

Merz's migration gamble

A day of drama in the Bundestag

Friedrich Merz, Germany's probable next chancellor, takes a huge bet and triggers uproar



Photograph: AFP

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RARELY HAS the Bundestag known such drama. On January 29th, to scenes of uproar in Germany's parliament, a tiny majority of mps approved a radical five-point plan to curb irregular immigration. The non-binding motion was introduced by [Friedrich Merz](#), head of the centre-right Christian Democrats (cdu) and the favourite to take over as chancellor after the [election on February 23rd](#). Among other matters, it proposed permanent controls on Germany's borders and a "de facto entry ban": the rejection of any immigrants lacking papers, including asylum-seekers.

That was controversial enough. The Social Democrats (spd) and Greens, who rule in a minority coalition, said the proposals violated eu and German law. What tipped the row into pandemonium was that the motion passed only with backing from the hard-right [Alternative for Germany](#) (afd)—even though the cdu had packed the text with poison pills painting the party as a Putin-loving threat to democracy.

Olaf Scholz, the spd chancellor, compared Mr Merz to Viktor Orban, Hungary's strongman, and called his decision to accept afd support "unforgivable". Mr Merz said he "regretted" that the afd was needed for a majority, but blamed the governing parties for refusing to support him instead. "It's government statement after government statement, and nothing ever happens," says one of his aides. Only one party was satisfied. Alice Weidel, the afd's co-leader, hailed "a great day for democracy".

The background to the drama was the murder last week in Aschaffenburg, a town in Bavaria, of two people, including a child, by an Afghan asylum-seeker who should have been deported. Several similar incidents in recent months have jangled Germans' nerves, after years in which annual asylum claims have exceeded 200,000, overwhelming some municipalities.

After the Aschaffenburg attack Mr Merz said he would impose his entry ban on "day one" of his chancellorship, adding that any coalition partner would have to agree. A flurry of political machinations, and bitter debates, ensued. When it became clear that Mr Merz would not let afd support dissuade him, tens of thousands took to the streets in protest.

Nor is this chapter over. On January 31st the Bundestag is due to discuss a further cdu motion, this one legally binding, to expand police powers and restrict the rights of immigrants who receive "subsidiary protection"—a less extensive form of sanctuary than full asylum—to bring family members to Germany. It also looks set to pass with afd votes.

Whether all this constitutes a violation of the anti-afd “firewall” that binds Germany’s mainstream parties is doubtful. Mr Merz did not co-ordinate with the afd, and retains his commitment to veto coalitions with the party. This week’s spectacle was made possible only because the collapse of Germany’s coalition in November left a majority of votes in opposition hands.

Yet two big questions hang over the man seeking Germany’s highest office. The first is his political judgment. Mr Merz’s team insist that the only way to undermine the afd is to hang tough on illegal immigration. But most analysts suspect his decision to inflame the migration debate will only help the afd. It may also put off centrist cdu voters, 73% of whom reject any form of collaboration with the afd. “This is fatal for the cdu,” says Peter Matuschek from Forsa, a pollster. Nor will this week’s votes change policy. Even if Friday’s amendment passes the Bundestag it will fail in the Bundesrat, the upper house.

The gambit also risks complicating post-election coalition talks. As *The Economist*’s new election model suggests, Mr Merz will probably have to negotiate with the spd or Greens (or possibly both). Neither party is likely to agree to rewriting Germany’s constitutional right to claim asylum. By defining his proposals as non-negotiable, Mr Merz risks having to eat his words even before taking office. That would only confirm the fears of those who worry he is too impulsive for the job.

The second question is on Mr Merz’s ideas. His pledges to restore Germany’s position at the heart of Europe are hard to square with a unilateral vow to close its borders. The cdu claims eu law allows governments to supersede European rules in “emergency” situations. But, notes Svenja Niederfranke, a migration expert at the German Council on Foreign Relations, European judges have always rejected bids to pull this lever—and in Germany’s case, illegal entries have anyway been falling.

Mr Merz is not wrong that most Germans are dissatisfied with the country’s inability to tackle illegal immigration. But he now faces charges of proposing bad ideas with no prospect of passing that risk damaging his party while weakening an important political taboo. With three weeks until election day, Mr Merz’s big polling lead has meant it is his election to lose. Some in his ranks may now be getting nervous. ■