

Rainer Geißler
University of Siegen, Germany

Do "foreigners" commit more crimes than Germans? **Some remarks on a complex problem**

Abstract:

Only 27% of East Germans and 43% of West Germans say no to the statement that "foreigners living in Germany commit criminal offences more often than Germans". And the stereotype of the "criminal foreigner" is widely spread in German mass media, and even a lot of politicians and some social scientists believe in high crime rates of migrants. As Germany has been a modern immigration country since the sixties, and, for demographic reasons, will depend on further immigration during the next decades, high crime rates of immigrants would be a serious obstacle to the necessary integration of ethnic minorities.

Two research projects of mine using different data and different methods have come to the same conclusion: the crime rates of migrant workers and their families are not higher than those of Germans, and they are even lower than those of comparable German groups of similar social profile (with regard to class, age and gender). These results correspond with former results of migration research in classical immigration countries like Israel, the USA or Australia, and they are confirmed by a recent Swiss analysis.

These results can be explained by the "thesis of adaption": migrants are willing to put up with structural disadvantages (low income, problematic conditions of work, low social prestige) more easily than Germans.

The situation among the second and third migrant generations is somewhat different. Crime rates in general are not higher than among German youth, but juveniles from migrant families more often commit criminal acts of violence, and the percentage of "serious criminals" (high number of offences) is higher. Obviously law-abiding parents of migrant families are not able to fully transmit their high conformity with the law to their (male) offspring. The above-average violence rates among young migrants are partially due to the bad living conditions of many migrant families (high rates of unemployment, of poverty, of dependence on social welfare), but they are also due to social exclusion, deficits of acceptance and xenophobic aggressions in Germany.

The public discussion about the "criminal foreigner" is connected to the public discussion about immigration in general - a discussion which has radically changed in recent years. Until the end of the nineties, public opinion was dominated by the slogan "Germany is not an immigration country". However, during the last years, the political elites have accepted the demographic facts and have realized that Germany needs immigration. One consequence of this change is that the so-called "criminality of foreigners" is being discussed less loudly and more cautiously.

Do "foreigners" commit more crimes than Germans? This is a simple question, but a very complex problem. I will begin with some remarks on the political and social relevance of this question.

1. The political relevance of the question - support for or obstacle to integration

Since the sixties, Germany has been an immigration country. The number and the percentage of ethnic minorities working and living in Germany have almost steadily increased. Today, more than eight million inhabitants of Germany - or more than ten percent of its population - belong to non-German ethnic groups.

This development has demographic reasons: For more than thirty years, Germany has had very low birth rates; each generation of children is by about one third smaller than the generation of their parents. And that means: without immigration the economy as well as the system of social security - especially for the elderly people - would have collapsed. This trend will continue. There is no doubt that Germany will need immigration in the next decades, and that the percentage of ethnic minorities will double from about 10% nowadays to more than 20% in twenty or thirty years (cf. *Geißler* 2002, 49-80).

Consequently, Germany faces a great challenge: the challenge of integration, of integrating its increasing ethnic minorities. And the question of my presentation - "Do 'foreigners' commit more crimes than Germans?" -, the question whether immigrants abide by the laws of their immigration country, is of crucial importance for their acceptance and integration. High crime rates of migrant workers would be a serious obstacle to their integration.

2. The "criminal foreigner" - a dominant prejudice in public discussion

In the eighties and nineties, the public discussion of this problem has been very problematic and not at all helpful for the integration of the migrant workers and their families. Journalists, politicians and - as a sociologist I must say to my regret - also some social scientists have spread the stereotype of the "criminal foreigner". Headlines and articles have disseminated the information that foreigners are a dangerous group. The *Welt am Sonntag* e.g. - an important Sunday paper - titled two large articles about "foreigner criminality" with the headlines "22.719 of 68.230 prisoners in Germany are foreigners - every third one" (November 5, 1995) and "Police research groups: foreigners commit two and a half times as many crimes as Germans" (April 21, 1996).

Systematic content analysis of mass media reveals that the coverage of ethnic minority problems shows very negative tendencies. Crimes and criminality committed by the so-called "foreigners" are one of the main subjects of many local, regional and national newspapers.¹

¹ Cf. *Geißler* 1999 und 2000; *Ruhrmann/Demren* 2000; *Jäger* 2000.

I analysed the coverage in the *Siegener Zeitung*, the best-selling newspaper in the region of my university. The results were depressing: nearly 60% of all articles mentioning ethnic minorities dealt with their crimes. Even in the *Frankfurt Allgemeine Zeitung* - one of the so-called "serious" national newspapers - more than a quarter of all articles about ethnic minorities reported criminal acts.

Thus it is not astonishing that the figure of the criminal foreigner is widely spread in the heads of the Germans. In 1996, a representative survey asked the question "Do foreigners living in Germany commit more crimes than Germans?". Only 27% of East Germans and 43% of West Germans answered "No" (ALLBUS 1996).

Does the stereotype of the "criminal foreigner" correspond to reality? Do migrants really commit more crimes than Germans?

3. A flawed and misleading "statistical proof"

Very often, the figure of the "criminal foreigner" is illustrated by certain kinds of data. There seems to be a kind of "statistical proof" of this figure: The police statistics report that 28% of the suspected criminals are foreigners, although the percentage of foreigners among the residential population only amounts to 9%. And the conclusion of this comparison seems to be very simple: Foreigners obviously commit about three times as many crimes as Germans. I have got a large collection of articles - from magazines, local and national newspapers -, where this kind of comparison is used.

At first sight, these data and the conclusion drawn from them seem to be very logical and convincing. But I will show that those who argue in this way, make three serious mistakes and that these mistakes lead to misleading, partly racist prejudices.

1. The first mistake is the **comparison of the incomparable**. Comparing police statistics with population statistics does not only mean to compare apples to pears, it is worse - it means to compare apples to cucumbers.
2. The second mistake is the neglect of the **ethnic selection process** in reports to police and through police and
3. the third mistake is the neglect of the **social profile effect**.

My following analysis is concentrated on the core group of the ethnic minorities - on the migrant workers and their families. About 85% of all foreigners living in Germany belong to this group.

My theses are as follows(cf. *Geißler* 2001 and 2003):

1. **Migrant workers and their families abide by German laws at least as well as Germans do.**

2. **Their crime rates are even much lower than the crime rates of Germans of a comparable social profile - or in other words: of Germans living in comparable social conditions.**

I will develop these theses by explaining the three mistakes I mentioned before.

4. The apple - cucumber - comparison

The "statistical proof" compares police statistics with population statistics. But both statistics are not comparable because their categories of "foreigners" refer to totally different groups. But it is possible to make them comparable because we may isolate the core group of the migrant workers in both statistics. This more differentiated view shows us that only about one quarter of all foreign suspected registered in the police statistics belong to the migrant workers and their families, the vast majority of the foreign suspected are "illegals", "cross-border criminals" (the police statistics call them "criminal tourists"), asylum-seekers or "others". And that means: In 2002, only 6.8% of all suspected are migrant workers or members of their families (*Bundeskriminalamt* 2003, 107). As this group represents 7.5% of the people living in Germany in 2002 (*Geißler* 2004), one may draw an important first conclusion: **Migrant workers and their families are not more often, but even slightly less often registered as suspected by the police than Germans.**

This conclusion is a first important result. It shows that the figure of the "criminal foreigner" does not suit the core group of the migrant workers.

But the figure of 6.8% of suspected persons which I mentioned above does not tell the whole truth. A correct interpretation of this percentage has to take into account the two other mistakes - the neglect of the ethnic selection process and of the social profile effect.

I will begin with the problem of ethnic selection.

5. Ethnic selection

Even the criminologists of the 19th century already knew that criminal statistics do not tell the truth about criminal reality. There is a big difference between criminal reality on the one hand and the registered figures in the criminal statistics on the other hand, because the vast majority of the committed crimes is not reported to the police or other instances of criminal prosecution. There exists a large "dark field" of criminality - as the German language says - a "dark field", because criminality in this field remains in darkness, is not known to the police or prosecutors or judges and can therefore not be registered in statistics. The last estimations of German criminologists say that only about 10% of all committed crimes are reported to the police and are registered in the statistics; about 90% remain in the dark.

It is obvious that "selective processes" intervene between criminal reality and their registration in criminal statistics. Criminal statistics have certain biases - and - with

regard to my problem - the following question arises: Is there an ethnic bias, is there a kind of ethnic selection, does ethnicity influence the process of registration in the police statistics?

Three recent German studies on criminal behaviour show that there is operating a mechanism of ethnic selection: **Crimes committed by foreigners are more often reported to police than crimes committed by Germans.**²

In one of these studies, which analysed crimes of young people, these differences are really dramatic: only every sixth criminal act committed by young male Germans was reported to police, but every second criminal act committed by sons of immigrants (Mansel/Hurrelmann 1998).

From the mechanism of ethnic selection we may draw a further reliable conclusion: Police statistics overestimate the criminality of ethnic minorities, and that means: **The real crime rates of migrant workers and their families are lower than those of Germans.**

6. The social profile effect

The third problem we have to take into consideration for an adequate interpretation of criminal statistics is the social profile effect. What does that mean? The social profile of a group refers to its demographic characteristics - to its composition by gender, age, qualification and class.

The social profile of a group indicates its social living conditions and has an important influence on its criminal behaviour and the process of criminalization:

- Men commit far more crimes than women.
- Young people commit more crimes than old people. (Old people are merely beyond good and evil.)
- Persons having a low level of education or belonging to the lower classes commit more crimes and are more often criminalized than persons having a high level of education or belonging to the higher classes.

Migrant workers differ from Germans with respect to all these criteria:

- The percentage of men among them is higher;
- they are younger;
- their level of education is lower and
- they are much more often members of the lower classes.

And that means: The specifics of their social profile and of their social living conditions should increase their crime rates compared with those of the Germans. It is possible to quantify these effects. I did this calculation with the following results (Geißler 1995):

- The gender effect - higher percentage of men among migrant workers - should increase their crime rates by 9%.
- The age effect - more young people - should increase the crime rates by 33%.

² Mansel/Hurrelmann 1998; Pfeiffer/Wetzels 1999; Mansel/Albrecht 2003.

- The most important effect is the class effect, because a majority of the migrants is working in positions of unskilled labour. Among the first generation the crime rates should therefore increase by 129%! The second generation is better educated and has better jobs; partly migrant children are social climbers. Consequently, the increase due to the class effect is smaller than among the first generation, but it still amounts to 78%.

From these calculations we are able to draw another important conclusion: Migrant workers should have considerably higher crime rates than Germans, but - as we have seen - they have **not**. Their rates are even slightly lower. And that means: **Migrant workers and their families commit considerably less crimes than Germans living in comparable social conditions.**

7. The effect of migration is law-abidance

This result has relevant theoretical consequences with regard to the effects of migration on criminality. **The effect of the migration of workers is not a higher crime rate, but just the opposite: the migration of workers leads to higher law-abidance, causes lower crime rates.**

This result refutes the widely spread prejudices against migrant workers in Germany, but it does not at all astonish experts in migration research. Migration studies in other immigration countries - in classical ones like the USA, Australia and Israel as well as in modern ones like Switzerland - have had similar results.³ My thesis that migrant workers in Germany are very law-abiding suits the situation in other countries.

One interesting question is: Why do migrant workers abide so well by the laws? The "*thesis of adaption*" gives a simple and plausible explanation for their law-abidance: Their demands, their expectations are more modest than those of Germans, and that is why they are able to put up more easily with structural disadvantages like low income, low standard of living, low social prestige, bad working conditions, high rates of poverty and high rates of unemployment.

8. Problems of the second and third generations

I do not want to cover up problems and to paint an idealized picture. That is why I will make some remarks on the second and third migrant generations. The situation of migrant children - especially of the males, the sons of the migrant families - is somewhat different. Several so-called dark field studies - the results of this kind of studies are much more reliable than the data of criminal statistics - show that the crime rates of children from migrant families are in general not higher than those of German young people. But they reveal two characteristics:⁴

1. Juveniles from migrant families more often commit serious crimes - acts of violence and burglary. On the other hand, young Germans more often commit petty thefts - like e.g. shoplifting.

³ Cf. Geißler/Marißen 1990 (USA, Israel), Trotha 1993 (Australia); Storz et.al.1996 (Switzerland).

⁴ Cf. Geißler 2003; Loesel/Bliesner 2003; Naplava 2002; Oberwittler et.al. 2001; Pfeiffer/Wetzels 1999.

2. The second characteristic of young migrants is: The percentage of serious criminals, who commit a high number of offences, is higher than that of their German peers.

Another study of young prisoners shows: The young generation of migrants is over-represented among the prisoners in youth detention centres in Northrhine-Westfalia, the largest state of Germany. The percentage of young residential foreigners among prisoners amounts to 28%, but among the residential population of the same age it comes only to 19% (*Wirth* 1998).

A correct interpretation of these percentages, however, has to take into account the effects of ethnic selection. Above I mentioned this effect with regard to reports to the police, but ethnic selection continues to be effective during the following processes of prosecution. Several studies show that ethnic selection also works in court. Young foreigners are punished more severely than young Germans who committed similar crimes.⁵

The social profile effect, too, has to be taken into consideration. Among the young foreign prisoners 96% were unskilled, 77% without completion of basic secondary education and 74% were unemployed when committing the crimes. If we compare young foreigners to young Germans in a similar **problematic social situation - low education and qualification, unemployment** -, we get the results already known: young unemployed Germans of a low level of education and qualification are more often imprisoned than young unemployed migrants of a low level of education and qualification. The second generation of migrants is no longer willing to put up with structural disadvantages as easily as their parents did. Their reference groups for their demands and desires are no longer the migrants families, but the families of their German friends, class mates or neighbours.

A second explanation of the relatively high crime rates of migrant children is the **social exclusion** of foreigners. The above-average rates of violence are also due to deficits of acceptance, partly they are reactions to xenophobic aggressions in Germany (*Gostomski* 2003). The number of xenophobic hate crimes increased in the beginning of the nineties - in the years after German reunification - and although having dropped during the last years it has remained on a high level, especially in East Germany.

9. Recent changes

I will finish my presentation with some remarks on the public discussion on these problems.

In the nineties, many politicians and journalists neglected the scientific results and continued to disseminate the dangerous prejudice of the "criminal foreigner". The prejudice is dangerous because it fosters xenophobic attitudes, it encourages hate crimes and acts of violence against ethnic minorities. Nevertheless it was very resis-

⁵ *Geißler/Marißen* 1990; *Ludwig-Mayerhofer/Nieman* 1997; *Pfeiffer/Wetzels* 2000.

tant to scientific argumentation, because it had two important ideological and political functions:

1. Firstly, it was a key argument for a restrictive immigration policy respectively "foreigner policy", as it was called in the nineties. Its message was: Stop immigration! Reduce it to a minimum, because immigrants are dangerous people, a danger for our public security! We do not want to import criminality!
2. Its second function is: It is a figure which is useful to explain hate crimes against foreigners, to make them understandable, even to excuse and to justify them. Even one of the so-called "serious" newspapers, the *Frankfurter Allgemeine Zeitung*, offered this arguments to its readers. During the wave of xenophobic violence in East Germany in the beginning of the nineties, an East German scientist wrote an article, in which he excused the brutal attacks against asylum - seekers in Rostock with the argument: the East Germans had to defend themselves against "dirty and criminal migrants". (Fortunately, the writer of the article was a biologist and not a sociologist.)

Yet, times have changed in recent years. Meanwhile, the German political elites have accepted the demographic facts and have realized and recognized, that Germany needs immigration. The government has liberalized the very restrictive citizenship act and prepared the first immigration law in German history. The slogan "*Germany is not an immigration country!*", which dominated the political discussion in the eighties and nineties, has disappeared. One consequence of this change of the political climate is, that the figure of the "criminal foreigner" has lost its core ideological function. It is no longer necessary to support the mentioned slogan and a policy corresponding to it. And thus it is now possible to discuss the problem of the so-called "criminality of foreigners" less loudly and more cautiously.

References

Bundeskriminalamt (Hrsg.) 2003: Polizeiliche Kriminalstatistik 2002. Wiesbaden.

Geißler, Rainer 1995: Das gefährliche Gerücht von der hohen Ausländerkriminalität. In: *Aus Politik und Zeitgeschichte* B 35, S. 30-39.

Geißler, Rainer 1999: Der bedrohliche Ausländer. Zum Zerrbild ethnischer Minderheiten in Medien und Öffentlichkeit. In: Markus Ottersbach/Sebastian K. Trautmann (Hrsg.): *Integration durch soziale Kontrolle. Zur Kriminalität und Kriminalisierung allochthoner Jugendlicher*. Köln, S. 23-38.

Geißler, Rainer 2001: Sind „Ausländer“ krimineller als Deutsche? Anmerkungen zu einem vielschichtigen Problem. In: *Gegenwartskunde* 50, S. 27-41.

Geißler, Rainer 2002: *Die Sozialstruktur Deutschlands. Die gesellschaftliche Entwicklung vor und nach der Vereinigung*. 3rd revised edition Wiesbaden.

Geißler, Rainer 2003: Gesetzestreue Arbeitsmigranten. In: Soziale Welt 54 (forthcoming).

Geißler, Rainer 2004: Sozialer Wandel in Deutschland. Second revised edition München (forthcoming).

Geißler, Rainer/ Marißen, Norbert 1990: Kriminalität und Kriminalisierung junger Ausländer. In: Kölner Zeitschrift für Soziologie und Sozialpsychologie 42, S. 663-687.

Gostomski, Christian Babka von 2003: Gewalt als Reaktion auf Anerkennungsdefizite. In: Kölner Zeitschrift für Soziologie und Sozialpsychologie 55, S. 253-277.

Jäger, Siegfried 2000: Von deutschen Einzeltätern und ausländischen Banden – Medien und Straftaten. In: Heribert Schatz/Christina Holtz-Bacha/Jörg-Uwe Nieland (Hrsg.). Migranten und Medien. Wiesbaden, S. 207-218.

Lösel, Friedrich/Bliesener, Thomas 2003: Aggression und Delinquenz unter Jugendlichen. München /Neuwied.

Ludwig-Mayerhofer, Wolfgang/Niemann, Heike 1997: Gleiches (Straf-)Recht für alle? Neue Ergebnisse zur Ungleichbehandlung ausländischer Jugendlicher im Strafrecht der Bundesrepublik. In: Zeitschrift für Soziologie 26, S. 35-52.

Mansel, Jürgen/Hurrelmann, Klaus 1998: Aggressives und delinquentes Verhalten Jugendlicher im Zeitvergleich. In: Kölner Zeitschrift für Soziologie und Sozialpsychologie 50, S. 78-109.

Mansel, Jürgen/Albrecht, Günter 2003: Die Ethnie des Täters als ein Prädiktor für das Anzeigeverhalten von Opfern und Zeugen. In: Soziale Welt 54.

Naplava, Thomas 2002: Delinquenz bei einheimischen und immigrierten Jugendlichen. Sekundäranalyse von Schülerbefragungen der Jahre 1995 - 2000. Arbeitspapier Freiburg.

Oberwittler, Dietrich/Blank, Thomas /Köllisch, Tillmann /Naplava, Thomas 2001: Soziale Lebenslagen und Delinquenz von Jugendlichen der Jahre 1995-2000. Arbeitsbericht Freiburg.

Pfeiffer, Christian/Wetzels, Peter 1999: Zur Struktur und Entwicklung der Jugendgewalt in Deutschland. In: Aus Politik und Zeitgeschichte B 26, S. 3-22.

Pfeiffer, Christian/Wetzels, Peter 2000: Junge Türken als Täter und Opfer von Gewalt. In: Freudenberg Stiftung (Hrsg.): Junge Türken als Täter und Opfer von Gewalt – Tagungsdokumentation. Weinheim, S. 3-15.

Ruhrmann, Georg /Demren, Songül 2000: Wie Medien über Migranten berichten. In: Heribert Schatz/Christina Holtz-Bacha/Jörg-Uwe Nieland (Hrsg.): Migranten und Medien. Wiesbaden, S. 69-81.

Storz, Renate/Ronez, Simone/Baumgartner, Stephan 1996: Zur Staatszugehörigkeit von Verurteilten. Kriminalistische Befunde. Bern.

Trotha, Trutz von 1993: Politische Kultur, Fremdenfeindlichkeit und rechtsradikale Gewalt. Paper for a meeting at the Pennsylvania State University.

Wirth, Wolfgang 1998: Ausländische Strafgefangene im Jugendstrafvollzug NRW. Manuskript.