on the topics of asylum, HIV prevention, anti-violence work. I always ask people what they need, what interests them, and try to bring in the interests of the refugees through other associations and expertise. (Interviewee 4)

4.2.1 Endogenous resources

As outlined in the theoretical reflection in Section 2, the capacity of an organisation to mobilise its members, and, thus, its chance at succeeding in the political arena, is considered a prerequisite for entry into the political process. Therefore, this section focuses on the endogenous resources of SOFRA Cologne.

Organisational capacities

Crucial points are the interest of the organisation and its ability to assert, the organisational goal derived from this, the financial and infrastructural resources available to the organisation to achieve this goal, as well as its size.

Refugees represent a group with rather weak interests. Weak interests denote a relative disadvantage in the political competition of interests, resulting from being ill-equipped to articulate, organise, mobilise and assert oneself. The interests of asylum-seekers were weakened in particular in 1992 by the so-called “asylum compromise”, a clear restriction of the right to asylum. Until then, the interests of asylum-seekers had been advocated for in parliament. This federal political example illustrates that the strength or weakness of interest groups is dependent on legal guidelines, institutional arrangements and political conjunctures (Mikuszies, Nowak, Ruß, & Schwenken, 2010, p. 95; von Winter & Willems, 2000, p. 14). However, to draw the conclusion that the interests of a marginalised group within a marginalised group are even weaker does not apply in this case. As outlined above, SOFRA Cologne is a self-organisation, which campaigns not only for the interests of refugees, but for the specific concerns and interests of LGBTQ+ refugees. The specific interest of the organisation is to provide a safe place for refugees from the LGBTQ+ community, to empower them and to support their integration processes (Mokdad, 2019, p. 135). Cologne is a city with a large LGBTQ+ community, which is a draw for LGBTQ+ refugees:

In Cologne LGBTQI structures already exist. My experience is that when I talk to LGBTQI refugees from somewhere, they always say they want to come to Cologne because there is a structure for them here that they don't have elsewhere. (Interviewee 4)

A representative of the city made a similar comment, “The LGBTQI group in Cologne is the only group that has managed to bring about a change in attitude. They are very well networked and assertive” (Interviewee 1).

If the organisation's interest is to provide a safe space for LGBTQ+ refugees, then the derived goal is to provide that space. This does not only apply to finding a place where the group can meet on a monthly basis. SOFRA's central political concern relates to the separate and decentralised accommodation of LGBTQ+ refugees in their own facilities. This central concern is explained in more detail in Section 4.2.3 in order to illustrate how successful

SOFRA has been in implementing its concerns. As indicated, SOFRA does not exclusively do political work. Besides providing spaces where refugees can meet, hold workshops or carry out leisure activities, that is, empowerment, one of the most important functions is counselling refugees (SOFRA Cologne, 2021).

Regarding the organisations' structure, the picture seems to be a bit complicated. The refugee-led self-organisation SOFRA is not a registered association. Thus, they are not able to receive funding. SOFRA is an independent self-organisation, but it is also able to use the structures of the civil societal organisation RRC. This enables the activists of SOFRA to apply for funding as well as to submit applications. Although RRC was originally an organisation of refugee supporters, they are currently in a state of transition. The RRC executive board is now composed of people with a refugee background, including the activists of SOFRA. The board consists of five members, three of whom have a refugee background. RRC has, thus, made the transition from a supporter network to a refugee-led organisation and was recently registered as the first ever LGBTQ+ migrant self-organisation (MSO) in North Rhine-Westphalia. Interviewee 4 described the value of the RRC and emphasised how important SOFRA's independence is to him:

There are many associations for LGBTIQI people, but there is always at most one group that takes care of the needs of refugees. At Rainbow Refugees we are actually refugees and migrants. RRC and SOFRA are best practice examples. I came here to Germany, found a welcoming culture that supported me, I felt empowered, I made knowledge transfers, and I took all that and built my own structures.

Thus, there is a close interlocking between the two organisations, yet they attach great importance to their respective independence.

The organisation is financed by both donations and public funding. This is where a variable comes into play that was not explicitly mentioned in the theoretical considerations, but whose positive influence is undisputed: the network. Interviewee 4 made it clear that SOFRA as a self-organised group would not have functioned without the support of registered associations from the German supporter environment, "We don't even have the necessary structure to apply for money. From the very beginning, however, other associations supported us and submitted an application to the city so that we could finance these projects". Furthermore, the organisation receives funding from the City of Cologne, the Federal Ministry for Children, Families, Refugees and Integration in North Rhine-Westphalia and the local RRC (SOFRA Cologne, 2021). The same applies to spaces: without the infrastructural support from other associations from the welcoming initiatives, SOFRA would have had a much harder time building up its structures. Interviewee 4 explained, "The question was: Where do we meet? Here I again got support from Rainbow Refugees Cologne, who put me in touch with an association that provided us with facilities".

Regarding the size of the group, the effect on their capacity to exert influence on local politics remain unclear. Following Mancur Olson's theory of collective action, smaller groups should be easier to organise because as the size of the group increases, the willingness to organise decreases as the goods offered by the association (e.g., separate accommodation) are also available to non-members (Olson, 1965, pp. 33-34). According to the organisation's website, about 40-80 refugees attend the monthly meetups. However, the interviewee directly addresses a key problem of the LGBTQ+-refugee movement: "Many come to our meetings to exchange ideas but are afraid to make themselves visible as activists" (Interviewee 4). For

this reason, the core of SOFRA's political work consists of a few active members who are, however, very visible, as the following sub-sections will show.

Informational resources

Informational resources are crucial for the assertion of organisational interests. This is about the organisation's ability to provide information to policy-makers that they need for policy formulation. This includes professional expertise, but also the organisation's contact with specific groups of people and the ability to mediate between officials and interest groups (Leinberger, 2006, p. 72). Lobbying is a trade-off in which information and political support are exchanged for consideration of interests (von Winter, 2003, p. 41). It is, therefore, important to examine if the organisations succeed in providing professional expertise and maintaining contact with their own group in order to be perceived by officials as legitimate representatives and mediators (Leinberger, 2006, p. 53).

The organisation demonstrates a high level of professional expertise regarding the organisation's own interest: the improvement of LGBTQ+ refugees' living situation in Cologne. As people who are personally affected by a specific issue, the voluntary employees know best what concerns them. Furthermore, they are well connected with counselling centres for refugees as well as counselling centres for LGBTQ+ people (Interviewee 4). SOFRA requests external expertise, for example, through the Cologne Refugee Council, a civil society advisory organisation for refugees. They provide SOFRA with assistance on legal issues and the German asylum system and support the organisation in its concerns (Kölner Flüchtlingsrat, 2016a, pp. 2-3). There is also close networking here. Furthermore, their specialisation in the needs and interests of LGBTQ+ refugees is an asset. Establishing contact with the specific group of LGBTQ+ refugees is an inherent function of the organisation, and as the only initiative dealing with LGBTQ+ refugee issues, it constitutes the only point of access to this part of the refugee population for the municipality's officials. SOFRA, thus, has a high degree of mediation capacity, which plays an enormous role in the cooperation with the municipality. The "how" of providing information is quite diverse. The respondent reported, for example, about an invitation to a working group that advises the councillors on issues concerning the LGBTQ+ community, "In 2016, the topic was LGBTQI refugees and I was invited. I made contact to local politicians and through the community work I was able to establish many contacts to officials in Cologne" (Interviewee 4). Furthermore, the respondent reported having directly confronted politicians at events and invited them to information sessions. The respondent gives an example from February 2020, where the Green Party's Sven Lehmann, member of the Bundestag, was invited to a SOFRA event. In addition to the everyday needs of the refugees, the decision by the Bundestag to classify the Maghreb states as safe countries of origin was also discussed. For LGBTQ+ refugees from the region, this decision is disastrous because they are not safe there, according to the respondent (Interviewee 4). Lehman described the conversation as an event that "got under his skin". He reflected on the individual stories he had heard and translated in political language that there is still a lot to do for "queer-sensitive protection standards" in Germany (Lehmann, 2020). This example clearly shows how the interests of specific groups find their way into politics. It can be assumed that the politician would stand up for the rights of LGBTQ+ people and in particular LGBTQ+ refugees even without the aforementioned event. In November 2019, for example, Lehmann was disappointed with the federal government, which had "reacted with disinterest" to a parliamentary inquiry by the Green Party on the situation of queer refugees in Germany (Lehmann, 2019). However, the fact that SOFRA

succeeds in establishing direct contact and reporting on its own needs can certainly be seen as a sign of the organisation's effectiveness. In the other direction, the organisation also knows that information must also be provided to the refugee population. For this purpose, it uses the information events and also shares its knowledge in cooperation with the office "*Landeskoordination Anti-Gewalt Arbeit*" (federal coordination office for anti-violence work) in North Rhine-Westphalia in Arabic via social media (LGBT Arabs, 2020).

Public attention

The ability to generate public attention is extremely valuable for organisations. In this way, they can contribute to shaping political opinion, and in this way the public can be made aware of their interests (Leinberger, 2006, p. 73). Important instruments for this are classical media as well as the dissemination of information via the internet. As outlined in the theoretical part of this work, awareness of the public interest is a key asset. Derived from that, media literacy is an indispensable good for organisations.

As indicated before, SOFRA's active members are very visible LGBT activists. There are plenty of documentaries, interviews, media features and appearances of SOFRA members in talk shows and at demonstration rallies (BBC, 2017; WDR, 2017; WDR, 2020). They also use newspapers (Katzmarzik, 2016; Schulz, 2019) and even science-policy blogs as a means to express their interests (Greatrick, 2021). Interviewee 4 confirmed the assumption that there is an awareness of the relevance of gaining public attention in order to support their interests:

I am outed as gay, and I am visible, it is even one of my responsibilities to be visible. I try to have contact and talk openly about sexuality. ... I did a lot since 2016/2017, also on the political level, communal, regional, I am well networked and known. I often get requests from the media, and I always try to take my time because if the work is published later, my work benefits from it. This can make me and my work more visible. (Interviewee 4)

In general, there is a high degree of awareness among the group's activists about using media as a tool to communicate interests: "The first step we took was to have more visibility in the media and the press through publishing articles" (Mokdad, 2019, p. 130). Press releases regarding attacks on LGBTQ+ refugees in Cologne were also published in order to make the public aware of those issues (Kölner Flüchtlingsrat, 2016a, 2016b).

In addition, the interviewee considers the Cologne public in general to be very receptive to the concerns of LGBT refugees: "If I would live in Bavaria or Leipzig, I would not have these opportunities because there is no community support there. That is very important to get the visibility" (Interviewee 4).

4.3.2 Assessment of endogenous resources

As mentioned in the beginning of this section, refugees are a group that is generally equipped with few resources. The quality of SOFRA Cologne's use of the available resources, however, is to be highly valued. It is clear that the organisation exists because there is a specific interest and a group of people who have recognised that they share that interest. Furthermore, the organisation's members have managed to derive goals from their common

interest, on which they work to achieve. They have managed to build a structure in which LGBTQ+ refugees can articulate their needs. This has required, at one point or another, the support of Cologne's civil society, for example, in obtaining funding or learning skills that are essential for running an organisation or providing infrastructural resources. However, the interviewee insists on how important the refugees' own empowerment is for the success of the organisation. This is supported by the fact that the SOFRA activists have now transformed the supporters' initiative into the first LGBTQ+ MSO in North Rhine-Westphalia.

Regarding the informational resources, the organisation represents a very specific group and is one of the few contact points for this group in Cologne. Aware of this, SOFRA acts self-confidently and sees it as its duty to be an intermediary between LGBTQ+ refugees and politicians. As the activists are affected people themselves, both in their status as refugees and as LGBTQ+ people, they are quite aware of the specific needs at the interface between these two already marginalised groups. This indicates a high degree of professional expertise and specialisation.

Finally, their ability to generate public attention is highly pronounced. The group seems to have a high level of media literacy, as evidenced by the numerous articles in newspapers, magazines and documentaries. The activists of the group are aware that the concerns of LGBTQ+ people are seen in Cologne and know how to use this. The following will examine whether the organisation also succeeds in translating these resources into strategies to influence the political decision-making process in Cologne.

4.2.3 Strategies

With regard to the research question of how RSOs exert influence on the political decision-making process, the analysis of the strategies and tactics used is of central importance.

For the SOFRA Cologne organisation, it was observed that three of the four strategies mentioned in Section 2 were applied. No evidence could be found that the strategic category *law* was used by the organisation. It is to be assumed that the organisation lacks professional expertise in legal questions (they are activists, not lawyers) and is also unable to make any administrative interventions. However, the organisation has civil society allies in the municipality who take on these tasks, for example, the Cologne Refugee Council, who specialise in the legal issues of refugees. The organisation does indeed offer counselling on asylum procedures but does not take legal action itself. SOFRA Cologne is just not structured to carry out litigation (SOFRA Cologne, 2021).

For the second strategy, *embarrassment and confrontation*, evidence could be found. Political protest does not seem to be SOFRA's main instrument to articulate its interests. While evidence can be found of SOFRA calling for rallies (for example, Colours of Change in July 2020) or for participation as an organisation in other rallies (for example, in September 2017 at "*Vielfalt statt Einfalt*" (diversity instead of simplicity) in Cologne, and in March 2019 at a protest march against deportations in Düsseldorf). The same applies to whistle-blowing tactics. In one essay, a SOFRA activist complained that the Cologne authorities were acting too slowly or did not react at all when dealing with cases of violence against LGBTQ+ refugees, "the authorities, although they knew about my reason for asylum, ignored my pleas for help, also because they were either homophobic, or had no clue what to do" (Mokdad, 2019, p. 129). However, while it is not clear at this point that the

reporting of those incidents with the Cologne authorities, which are discussed in detail in the article, was supposed to be an act of whistle blowing or a tactic of releasing research results and public relations. Interviewee 4 said that he likes to accept requests from students because if their work will be published, “my work does benefit from that. I often get invitations to events, and I can make myself and my work more visible”. Above all, all of these *indirect* means of tactics – either through the organisation’s supporters or followers, or through mobilising the public – find application in the organisation’s process of interest articulation, but they seem to be of secondary and supporting relevance.

The third strategy of *information* seems to be the most important way for SOFRA to interact with the municipal officials in Cologne. This strategy includes the tactics of *releasing research results and public relations* (which is the only tactic that can be found in two strategy categories) and *personal lobbying* and *congressional testimony*. Consequently, this strategy is a mixture of two direct possibilities of lobbying, supported by the indirect possibility of PR. Again, the benefit of this strategy lies in the resolution of information asymmetries. The analysis of SOFRA’s endogenous resources showed that the organisation seems to be well equipped with informational resources. It is, therefore, not surprising that the organisation chooses this strategic path most often to promote its interests. SOFRA often tries to reach officials directly but uses media to strengthen their arguments. Evidence for the use of these tactics is given by the Interviewee 4, who considers direct communication (e.g., *personal lobbying*) between activists and officials to be very important: “I meet with politicians, I invite politicians to our group, I meet with bureaucrats” and, “whenever I see politicians, I approach them and introduce myself and invite them to come and listen to the perspectives of LGBTQI refugees”. A rather surprising result is that the organisation is even capable of using the tactic of *congressional testimony*. The City of Cologne has a working group within the Office for Diversity that advises the Council on LGBTQ+ issues. This working group for Lesbian, Gay and Transgender (AG LST) is composed of representatives of civil society organisations from the LGBTQ+ community (Stadt Köln, 2021). The respondent, delegated by Rainbow Refugees, represents the interests of LGBTQ+ refugees in this working group as a deputy member with voting rights (Ratsinformation Stadt Köln, 2021). Direct contact with local politicians, also through the channel of AG LST, is mentioned by Interviewee 4 as one of the most important means of exerting influence, “we meet regularly with city representatives, on the one hand in AG LST, but also in preparatory meetings for the committees”. As already explained in Section 2, however, direct contact as well as the dissemination of information via the media are important strategic instruments.

Regarding the strategy of *supporters’ influence and pressure*, the small amount of evidence that was observed has a massive impact. The respondent did not report that the organisation would write to the authorities (*letter writing*). SOFRA simply does not have sufficient financial resources to make *campaign contributions* and it is not the aim of the group to contribute to any political parties’ campaigns. However, the tactic of *influential member* is of enormous importance for SOFRA. LGBTQ+ refugees are in an extremely sensitive sphere. Coming out and activism for LGBTQ+ rights is often accompanied not only by danger to one’s own life, but also by an ostracism from one’s social environment. Many of the refugees who like to get involved in the monthly meetings of SOFRA are, therefore, not willing to take a public stand for the cause. It is, therefore, up to the few active members to take this role. As Interviewee 4 explains,

Many LGBTQI refugees and migrants are not outed and are afraid to speak publicly in the media. I was not afraid. ...it is even one of my tasks to be visible. I try to have contact and talk openly about sexuality.

The high number of newspaper articles, documentations and appearances at rallies support the assumption that individual and influential members of the organisation are of great importance for the articulation of the group's interests (BBC, 2017; Greatrick, 2021; Katzmarzik, 2016; Schulz, 2019; WDR, 2017; WDR, 2020).

To conclude, the analysis of the strategies shows that SOFRA mainly uses rather direct means to communicate its interests. It has the possibility to directly inform the Council of the City of Cologne (the highest decision-making body in the city) about the needs of LGBTQ+ refugees in an advisory capacity and is also well networked with officials and politicians of the city. Indirect tactics, such as the dissemination of public relations and research results, are used to strengthen one's own positions but overall play a supporting and subordinate role. Furthermore, it became obvious that the types of tactics are also determined by the endogenous resources that are available to the organisation. In the following section, an example will illustrate how the organisation uses these strategies to influence the policy-making process.

Example

A vivid example of how SOFRA Cologne tries to influence the political decision-making process in the municipality of Cologne can be found in the organisation's inherent interest: the accommodation of LGBTQ+ refugees. As Interviewee 4 stated, the issue of housing was fundamentally important to LGBTQ+ refugees immediately upon arrival. The structures that led to the founding of RRC and SOFRA Cologne emerged from the awareness of this interest and the realisation that this interest could be shared with others:

I realised that other refugees had had the same experiences in the accommodations as I had, that I was not alone. Then we asked ourselves together what we could do to protect these people. ... We saw that there was a need to provide special accommodation for LGBTQI refugees. And then we brought this need to the city of Cologne via the city AG LST. (Interviewee 4)

The first steps the organisation took were to document cases of violence and inform the public about them (Katzmarzik, 2016). It can be seen that the organisation already used *research results* (the documentation of violence against LGBTQ+ refugees) and *public relations* at this early stage to position its interests. One of the activists describes this as a deliberate act: "we also increased our media visibility through a short documentary film by the Fluter Magazine of the Federal Agency for Civic Education" (Mokdad, 2019, p. 130; Pfeiffer, 2016). Interviewee 4 stated that he was invited by the above-mentioned AG LST both to report on the situation of LGBTQ+ refugees and their needs: "in 2016, the topic was LGBTQI refugees and I was invited". Since then, the organisation has made extensive use of direct access (*congressional testimony*) to municipal decision-makers to convey its interests. The Council Information System of the City of Cologne provides an overview of the underlying mechanisms that ultimately led to the provision of the accommodation. In the transcript of the meeting of the working group that took place on 3 March 2016 it is shown how the initiative Rainbow Refugee Cologne and SOFRA were introduced in the first place. There is also talk of the organisational purpose of protecting refugees from violence and setting up decentralised housing facilities. In addition, the interviewee who had participated in this meeting presents the documentation of violence against refugees that he had carried out (evidence for *releasing research results*). He then articulates that he was asking the council for a protected space for LGBTQ+ refugees and presented the press article mentioned earlier (Katzmarzik, 2016, evidence for the use of *public relations*). A representative of a German civil society organisation concretises that "14 decentralised residential facilities with four rooms each" should be provided (Ratsinformation Stadt Köln, 2016a, p. 10f.). A member of the administration provided assurance that 10 to 14 residential facilities would be readied as soon as possible (Ratsinformation Stadt Köln, 2016a, p. 12). At this point, success is already visible. On the one hand, the AG LST has formulated a proposal that not only provides for decentralised accommodation for LGBTQ+ refugees, but also financial and structural support for the voluntary actors in the LGBTQ+ field.

Furthermore, an action plan for the development of a concept for violence prevention was agreed upon. Finally, the agenda topic “Refugees and LGBTQI people” is to be made a permanent item on the agenda. The proposal was adopted unanimously (Ratsinformation Stadt Köln, 2016a, p. 15). Since that meeting, a representative of the RRC has been present at every meeting of the AG LST. First as a guest and later as a voting member (evidence for *congressional testimony* and *influential member*).

In the subsequent meeting on 20 October 2016, difficulties with accommodation were reported, but the housing offer was expanded from 14 to 30 housing units and the need for care was also specified (Ratsinformation Stadt Köln, 2016b, p. 6). At the meeting on 15 December, the administration announced that there were regular meetings between representatives of SOFRA/RRC and the LST working group and that the first five housing units were available. In February 2017 another 14 units would follow (Ratsinformation Stadt Köln, 2016c, p. 8). The representative of RRC who was present at this particular meeting noted that the negotiations with the city had been satisfactory (Ratsinformation Stadt Köln, 2016c, p. 9). On 21 December, the city finally officially announced its recognition of the special needs of LGBTQ+ refugees and provision of the housing facilities. It also referred to the “constructive negotiations” with – among other civil society actors – SOFRA/RRC (Stadt Köln, 2016). Interviewee 4 complimented the cooperation with the city and other civil society actors but emphasised that “the work to create this success, that was the work of RRC and SOFRA Cologne”. SOFRA Cologne and RRC are certainly not solely responsible for the fact that there is a decentralised accommodation situation in Cologne. In fact, there was a similar draft resolution already in 2015, but it never passed the Council (Ratsinformation Stadt Köln, 2016a, p. 14).

4.3 Case 2: Forum of Afghan Migrants

FAM was founded in 2016 with approximately 150-200 Afghan families, which corresponds to 500-600 refugees. According to Interviewee 3, the motivation for founding the forum was to “tackle the basic problems of refugees after their arrival” and to be “the voice of the refugees”. The foundation also came about because German civil society was in a “state of shock in view of the mass of refugees” (Interviewee 3). The organisation, therefore, saw it as one of its aims to establish contact between the German public and refugees in order to break down the liminal space, constituted by an alleged fear of alienation. Additionally, the improvement of the refugees’ living situation concerned also political work. The interviewee spoke of discriminatory policies towards Afghan refugees, which became more prevalent after New Year’s Eve 2015/2016. One of the most important aims of FAM is, therefore, to prevent the deportation of refugees. The group addresses itself internally “to help its own people”, to civil society to “introduce the refugees to society”, and to politics to prevent mass deportations (Interviewee 3).

4.3.1 Endogenous resources

This section looks at the endogenous resources that FAM has at its disposal for the mediation of its interests.

Organisational capacities

As described, the group was formed by Afghan refugees, sharing the common interest of standing up for their rights and improving the living situation of refugees and accordingly supporting the new arrivals on fundamental issues. The interviewee calls this the “alphabet of being a refugee”; the exchange about the prospects of staying, access to education and integration courses play an important role at the meetings (Interviewee 3; Kölner Freiwilligen Agentur, 2016, p. 10). In FAM’s case, this interest is somewhat more complex

than in the previous case study because it is overall very general and a tripartite directed inwards to its own population as well as out towards civil society and towards politics. The purposes of the organisation derived from this are, therefore, the provision of assistance and support services for refugees, contact with civil society as well as the prevention of deportations through political activism. They campaign to mobilise solidarity among the German society against deportations and to achieve equal opportunities in refugee integration. Therefore, they demand that Afghan refugees should also be allowed to attend integration courses, organise rallies against deportations from the Cologne area to Afghanistan and campaign against discrimination, xenophobia and racism (Ragab & Antara, 2018, p. 18).

The organisation has few financial resources. The respondent speaks of a conscious decision not to seek external financial help in order to ensure the organisation's independence. The organisation is financed by membership fees. Only infrastructural support, that is, the provision of premises by Caritas, is used (Erzbistum Köln, 2016; Interviewee 3). The organisation is not a registered association, and it defines itself as an intercultural and social organisation.

The group claims to represent not only the Afghan refugee community, but refugees as a whole: "our political activism does not exclude non-Afghan refugees" (Interviewee 3). Their regular meetings are usually attended by around 100 participants (WDR, 2018).

Informational resources

FAM's endowment with information is assessed as relatively weak. Although individual leadership members have professional expertise, such as experience in organisational management or journalistic knowledge, "most members are ordinary people", so it is "difficult to get people with expertise" (Interviewee 3). At this point it also becomes apparent that the above-mentioned tripartite nature of the organisational purpose could weaken the organisation's individual aims because specialisation on a given issue is out of reach. Nevertheless, the organisation's expertise is called upon by both civil society and the municipality. In 2017, for example, a workshop on self-organisation and social participation was held by the interviewee at an event organised by the "*Kölner Freiwilligen Agentur* (Cologne volunteer agency) (Kölner Freiwilligen Agentur, 2017). In 2016, the year FAM was founded, the self-organisation also presented itself during an event organised by the Kölner Freiwilligen Agentur in cooperation with the *Kommunales Integrationszentrum* (a municipal integration centre) (Kölner Freiwilligen Agentur, 2016, p. 10). Whereas the city representatives interviewed in this study were unaware of the existence of FAM (cf. Interviewee 1), FAM interviewee described the municipality as "not very open". No direct means of contact exist, but there is an exchange through "contact persons" and "intermediaries" (Interviewee 3).

Public attention

The capacity to use the media as an instrument for the mediation of interests is also assessed as rather moderate. The interviewee states that he worked as a journalist before fleeing Afghanistan and appears occasionally in interviews with WDR and *Deutsche Welle* (a German, state-owned, public, international broadcaster) (Interviewee 3; WDR, 2018). In addition, the local press reported on a FAM member who was to be deported (Janecek,

2017). However, Interviewee 3 provides the critique that there is an “unwillingness to represent RSOs and their problems” in the German media. The most important instrument for FAM lies in the dissemination of information via social media. On their Facebook page, which reaches almost 6,000 people, they regularly post information about upcoming events, threatened deportations and articles underlining their positions. At the beginning of this section, it was stated that solidarity of the general population with refugees is one of FAM’s organisational purposes. Accordingly, it must be the task of the organisation to inform the population about their concerns and to develop public awareness. In this regard, the interviewee describes that there is

a great response and [we are] in good exchange with German citizens. I am glad that I live in Cologne because here people are open to the concerns of the refugees. The public acts as the voice of the refugees who stand by us. (Interviewee 3)

4.3.2 Assessment of endogenous resources

FAM’s resource endowment is assessed as rather weak. Although the organisation shows that a common interest has been recognised and articulated, the articulation of interest concerning the refugee population is rather general and is about improving the living situation of Afghan refugees. This is also reflected in the goals that the organisation pursues. These range from inwardly oriented assistance for self-help to outwardly oriented work that makes them visible and, thus, makes society more aware of their concerns (Bekaj & Antara, 2018, p. 18). The provision of financial and infrastructural resources is clearly weaker, as public funding is either not available or it is refused in order to not become dependent on local politics. FAM is not well endowed in terms of information resources either. Although it has appeared in events and projects funded by the municipality, the organisation is not known or, if it is, no information can be provided about the status of its activities (Interviewee 1; Interviewee 2; Köln Freiwilligen Agentur, 2016; Köln Freiwilligen Agentur, 2017). However, it seems to reach the public, not through traditional media, but through its Facebook activities (as the commentary section indicates) and by networking with local civil society organisations and other RSOs throughout Germany.

4.3.3 Strategies

It seems that FAM uses two main tactics to mobilise its members and articulate its interests with maximum impact: the dissemination of information via their social media channels (*public relations*) and the participation and organisation of demonstrations expressing *political protest* against deportation practices and the exclusion of Afghan refugees from integration courses (FAM, 2020). FAM must limit itself to *confrontational* strategies. When asked how FAM goes about drawing attention to its interests, Interviewee 3 explained that the organisation usually proceeds in two steps. First, members and like-minded people from civil society are mobilised and an event is organised. Second, they try to inform the public through the media and their own social media channels, although the media channel is less successful because it is often unwilling to report on refugee issues (Interviewee 3).

Evidence was found of the implementation of direct strategies of interest mediation. In a short TV documentary about the organisation, the head of the Cologne Foreigners’ Office is present at an information event for Afghan refugees organised by FAM. Interviewee 3

states that city officials are often invited to rallies and events organised by FAM (Interviewee 3; WDR, 2018). However, despite the fact that the chief executive is open to the organisation's concerns in the article, the Cologne administration is not necessarily seen as an ally by FAM, and this direct, personal lobbying tactic is not used. Just as the organisation does not want to accept financial support from the municipality, it wants to maintain a "critical distance" from the political representatives (Interviewee 3). Conclusively, direct means of direct lobbying are perceived but not emphasised due to a lack of trust towards the municipal officials.

Example

Among other things, the organisation pursued the goal of advocating for the opening of integration courses for Afghan refugees without prospects of staying. It also fights against deportations from Germany to Afghanistan. The founders of the organisation have recognised that there is a common interest among the Afghan refugee community to "stand up for their rights" and have tried to mobilise the community (Interviewee 3). These demands were clearly communicated by the organisation through its social media channels (FAM, 2017a). The organisation also used Facebook to call for a protest that was organised at Cologne Central Station and invited people to meetings. In the process, the demand for a stop of deportations for Afghan refugees as well as admission to integration courses were called for (FAM, 2017b; FAM, 2017c). The interviewee also reported a demonstration organised at the town hall, but no further sources are available (Interviewee 3).

Both concerns were negotiated simultaneously by the main committee of the Cologne City Council in August 2017 (Ratsinformation Stadt Köln, 2017). It was decided to "express the city council's rejection of deportations to Afghanistan on behalf of the city of Cologne to elected officials in the federal government and the state of North Rhine-Westphalia" and a specific mandate was given to the city administration to examine all possibilities for a right to stay in the case of deportations of rejected asylum-seekers from Afghanistan who are obliged to leave the country by carefully examining each individual case (Ratsinformation Stadt Köln, 2017). This was accompanied by the implication that at the same time, and on the basis of § 44AufenthG, Para. 4, these people were given the opportunity to participate in integration courses. Neither interest can be fully served or resolved by the city as they fall within the remit of the BAMF. However, the city's council decided that refugees should be supported at hearings before the BAMF so that they have better prospects of attending integration courses. However, the interviewees doubt that the city has made funds available for this (Interviewee 2). In this respect, the two examples given by the organisation are vague about their role and effectiveness in the municipal decision-making process. A direct connection between the demonstrations and the decision is not recognisable, yet it is of course a success for the organisation. The interviewee sees it similarly, "I don't know if our demonstrations had an influence on the decision, but in the meantime Afghans with negative asylum decisions are also allowed to take part in integration courses" (Interviewee 3).

5 Findings

The goal of this research was to show how refugee-led self-organisations exert influence on the local level. To answer this question, two RSOs in the city of Cologne were analysed regarding the endogenous resources and political opportunity structures presented in Section 2.

SOFRA has had a decisive influence on the fact that the city of Cologne has made accommodation facilities available for LGBT+ refugees, relying mainly on tactics of *releasing research results and public relations, personal lobbying, congressional testimony* and on the presence of *influential members*. Taking part in *political protest* is also part of the organisation's tactical pool but plays a rather subordinate role. Three strategies of influence have been chosen by the organisation: *embarrassment and confrontation,*

information, and *supporters' influence and pressure*. Due to the possibility of having direct access to the political system, the informational strategy is by far the most important for the organisation; the other two strategies have a supporting function in the mediation of interests. Regarding this mediation of interest, one can clearly speak of success here. The path from the formulation of the interest to its successful implementation is visible. SOFRA Cologne and RRC are not solely responsible for the fact that there is a decentralised accommodation situation in Cologne. However, it was clearly the appearance of refugee activists in the city's AG LST that got the "ball rolling" (Interviewee 4). It is also obvious that the two organisations had many supporting initiatives on their side as well as an administration that was open to their concerns. This shows how important the interplay between the organisation's own resources and the political opportunity structure is in order to allow the organisation to act (successfully). Moreover, with the possibility of playing an active part in the AG LST, the organisation has direct access to the political system of the city of Cologne, which is inaccessible to other refugee organisations, as we will see in the following case. SOFRA, thus, finds itself in a political opportunity structure that appears very open to the group's issues due to the very pronounced LGBTQ+ structures on the municipal as well as on the civil society levels in Cologne.

FAM has been partially successful with its objectives – the prevention of deportations and the opening of integration courses – but not to the extent that SOFRA has. Deportations from Cologne have been suspended, at least for a while, and integration courses are now also open to asylum-seekers from safe countries of origin. However, for this example, it has not been possible to investigate how much influence the RSO has on Cologne politics regarding these specific issues. The organisation has attracted attention through some rallies, but it is doubtful that these led to the Cologne council decision. However, success is not only measured by the implementation of demands. For example, Interviewee 3 had stated that achieving solidarity with the German public is an important goal of the organisation (Bekaj & Antara, 2018, p. 18). The interviewee stated that FAM seemed to succeed in this because they were able to mobilise German citizens for their rallies (Interviewee 3). The organisation is, thus, successful in mobilising parts of the public for their concerns. Nevertheless, the organisation as a whole operates much more invisibly than SOFRA. One of the interviewees expressed doubts about whether FAM is still active at all because they no longer appear publicly as an organisation (Interviewee 2). It is simply not possible to uncover or observe mechanisms between the articulation of interests and their successful mediation. FAM tries to exert influence mainly through the organisation of informational events and demonstrations, but both seem to be not direct enough to reach city officials. It remains unclear if the organisation has elite allies in the city's council. Even if the decision regarding the halt on deportations to Afghanistan leads one to believe so, a direct connection cannot be observed.

Comparing the two organisations in Cologne, it became evident that there are major differences in the equipment with as well as the perception and use of individual resources. Further, the two organisations do not have the same access to the political system of the city of Cologne. The observations made on the cross-case level indicate that there are significant inequalities regarding endogenous resources and political opportunity structures, leading to a different kind and degree of influence being exercised. Whereas the analysis of SOFRA Cologne has shown direct links between the organisations' interest articulation and a policy outcome, the analysis of FAM failed to do so. Causal inference can be derived that this is

due to the observation of inequalities regarding the endowment of resources of the organisations on the within-case level.

First of all, the findings made in the analysis indicate that the city of Cologne generally has an open policy towards the concerns of refugees. The two examples given in the analysis support that statement because the concerns of both organisations – the establishment of decentralised accommodation for LGBTQ+ refugees as well as the suspension of deportations and the opening of integration courses for Afghan refugees on the other – were successful. However, the analysis has also shown that the influence of both organisations on this success can be assessed very differently and that this has to do with the political opportunity structures, which are not accessible to the same extent for both organisations. Hence, a restriction must be made regarding the generalisation of the statements made to the entire population.

Hypothesis 1a turns out to be valid. It is true that the more political opportunity structures are to be found, the more likely it is that organisations will act successfully in bringing their interests into the political decision-making process. However, this must be marked with a “however” because contrary to what was assumed before, the local political opportunity structures (at least some of the indicators) are not a stable quantity that applies equally to the refugee population. Whereas the openness of the political system, indicated through the legal framework, naturalisation rates and financial support is a stable factor indicating a general openness of the institutions for refugee concerns, the presence of *elite allies* and *access points* differs significantly for both organisations. The analysis of the refugee-specific policy orientation in Cologne suggests that the city allows for general opportunity structures for successful articulation of interest by RSOs. The interview with administrative staff and the evaluation of primary and secondary data showed that the municipal institutions are relatively open to refugee concerns. This assumption is supported by the two examples mentioned in the analysis. The council decision to stop the deportation of Afghan refugees was also accompanied by the decision to support Afghan refugees in applying for integration courses on the basis of §44 AufenthG, Para. 4. Since both deportations and admission to integration courses are the responsibility of the BAMF, there is a clear intention visible to use the *leeway in the legal framework* to protect Afghan refugees against federal policies. The same example also indicates a *presence of elite allies* within the municipal institutions. This assumption is supported by the political orientation of the incumbents, who tend to be located on the mid-left side of the political left-right dimension and clearly advocate for a more humane refugee policy in Europe. This policy, which is more open to refugees, has been discernible in Cologne since the early 2000s, which, therefore, also indicates that there is a *stable elite alignment* regarding Cologne’s refugee policy *over time*. The *federal governmental policy orientation*, on the other hand, does not seem to have played a role. Cologne’s local politicians have clearly opposed the deportation guidelines from the Ministry of the Interior and have sharply criticised the refugee policy of both the Merkel government and the EU on several occasions. An important qualification must be made regarding the *access points* to the political system. These have proven to be extremely important, but not as a stable factor that was equally available to all RSOs. Whereas SOFRA has *direct access* to the city council through its embedding in the communally strong LGBTQ+ structures, FAM does not have such access and must rely on more *indirect points of access*, such as inviting administrative staff to their events. At the same time, it is precisely this direct access that has proven to be SOFRA’s most effective means of articulating and mediating interests. SOFRA Cologne, displaying the “minority

within the minority”, has in fact managed to communicate its concerns with the support of the city’s strong LGBTQ+ community. The strong opportunity structures for the LGBTQ+ community in Cologne enabled the RSO to find strong allies and establish a direct channel into Cologne politics via the AG LST. These structures were closed to FAM. It lacks a strong partner and there is no direct access to the Cologne political system either. Reasons for that are manifold. The organisation’s lack of trust in the local institutional system results in less cooperation and they just do not have the kind of lobbying ability as SOFRA does with its specific LGBTQ+ interests. Accordingly, FAM did not have the same access opportunities as SOFRA. This is also reflected in the way they articulate their interests, mainly through protest marches.

Hypothesis 1b, according to which the endowment with endogenous resources determines how likely an organisation is to successfully communicate its interests, also proves correct. Professional expertise, the ability to specialise and mediate (informational resources), and human resources (organisational capacities) have proven to be particularly important resources. These resources, if they were available, contributed significantly to the development of an organisational structure and, thus, for example, access to financial resources. However, the analysis has shown that an important resource – which was not included in the theoretical considerations described in Section 2 but has emerged as significant – is the capacity of the organisation to network with other organisations. Both organisations have done this, but – again – SOFRA has been able to capture the support structures (transformation of RRC from support organisation to MSO), while FAM has also benefited from the welcoming culture but has also clearly demarcated itself. The SOFRA case clearly shows that the existing structures in the German welcoming society made it easier for refugees to build their own strong structures.

Unsurprisingly, Hypothesis 2 also applies. It is not only the institutional circumstances and the endowment with resources that determine if an organisation is capable of acting in the political space. Depending on the resources the organisation is equipped with and the political opportunity structures it finds in its context, they also chose different strategies to bring its interests to bear. But not all tactics and not all strategies are equally promising. While FAM, for lack of alternatives, concentrated on political protest and issuing press releases (and, thus, followed the strategy of *embarrassment and confrontation*), SOFRA was able to use direct, personal lobbying opportunities and congressional testimony (*information strategy*). SOFRA was very successful in this, whereas although FAM was visible, the enforcement of their demands was not clear. It can be assumed that they did not have much influence on local decision-making. However, it also shown that not all strategies adopted from theory were really applicable to the RSOs and that the assessment of the value for the organisations needs to be corrected. Legal action, for example, did not play a role for either organisation because they did not have the necessary expertise or human resources. Congressional hearings, additionally, played an important role and are significantly more than mere window-dressing, as assumed in Section 2.4.2.1.

Furthermore, the fewer resources an organisation is equipped with, the narrower the set of alternatives that the organisation can choose from. FAM, for example, was not able to pursue direct strategies for exerting influence because it lacked the necessary access points. Due to its relatively high mobilisation capacity and because the legal framework in Germany allows it, organising and participating in protests was the most sensible means of communicating interests. It is worth mentioning here that the COVID-19 pandemic is hitting

FAM particularly hard because the tactic of generating attention (and gaining visibility and responsiveness) primarily through protest is currently severely limited.

Overall, the hypotheses have proven true, but they fail to paint the whole picture. For the truth is also that in Cologne, despite generally open structures on the institutional side, there are hardly any RSOs visible in the city. It has not been the aim of the work to answer the question of missing organisations, but it does of course have implications for the generalisability of the study. The fact that there are so few RSOs in the local context of Cologne suggests that it is not only the political opportunity structures that allow these organisations to exist. Neither the interviewees nor other respondents from the civil society of the institutions could give a clear answer to the question. A frequently heard answer was that refugees are not politically active (and, therefore, do not organise themselves) because they have other rather basic needs and concerns. However, the cases shown here prove that refugees do recognise that they share interests and can stand up for these interests. It is more likely that “networking” plays a vital role here as well. It is very difficult for refugees to create structures of participation in a foreign environment. Organisations that have been in place for a long time facilitate this participation as the SOFRA/RRC case has shown. Refugees become participatory within the structures of a local welcome initiative, get involved and eventually “take over” the organisation and even transform it into a refugee-led MSO. However, using these existing structures also carries the risk of remaining invisible oneself. The assumption is, however, that it is often the other way round. Politically active refugees become active in German welcome initiatives and then “disappear” into these structures:

When large organisations see such groups and see that they are doing good work, these groups are often appropriated or absorbed into the group. Then the self-organised group is not visible. Our association is visible because we bring good things and make them visible in politics or in the media. When an association comes along and takes over the group, the self-organised group is no longer visible. I am sure that this is an experience that many refugees have. I also had such experiences, but I was strong enough to say no to the people and to say, “We and our concerns belong to us”. (Interviewee 4)

While in the first case the active refugees managed to “emancipate” themselves from the welcoming initiatives, the other organisation deliberately sets itself apart from the beginning, so that they could remain independent (Interviewee 3).

6 Conclusion and policy perspectives

Based on the fact that refugees in Germany face a relatively strict immigration and naturalisation law and, thus, have no opportunities for formal political participation, this work explored informal opportunities for political participation. Hence, self-organisations of refugees should represent powerful means to engage politically. Taking this assumption into account, the aim of the work was to answer the question of how RSOs exert influence on the policy-making process at the local level. This question was answered on the basis of a framework for analysis, which was presented in Section 2 by a case comparison of two RSOs in the city of Cologne. The framework applied for the evaluation of endogenous resources and exogenous political opportunity structures allowed for a critical assessment of the hypotheses put forward. Answering the question of “How do RSOs exert influence on political decision-making processes on the local level?” remains complicated and needs

to be assessed on a case-by-case basis. Statements about generalisability of this paper's findings must, therefore, be made with caution.

The qualitative findings of the case comparison showed that participation through refugee-led organisations is a powerful means for refugees and asylum-seekers to be politically active. However, it also revealed that opportunities and possibilities are not equally available for all cases. This study provides information on the strategies and tactics used by the two presented organisations in the case comparison to exert influence. It became evident that different resources and opportunity structures also allow for the use of different sets of strategies and tactics. Consequently, the organisation that can choose between more alternatives also has more powerful options to choose from. The most powerful tools proved to be direct influence through an informational strategy, which were only available for one of the two organisations. The strategy of *embarrassment and confrontation* (e.g., through protest), on the other hand, proved to be less effective in influencing decision-making processes at the municipal level. The other forms of strategy mentioned in the theory, *law* and *members' influence and pressure* played no role or merely a subordinate role.

In the course of this study, it became apparent that RSOs can play an important role in the integration process of refugees because they increase the social capital of certain groups and its members by endowing them with social capabilities. From the findings, recommendations can be derived for municipal decision-makers if they want to integrate refugees in the municipalities according to the Sustainable Development Goals, which the city of Cologne has committed itself to achieving. The local government should create direct access points where refugees can report their needs and concerns to decision-makers. The existing consultative bodies, such as the Integration Council of the City of Cologne or the Cologne Table for Refugee Issues, naturally take into account the positions of refugees but are at most indirect communication bodies for this group. In addition, the city should promote the formation of self-organisations in a more targeted way. Refugees must be concretely encouraged to articulate their interests and, thus, realise that there are other refugees with similar interests. The next step would be to provide refugees with the resources to do political work. Infrastructural resources are important for this, as are financial resources. Policymakers should join forces with civil society, as civil society organisations are important actors in promoting refugee empowerment. However, care must be taken that refugees are not "taken over" by civil society organisations. Finally, the Integration Council should also take on a more promotional role. It is true that refugees who are still in the asylum process cannot be elected to the council. However, the Integration Council could create access points to bring refugees and asylum-seekers together with representatives of the municipality.

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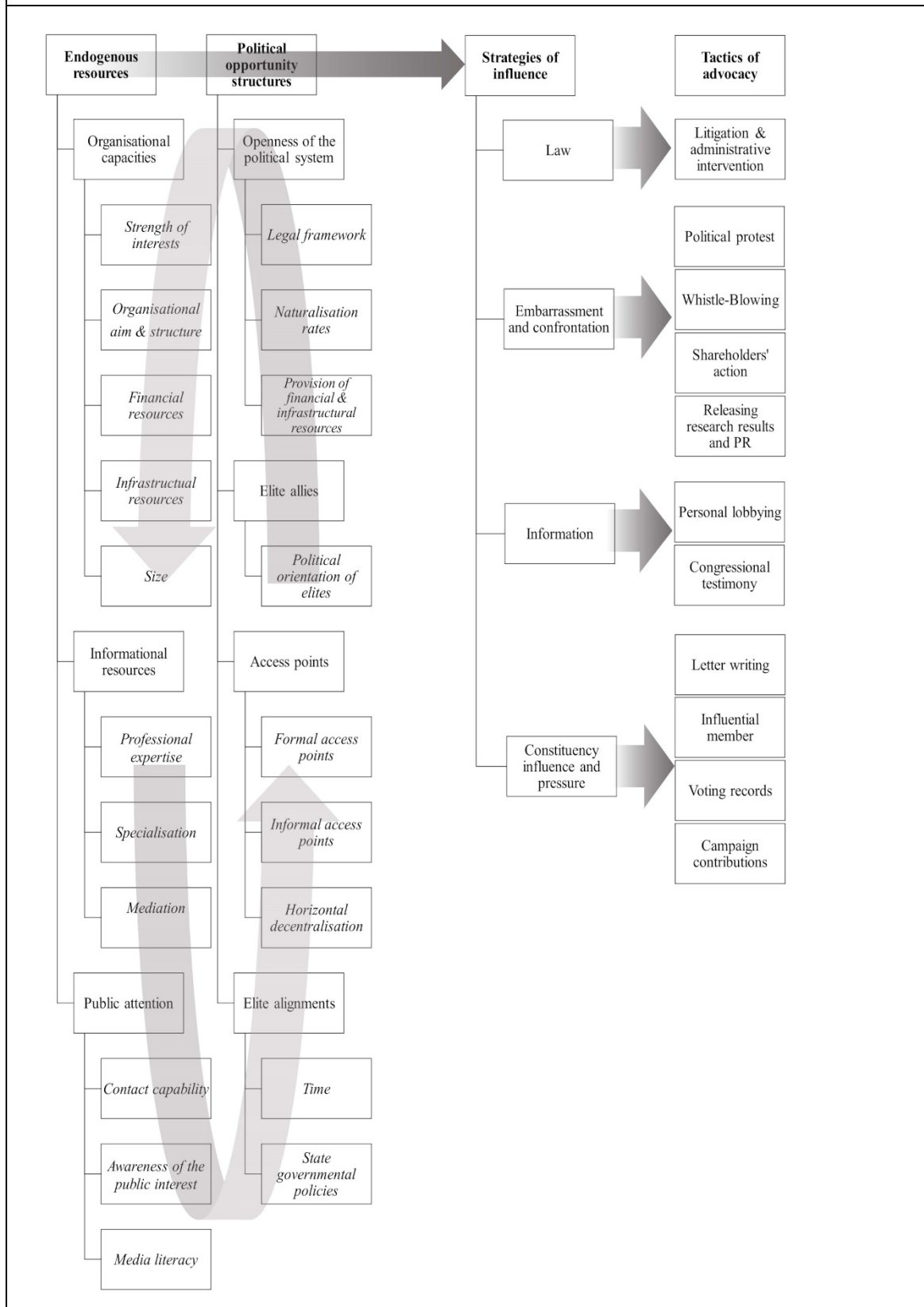
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Appendix

Figure A1: Resources, opportunities and strategies of participation



Source: Based on Berry (1977, p.263)

Interviews:

Four interviews were conducted with representatives of municipal institutions, civil society organisations and RSOs between 21 February and 26 March 2021. Interviews 1, 2 and 4 were conducted in German. Interview 3 was conducted in Dari with an interpreter. For ethical reasons of data protection, the transcripts are not attached as some of the interviewees are in insecure residence procedures and shared sensitive data. According to the guidelines of good scientific practice, the authenticity of the data can be inspected upon request.

Interviewee 1: Integrationsrat der Stadt Köln (Guide A)

Interviewee 2: Kölner Flüchtlingsrat e.V. (Guide A)

Interviewee 3: Forum of Afghan Migrants (Guide B)

Interviewee 4: SOFRA Cologne/Rainbow Refugees Cologne (Guide B)

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