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Ethical Examination of the Ambivalences within Migration Discourses

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Abstract: Since the migrant influx into Europe that defined 2015, approaches to migration governance, law, and politics in contemporary Europe have changed radically. While EU states battled both ideologically and politically to contain the tide, migrants themselves, defined by various statuses, faced sociological and humanitarian challenges shaped by state policies and responses. Religious identities within migrant groups remain, in contemporary experience, factors to contend with, especially in relation to sovereign states' migration governance policies (integration) and cultural diplomacy aimed at managing both religious pluralism and potential social tensions within host societies in Europe. While migrant groups tend towards maintaining their religious and cultural identities, state policies of host societies – according to experiences as well as political principles – remain the defining tools of mediation and integration. However, the general strategy and governance have remained challenging and ambivalent, eliciting debate, opposition, and the application and enforcement of critical reforms, which, in extreme cases, have led to outright rejection of migration or immigration rights. This paper examines the dominant migrant groups Europe has witnessed over the last decade. It argues that migration and immigration governance are the responsibility of both the state and civil society, with reference to migrants' terminus ad quem. Migrant points, for example in Germany, reflect policies on social inclusion, labour, education, and language, and form the core of policymaking. Migrant religions, which are predominantly individual, group, private, or sectarian beliefs, faith and practices that move across borders, form part of the governance focus. Contextualising the ambivalence forms the core of the paper's ethical analysis with reference to the so-called 'contestation of religious and political views' in the context of migration governance, and the general application of cultural diplomacy. Finally, the paper concludes by reiterating its central hypothesis: that tensions between migrant religions and host societies continue to influence and shape recent state policies on integration and migration governance.

1 Introduction

The 2015 migration surge reshaped European policy and remains fundamental to understanding contemporary European civil society. While the European Union has attempted to address migration through various political and policy frameworks, persistent challenges remain – most notably around respecting and integrating migrants' individual and community religious identities. My contribution takes a socio-ethical approach to argue that political debates, ideological divisions, and evolving regulations are not separate from policy development but are central to how European regimes shape and refine their migration laws and cross-border practices.

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2 Religious Identities: Theoretical and Ideological Frameworks within Migration Discourse

Religion is deeply intertwined with human society and core value systems, defining the identities of its adherents across both secular and non-secular societies worldwide. Adherents carry their religious identities wherever they go as an exercise of their human rights and personal freedom. Within civil society – where daily encounters involve searching for meaning – religious identity is recognised as an integral component, manifesting through five key interactive media.

Religious institutions intersect with civil society by fulfilling five key roles: facilitating moral debate, inspiring political and civic action, providing educational and emergency social services, fostering community through culture and care, and honouring major life milestones.[1] By rooting moral principles in religious ethics, these institutions motivate civic engagement, support integration, and strengthen community life across every stage of human experience.

An individual's religious identity remains constant regardless of migration or geographic location, leading to the formation of distinct migrant religions and communities in host countries. However, this mobility creates inherent sociological tension between the host ("indigenous" or European) culture and the incoming ("alien" or migrant) culture, sparking friction over integration, religious assimilation, and cultural preservation.

Modern Europe faces a critical socio-political reality where the identities and religions of migrants can no longer be ignored. While state laws and policies are necessary tools to regulate migration and foster integration, the complex dynamics surrounding state-religion encounters often lead to policy decisions being vilified or undermined.

3 Religious Identities and State Policies: Appraising Europe's Current Status

Europe's major migration surge over the past decade – driven by geopolitical, economic, and humanitarian factors – coincided with the release of three landmark documents: the UN Paris Agreement, the UN 2030 Agenda, and Pope Francis's encyclical *Laudato si'*. These publications actively mobilised both state governments and civil society (the "third sector," encompassing NGOs, religious groups, unions, and grassroots initiatives) to collaborate, independent of the market and state, in advocating for the public good and community resilience.

The migration crisis polarised European society into two main ideological camps. Conservatives and nationalists view migration as a threat to local socio-cultural identity and traditional institutions, prioritising the defence of the homeland. Conversely, liberals and progressives view the issues through the lens of systemic injustice, poverty, and racism, advocating for state intervention, civic solidarity, and humanitarian support for migrants.[2]

1 Cf. *Miller, Donald E.*, Civil Society and Religion. In: Michael Edwards (ed.), The Oxford Handbook of Civil Society, United Kingdom 2011, 257-269, 259.
2 Ibid, Civil Society and Religion, 262.

Entangled in political and socio-cultural debates, migration and migrant religion led to stricter EU governance – initially exemplified by the Dublin Regulation[3] – resulting in tighter borders, regulated movement, and geopolitical tensions along key entry routes in Greece, Spain, and Italy. Modifications would follow later. While religion remains a vital source of identity and values for migrant communities, host societies and state actors in Europe increasingly view it with critical debate, ethno-cultural concern, and fears about security and social cohesion.

While hard-line political actors debate fears of cultural displacement at local, state, and EU levels, civil society organisations – especially NGOs and religious groups – continue to champion humanitarianism and charity. The peak of the crisis underscored a key legal boundary: Article 13 of the Universal Declaration of Human Rights guarantees the right to *emigrate*, but *immigration* remains subject to national governance and border control. Facing these geopolitical realities, European policymakers recognised that existing laws must adapt dynamically through ethics and diplomacy. To illustrate how these dynamics shape EU border governance, my opinion analyses three diplomatic factors, introducing the core "migrant vs. state policy" tensions through a case study of Germany.

4 Discussing the Crises and Ambivalences within the German Experience

In 2015, Southern European entry points (Greece, Italy, and Spain) experienced an unprecedented surge of migrants moving northward from the Global South. Germany emerged as the primary destination, driven by its economic appeal and refugee protection framework.[4] As the influx reached a crisis point, German leadership turned to diplomacy, ethics, and policy reform to curb irregular migration while adapting existing frameworks. This pressure underscored the ongoing evolution of EU migration law, which had progressively transformed from the original 1990 Dublin Regulation into the Dublin Convention (1997), Dublin II (2003), and Dublin III (2013).

Building on lessons learned between 2015 and 2026, the EU introduced the Asylum and Migration Management Regulation (AMMR) on June 12, 2026. This framework regulates asylum applications, migrant data collection, multiple applications (the so-called "orbiting asylum seekers"), and state responsibility for relocation and sharing. In applying these policies, Germany faces the complex socio-ethical challenge of balancing its duty to protect and integrate migrants with citizens' concerns about cultural preservation. This dynamic has sparked sharp divisions between liberals and conservatives, created friction over state-mandated migrant allocation, and

3 Dublin Regulation - Adopted in 2003, it determines which EU member state is responsible for examining an asylum application (typically the country of first entry) to ensure every claim is fairly reviewed by one state. While the system assumes all EU countries offer equivalent protection standards, significant disparities in national laws and practices remain. Because of this lack of true harmonization, a 2008 European Parliament evaluation concluded that the Dublin system is unfair to both asylum seekers and border-region member states, while severely disrupting the lives of refugees. Consequently, the European Commission proposed amendments in December 2008 to address these flaws, which received broad support from the European Parliament, ECRE, and the UNHCR. Later modifications produced Dublin II & III.

4 Cf. *Storsjö, Isabell et al.*, Impact pathways: on the grand challenge of forced displacement and how to address European refugee crises, in: International Journal of Operations & Production Management (2026) 46 (4): 771–792, 773. https://doi.org/10.1108/IJOPM-11-2024-1019.

ignited a critical debate over the independence of state policymaking versus the role of religious institutions and civil society.

5 Religion (Church) vs. State Policy Face-off: Evaluative Deductions from the German Experience

Following the 2015 crisis, a rift opened between the German state and its major Christian bodies (Catholics and Protestants) over how to form ethical, democratic policies for managing migration without relying on mere moralising or emotional appeals.[5] Religious institutions framed the crisis as a *social Kairos* – a critical moment to put Christian gospel values like love, acceptance, and hospitality into practice. However, critics like Hans Joas and political hardliners argued that this religious perspective lacked sufficient nuance. They cautioned that prioritising the religious commandment of love over state sovereignty, justice, and political prudence creates a dangerous moral gap, making diplomatic mediation essential to resolve the clash between faith-based values and constitutional policymaking.

A socio-ethical analysis reveals that "intra-state diplomacy" emerged to navigate friction between the German government and civil society (represented by Christian institutions). This diplomatic balancing act effectively prevents two dangerous extremes: a) *Overreaction from the State*: Checkmating the state's potential slide towards far-right, anti-immigrant ideologies that advocate excessively coercive or hostile policies. b) *Criminalisation of the State*: Preventing civil society from framing necessary state governance as inherently immoral or from attempting to replace constitutional law with absolute religious idealism. By avoiding these extremes, three distinct forms of diplomacy emerged. These forms of diplomacy shaped Germany's strategic responses and continue to provide a socio-ethical model for reforming EU migration policy whenever state security needs clash with humanitarian and religious values.

6 Three Diplomacies Influencing the EU's Migration Policies and Regulations

Cultural diplomacy serves as the first key mechanism for managing cross-border movement, bridging differences between host and migrant worldviews to foster mutual understanding and dialogue.[6] From a socio-ethical perspective, current European and German migration policies integrate cultural diplomacy through two primary objectives: 1. *Policy Adaptability*: Continually updating immigration laws to create fertile ground for social accommodation and mutual respect; 2. *Socio-Cultural Integration*: Utilising language acquisition, educational/skills qualifications, arts, and structured community exchange programs as essential gateways for integrating migrants into the workforce and broader civil society. While host-led programs (such as Germany's integration initiatives) provide a practical foundation for social cohesion, their

5 Cf. *Nwosu, Chijioke F.,* Between Moral and Moralising. Ethical Analyses on Religion Amidst Social Changes and Challenges, in: Korioth, S; De Wall, H; Walter P., Law and Religion in Times of Crisis, Challenges and Change: History – Conflict – Transformation, Schriften zum Religionsrecht, Nomos (to be published in November 2026).
6 Cf. *Goff, Patricia M.,* Cultural Diplomacy, in: Cooper, A. F, Heine, J., Thakur, R. (eds.). The Oxford Handbook of Modern Diplomacy, United Kingdom 2015, 419-435, 420.

success remains contingent on effective governance that prioritises active, empathetic listening to migrants' perspectives.[7]

Humanitarian diplomacy operates as an apolitical and neutral mechanism designed to protect vulnerable populations and alleviate human suffering, even when state authorities struggle to do so. Guided by the core principles of the Red Cross – humanity, impartiality, neutrality, independence, voluntary service, unity, and universality[8] – it places moral and ethical demands on states to uphold human dignity without compromising national sovereignty. Within the context of European migration governance from 2015 to the present, humanitarian diplomacy – demonstrated by Christian institutions and civil society in Germany – serves three primary purposes: 1. *Protecting Vulnerable Populations*: Ensuring direct aid and security for migrants; 2. *Preserving Humanitarian Space*: Maintaining non-partisan areas where aid and advocacy can occur without political interference; 3. *Upholding International Law*: Compelling sovereign states, including far-right or hardline local leadership, to accept refugee quotas and respect human rights frameworks. At its core, socio-ethical analysis shows that humanitarian diplomacy prioritises the fundamental principle of personhood – asserting that human dignity must remain paramount regardless of political or border disputes.[9]

Refugee diplomacy forms the primary diplomatic framework governing European migration policymaking, rooted in a century of European history. It traces its origins back to two key historical milestones: the massive population displacements of the Russian Revolution (1917–1921) and the establishment of the League of Nations (1920), which pioneered multilateral governance for forced human movement. Rather than focusing solely on emergency relief, European refugee diplomacy aims to build structured, multilateral systems that alleviate human suffering while systematically distributing the responsibilities and burdens among state actors.[10] This historical legacy continues to directly shape how the European Union and its member states formulate migration policy, manage border challenges, and coordinate shared responsibilities in the post-2015 era.

Defining and contextualising the concept of a "refugee" remains an ongoing, complex process for Europe as a major host region. While international frameworks – such as the 1951 UN Refugee Convention, the 1969 OAU Convention, and the 1984 Cartagena Declaration[11] – offer varying regional, sociological, and ethical interpretations, binding European Union laws centre on three non-negotiable core criteria: a) Active Threat or Aggression: Severe danger within the country of origin, driven by internal or international actors, b) Flight as a Last Resort: Clear proof that extreme conditions leave no alternative to fleeing for safety, c) Mass Human Rights Violations: Systemic degradation of human dignity and basic rights in the home country.

The examination of cultural, humanitarian, and refugee diplomacies – specifically within the EU and Germany – demonstrates that managing complex, transient phenomena like migration requires continuously evolving policymaking frameworks. In my opinion, the European Migration

7 Ibid, 422.
8 Cf. *Egeland, Jan*, Humanitarian Diplomacy, in: Cooper, A. F, Heine, J., Thakur, R. (eds.), The Oxford Handbook of Modern Diplomacy, United Kingdom 2015, 352-368, 354.
9 Ibid.
10 Cf. *Maley, William,* Refugee Diplomacy, in: Cooper, A. F, Heine, J., Thakur, R. (eds.). The Oxford Handbook of Modern Diplomacy, United Kingdom 2015, 675-690, 675.
11 Ibid, 675-676.

Governance Framework represents a normative social-ethical tool structured around two key dimensions, namely *Social*: It addresses the multi-layered interactions across five essential spheres of society: family, education/knowledge, economy, politics/law, and culture/religion. *Ethical*: It provides necessary norms and regulations to govern human values, rights, and relationships within these social spheres.[12] Ultimately, this framework ethically guides and structures state policy while responding constructively to ongoing migration challenges.

7 The Social-Ethical Framework of Integration Policies: Appraising the EU Model in Reference to Migrant Communities (Religion)

What began as a major crisis in 2015 forced Europe to confront complex socio-ethical challenges and caused deep political divisions over how to balance migrant rights with national governance among mainstream political ideologies of Europe – Centre-Right, Centre-Left, the Centrists and Right-Wing/Nationalists. While migrant religion was initially viewed with hostility or as an obstacle to integration, policymakers increasingly realised it could not be ignored. Ultimately, socio-ethical demands led Europe to shift toward frameworks that view migrants' religious affiliations as a vital resource – recognising faith not as a barrier, but as a key element of self-identity and a bridge for social cohesion, dialogue, and integration.[13]

Drawing on research across German, French, and British models, this write-up shows how European migration governance shifted toward legislating policies of direct cooperation with migrant faith communities.[14] Though distinct political ideologies shaped each nation's approach, these strategies collectively informed broader EU migration frameworks after the 2015 crisis: Germany (Selective/Regulated Cooperation): Uses a regulated state-religion partnership model, integrating religious perspectives into public schools and university decision-making. Great Britain (Integrative Model): Maintains a highly integrated relationship between state, politics, and faith, allowing all recognised religious groups access to state-funded public education. France (Strict Secularism/*Laïcite* with Targeted Exceptions): Upholds a strong constitutional separation of church and state, yet provides targeted public funding for denominational schools and chaplaincy programs in public institutions.

A linear regression of the German, French, and British models (a British model viewed under its current status as a European country, not as member state of the European Union) shows that these national approaches serve as representative, distributive templates for the broader European Union frameworks, such as entry-point data collection, migrant allocation quotas, and varying integration policies, which represent structured institutional attempts to balance international legal obligations with each member state's sovereign right to protect its cultural and socio-political integrity.

12 Cf. *Anzenbacher, Arno,* Christliche Sozialethik, Paderborn 1997, 11, 13.
13 Cf. *Brunn, Christine.,* How Integration Policies Have Discovered Religion: German, French and British Politics within the Scope of a Comparative Institutional Analysis, in: Interdisciplinary Journal for Religion and Transformation in Contemporary Society, Volume 2: Issue 1 2016, 12-36, 12.
14 Ibid., How Integration Policies Have Discovered Religion: German, French and British Politics within the Scope of a Comparative Institutional Analysis, 12.

8 Social Ethical Evaluation

My evaluative opinion rests on a core socio-ethical hypothesis: migrant identities, cultures, and religions are inseparable from the individuals who carry them, and these are fundamental human rights across borders. However, as international legal frameworks and host-country border regulations evolve, these rights are not denied; rather, they must translate into practical systems of mutual integration, adaptation, and partnership. This dynamic encapsulates the broader thesis that law and politics shape, govern, and partner with migrant religion in contemporary Europe. Extremism arises when migrants feel rejected, criminalised, or instrumentalised, or when host communities feel threatened by unchecked arrivals and succumb to exclusionary traditionalism. This friction – primarily centred on Christianity and Islam – defines the "State Policy–Civil Society" dynamic of the past decade. To manage these tensions, legal and political institutional arrangements[15] are indispensable. Ultimately, the central socio-ethical question is whether state policies govern migrant religion to foster inclusive integration or detract from it through expulsion and social cleansing.

While individuals and groups share equal rights and freedom of human mobility within migration discourse, ethics must mediate specifics and define limits, especially within international communities and relations. Thus, certain levels of diplomacy are needed; though not the same as justice, they can provide means for compromise, risk management, and the integration of differences and particularities. To this end, individual ethics and the different national interests of European Union member states must develop into partnerships that can create shared ethical principles of approach. Therefore, the European Union's policymaking and ethics within migration discourse are both process and prospect. Process, because it involves the social movement of times and events. Prospect, because such social temporalities and their inseparable connections to humans and societies always require norms for proper guidance and governance. The timeline of policy alignments, modifications and redefinitions within the European Union represents socio-ethical institutional governance, defining the Union itself and shaping modern international relationships – inter-, intra- and transnational. The focus must be on the ethical approach to the global societal transformation and constant metamorphosis characteristic of the future – the generally 'not-yet-known' – and to human society itself. Thus, social ethics has a key role to play, namely, the development of interdisciplinary and partnership principles to achieve functional cooperation in times of unprecedented human history and crises – immigration, for one.[16]

Conclusion

Although migrant issues have yet to see respite since the surge over the past decade, policymaking within the EU and among member-states has remained largely resilient. While differences in choices, preferences, ideologies, models and approaches exist among member-states, the most recent EU Pact on Migration and Asylum, 12 June 2026, adds to the persistent

15 Ibid., 18-21. Institutional arrangement – organisational structures and procedures involved in policymaking, which help both policymakers and the institutions involved maintain consistency, build trust and credibility, and work towards fairness in implementation and application.
16 Cf. *Vogt, Markus*, Wandel als Chance oder Katastrophe, München 2018, 20-21.

social-ethical approach to a social challenge, which has renewed focus on socio-political and socio-economic relationships between the two Globals – North and South. Policymakers and social ethicists are expected to remain partners, while the banks of humanitarian, cultural, refugee diplomacies, and the general approach to integration remain not bankrupt, but resilient and innovative. Political ethics must not forget the observations of the Pontifical Council for the Pastoral Care of Migrants and Itinerant People: Despite creating greater free access to capital, markets and information, the moral aspect of human mobility – the growing interdependence among people and nation-states – should be substantive in policymaking and political approach.[17]

17 *Pontifical Council for the Pastoral Care of Migrants and Itinerant People,* Erga migrantes caritas Christi. Vatican City 2004, 4.