

Migrants, Refugees, and “Diversity” at German Universities: A Grounded Theory Analysis

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MIGRANTS, REFUGEES, AND “DIVERSITY” AT GERMAN UNIVERSITIES:
A GROUNDED THEORY ANALYSIS

Dissertation
by
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submitted in partial fulfillment
of the requirements for the degree of Doctor of Philosophy

May 2020

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Abstract

The current displacement crisis in the German context has focused scholarly attention on refugee student access to higher education. However, much less research has attended to supports at higher education institutions (HEIs) for enrolled migrant and refugee students. In fact, education research in the German setting rarely focuses on students from any migrant background, though these students comprise between 20-25% of all German tertiary enrollment. This study uses Constructivist Grounded Theory (Charmaz, 2014) and a postcolonial lens to analyze “equal opportunity” plans and programs at 32 German HEIs across all 16 federal states. Data sources include the “equal opportunity plan” unique to each HEI (*Gleichstellungsplan*) and interviews with “equal opportunity office” (*Gleichstellungsbüro*) faculty and staff. Key findings include a bureaucratization and numerification of diversity in the German case, as well as an almost exclusive focus on diversity as gender. This dissertation offers a potentially transferable theoretical model, which may be relevant in national settings with increasingly diverse student populations, histories of colonial possession or fantasy, or primarily public higher education systems (Bhabha, 1994; El-Tayeb, 2016; Kilomba, 2008; Said, 1979).

Acknowledgements

This study would not have been possible without the support of my family, mentors, colleagues, and friends. To Hans de Wit, my mentor and advisor, thank you for your guidance, perspective, and unfailing sense of humor. To Tom Crea and Karen Arnold, dissertation readers and mentors, I am so appreciative of your time, insight, and expertise. To Georgiana Mihut, Ayenachew Woldegiyorgis, Edward Choi, Nicole Barone, Ishara Casellas Connors, Andrew Croft, Kerri Evans, Corey Kelley, Araz Khajarian, and Adam Krueckeberg, thank you for being the most wonderful colleagues, friends, and collaborators. I also owe an enormous thank you to the faculty and staff of the Center for International Higher Education, the Lynch School, and the Center for Human Rights and International Justice who have offered kind advice and wisdom in hallways, office hours, emails and classes: Ana Martínez-Alemán, Laura Rumbley, Heather Rowan-Kenyon, Jon Wargo, Andrés Castro Samayoa, Gracie Trotman, Dan Kanstroom, Gabi Oliveira, Phil Altbach, Brinton Lykes, Salina Kopellas, Betty Leask, and Rebecca Schendel.

This dissertation was made possible [in part] by financial assistance from the Ruth Landes Memorial Research Fund, a program of The Reed Foundation.

Finally, I am very grateful to the equal opportunity officers who shared their experiences with me during the course of this study. I look forward to continued collaboration!

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CHAPTER ONE

In the European landscape, the refugee influx peaking in 2014 has focused popular, political, and scholarly attention on tertiary access among refugee populations (Streitwieser, Miller-Idriss, & de Wit, 2017; Unangst & Streitwieser, 2018). What has remained underdeveloped is the focus on supports for the umbrella category of migrant students (including refugees) enrolled at higher education institutions (HEIs), though an estimated 20-25% of the German population self-identifies a migrant background (Autorengruppe Bildungsberichterstattung, 2018). This dissertation investigates how enrolled students of migrant background, a historically marginalized population, are served by German HEIs, parsing data to emphasize the range of institutional and state-based formulations of “equal opportunity” (*Gleichstellung*) and diversity across the former East and West Germany, as well as by institutional type and urban, suburban, or rural location.

This critically-oriented work is particularly important in the German context given empirical evidence for the exclusion of migrant groups and a history of “ethno-cultural solidarity,” or the construction of “German” as white and Christian (Clarence, 2009, p. 24). German civil society actors in 2015 submitted to the UN Committee on the Elimination of Racial Discrimination a report outlining concerns regarding the education sector of that country including the failure of higher level secondary schools to offer instruction in German as a second language and arguing that “German curricula, school books and didactic contents reproduce the colonial and racist messages of mainstream discourse in society” (Aikins, Barskanmaz, Brandstätter, Bruce-Jones, & Mesghena, 2015, p. 38). Further, in 2010, 58% of West Germans and 62% of East Germans held negative views of Muslims, which was over 20 points higher than the European average (Arani & Böker, 2015, p. 16).

In the broadest terms, educational supports for migrant students relate to the empirical marginalization of that group in Germany's political sphere; eight percent of all federal parliamentarians have a migration background (Autorengruppe Bildungsberichterstattung, 2018; Bekaj & Antara, 2018; Hoffmann & Ghelli, 2017; Kimmerle, 2017). Other structural obstacles include the impossibility of first generation, non-EU migrants obtaining dual citizenship and a lower average income for individuals of migrant background in Germany (Autorengruppe Bildungsberichterstattung, 2018; Bekaj & Antara, 2018; Erel, 2009). These and other systemic factors indirectly influence policy formulation and implementation in a primarily public higher education system, which in turn trains the next generation of politicians and leaders (Bekaj & Antara, 2018). Thus a cyclical effect of the marginalization of migrants and refugees in German society and education may be observed.

I argue that the tertiary sector holds a particularly elevated status in Germany, in part given the impact of the Humboldtian research university model, which has shifted the trajectory of higher learning worldwide over the past century and a half (Guri-Rozenblit, 1993; Lepori, Huisman, & Seeber, 2012; Phillips, 2016; Sorlin, 2007; Varghese, 2014; Waaijer, 2015). While *fachhochschulen*, or universities of applied sciences, were instituted in the 1960s as an alternative to research universities in a binary model of higher education, recent evidence indicates mission convergence between the research university and *fachhochschulen*, reflecting a new prestige dynamic. Indeed, the tertiary system's influence has spanned government upheaval and monarchy, socialism, fascism, and democratic republicanism since 1871 (Nordbruch, 2014). As Nordbruch (2014) put it in his discussion of Weimar Germany, the "soft power that Germany had acquired through its reputation as a centre of academic and technological learning was a substitute for the hard power the country had lost with the defeat in the First World War" (p.

284). The same phenomenon was observed following 1945, when Östling (2016) argues that the “university was still a ‘centre of national identification’” (p. 388).

Thus, while all national higher education systems are necessarily imbued with power and authority, both Germany’s colonial history as well as the particular national emphasis on the tertiary sphere as a source of soft power indicate the use of the postcolonial lens in this inquiry (Conrad, 2012; El-Tayeb, 2016; Kilomba, 2008). The higher education sector, then, is seen as a key mediator of power in the German setting; the postcolonial approach seeks to dissect how such power hierarchies operate. HEI faculty and staff, in turn, interpret and enact policy and are themselves engaged in a “dialectic tension between reproduction and resistance” (Segalo, Manoff, & Fine, 2015, p. 358).

Specifically, this study seeks to probe the range of “equal opportunity” plans and programs developed by German HEIs since the 1980s. Using a sample of 32 institutions across all federal states, and based in rural, suburban, and urban communities, Constructivist Grounded Theory (CGT) is employed to develop a theoretical framework for migrant student support at public HEIs (Charmaz, 2014). In focus are both the “equal opportunity plan” unique to each HEI (*Gleichstellungsplan*) and interviews with *Gleichstellungsbüro* faculty and staff. Results point to a range of faculty and staff perceptions of “equal opportunity” and “diversity,” with some HEIs displaying much more expansive frameworks for diversity. Findings indicate both a bureaucratization and numerification of diversity, informed by the tuition-free context, which seem to inhibit the development of robust student supports.

This qualitative work on an increasingly diverse national landscape – Europe’s largest immigrant host country – offers a potentially transferable model for other national settings with colonial histories, increasingly heterogeneous populations, or substantial public provision of

higher education (OECD/EU, 2018). Such contexts include Australia, Canada, France, Japan, the United Kingdom (U.K.), United States (U.S.), and other countries (Universities UK, 2017).

Further, given that UNHCR estimates fewer than three percent of all refugee students worldwide will access higher education (United Nations High Commissioner for Refugees (UNHCR), 2019), this paper points toward vital supportive frameworks for the small minority of the refugee students who do manage to enroll. In this way, the leaders of future reconstruction efforts in current conflict states such as Afghanistan, Eritrea, and Syria are seen to be prioritized by evolving university structures in former colonizing contexts (World Bank Group, 2019).

Problem Statement

Germany has been lauded for its support of displaced students during the current influx, dating to 2011, of individuals fleeing armed conflict and instability in the Middle East and elsewhere. Among European receiving countries, Germany by some measures has accepted the greatest number of refugees (Trauner, 2016; UNHCR, 2016), and committed 100 million Euro in 2015 to bridging or pathway programs preparing refugee students for HEI enrollment (Bhandari & Robles, 2018; Streitwieser, Loo, Ohorodnik, & Jeong, 2018). While enrollment of refugee students in German tertiary degree programs has lagged behind expectations – 3,000 students as of April 2018 – estimates for 2020 enrollment range from 32,000-110,000 (Bundesamt für Migration und Flüchtlinge (BAMF), 2018; Hochschulrektorenkonferenz (HRK), 2018; Stifterverband, 2017). Given that overall student enrollment in German higher education was 2.7 million in winter semester 2015/2016 (Hüther & Krücken, 2018, p. x), refugee students are likely to represent between one to four percent of total enrollment in 2020. This anticipated growth in HEI refugee enrollment calls for attention to institutional supports for this marginalized student group.

Further, the substantial post-1945 migration to Germany, which includes the “guest worker” (*Gastarbeiter*) arrivals of the 1960s and 70s from Turkey, Morocco, and southern Europe, indicates attention to the established, multi-generational migrant population. Consistent with other Western European countries seeking guest workers during this period, most laborers arriving from rural villages were men with a low level of education (Crul, 2011; OECD/EU, 2018). Continued migration in the 1980s and 90s (largely family reunification) has resulted in an estimated three million residents of Turkish origin, representing the largest immigrant group (Hoßmann & Karsch, 2011). Approximately 20-25% of the German population as a whole has a “migrant background” (Schönwälder & Triadafilopoulos, 2016; Wischmann, 2018).

The German immigrant population has been shown – most notably in the 2003 PISA exam – to score lowest among the cross-national age cohort on various indicators (Brind et al., 2008; von Below, 2007). Further, Brind et al. (2008) write that in contrast to other developed countries, second generation immigrant achievement in Germany was lower than first generation achievement in 2003, particularly worrisome as the opposite trend would be expected for students with longer exposure to German language and culture. While efforts have been made in the last decade to address this so-called “PISA shock” and make available alternative pathways to higher education, challenges persist. “In Sweden, for example, six times as many of the Turkish second generation go on to higher education than in Germany” (Crul, Schneider, & Lelie, 2013, p. 19). Further, students from all “guest worker” backgrounds are still proportionately under-represented in German tertiary education (Brückner, 2017). As Neusel (2017) has put it, it is astounding that higher education research in Germany has only gingerly begun to pursue themes around migrants in higher education (p. 69). Thus, as Maaz et al. (2016) have argued,

current migrant numbers should not result in a temptation to look at the issue of migration solely in terms of those seeking asylum and refugee status. The challenges involved with the integration of people with a migration background, which have been facing Germany for decades, remain current and are gaining added importance due to the new flow of migration (pp. 23-24).

Regional and state-based differences

As noted, this inquiry highlights varied higher education institutional contexts with respect to diversity and equal opportunity frameworks. This accounts for decentralized higher education policies and funding mechanisms across 16 federal states (Kroll et al., 2016), but also for distinct histories, economies, and demographics associated with the division of Germany into the former East and West, or “new” and “old” federal states (*Neue Bundesländer, Alte Bundesländer*) (Spellerberg et al., 2007). These distinctions, in turn, impact education: “regional variations are becoming increasingly marked in Germany, and the education system is affected by such uneven development” (Maaz et al., 2016, p. 22).

For instance, the former East German states, with the exception of the city-state of Berlin, host fewer than 4% of all individuals with migrant background in Germany as a whole (Autorengruppe Bildungsberichterstattung, 2018; Maaz et al., 2016). In comparison, some former West German states identify over 30% of residents as having a migration background (Statistisches Bundesamt, 2017). Moreover, children from a migrant background under the age of 10 represent over 50% of the age cohort in some urban centers (Maaz et al., 2016). Such stark regional differences in terms of higher education impact refugees as well, as these students are often unable to attend HEIs outside of their local area given the type of their residence permit or status (Brücker et al., 2019; Sontag, 2019). Further, among all German students registered at

HEIs, “only 35% of students left the state in which they graduated from school (Middendorff et al. 2013, 62–63)” in the period 2010-11 (Hüther & Krücken, 2018, p. 182); there is a pattern of students privileging HEIs closer to home. Thus, the construction of equal opportunity and diversity frameworks at each German HEI across federal states is seen to have vital importance for the success of these marginalized groups. The specter of persistent, differential outcomes looms.

Internationalization of HEIs

Concurrently, German HEIs continue to internationalize, with the number of enrolled “international students” increasing by 30% from 2007-2017 and related student services developed by campus international offices (Maaz et al., 2016). The term “international students” here does not refer to migrants and refugees, but rather to students who do not hold German citizenship and who earned university-qualifying credentials in a country other than Germany (Apolinarski & Brandt, 2018). That is to say, student mobility from (particularly) more economically developed countries is actively sought and encouraged. However, programs serving these international students do not overlap with services for enrolled students of migrant and refugee background. Indeed, as Neusel (2017) notes, the emergence of Germany as an immigrant receiving context and the increasing internationalization of tertiary education have been two separate political and scholarly topics of conversation until quite recently (p. 69).

In short, there is a clear separation among supports for international students enrolled in degree or study abroad programs at HEIs (who are actively recruited, lauded in institutional collateral, and served by HEI international offices), students who are seeking or have been granted refugee status or temporary leave to remain (who may be served by a limited range of tailored programs operated through various HEI units), and students of immigrant background

(who are generally not targeted by student services programming at all). It seems clear, then, that the emphasis in German HEIs seeking to internationalize is on student mobility, rather than “Internationalization at Home” (Leask, 2015; Neusel, 2017; Olson et al., 2007). The 2018 German Academic Exchange Service (DAAD) report *Wissenschaft Weltoffen*, accordingly, asserts that units outside of the campus international office may “not have a uniform idea of what concrete tasks and functions related to internationalization” are expected (p. 150); internationalization is siloed within HEIs and is exclusive rather than inclusive. In sum, the students residing in Germany with a migrant or refugee background are not included in the vast programs and services offered to those entering Germany exclusively for study.

Institutional Types: the research university and the *fachhochschule*

Given the decentralized nature of the state-based German higher education system, institutional frames for “diversity” and “equal opportunity” have been developed in distinct ways based on the policies of regional government and preferences of institutional leaders. Further, the binary system, or the complementary roles of the research university and *fachhochschule* (university of applied sciences), is a distinctive feature of the German tertiary landscape and these HEIs have differently engaged with internationalization and “diversity” (Seifert et al., 2016). Research universities enroll 93% of all foreign visiting students (Burkhart et al., 2018), and a majority of refugee students as well (Fourier et al., 2017). Migrant students, in contrast, enroll slightly more often at *fachhochschulen*, though this varies considerably by group: 25% of “migrant” students with dual citizenship choose to enroll at a *fachhochschule*, while 52% of those who hold foreign citizenship but obtained their secondary school qualification in Germany do so (Middendorff, Apolinarski, Poskowsky, Kandulla, & Netz, 2013, p. 531). Therefore,

institutional type seems likely to influence frames for “equal opportunity,” though to my knowledge no scholarly work has attended to this topic.

Increased Differentiation

The discrete HEIs in focus here, both research universities and *fachhochschulen*, operate within a decentralized policy framework that is encouraging differentiation through the influence of the German Excellence Initiative (Bloch et al., 2014; Erhardt & von Kotzebue, 2016; Varghese, 2014). Briefly, this effort to improve the standing of German research universities in World University Rankings has invested billions of federal and state Euros, through a competitive process, in a few institutions that were already considered to be prestigious and high performing (Zha, 2009). The positive effects of national differentiation have been discussed in volumes including the publication *Responding to Massification: Differentiation in Postsecondary Education Worldwide* (Altbach et al., 2017); these include differentiation as a useful response to surging demand for higher education in the case of Ghana (Afeti, 2017). Broadly, comparative cases indicate that a likely effect of increased differentiation at the national level will be to negatively impact access and equity at “Excellence Initiative” institutions (Hazelkorn & Ryan, 2013). To this point, Hüther and Krücken (2018) recently argued that “in a system that already manifests a high level of social selectivity there is the risk that differentiation will intensify selectivity still further” (p. 251). Students of migrant and refugee background, both prospective and enrolled, may therefore be differently supported by the distinct equal opportunity plans and programs at Excellence Initiative universities.

The “Equal Opportunity” Office

How, then, do German HEIs support historically marginalized students at present? Given the tuition-free context and non-residential tradition, HEIs have provided limited student

services, commensurate with higher education provision in much of Western Europe (van der Wende & Westerheijden, 2001). The institutional unit most closely associated with minoritized student support is the *Gleichstellungsbüro*, mandated at all HEIs. This “equal opportunity office” was instituted beginning in the mid 1980s to serve women in the academy in response to feminist activism, though office structure and scope varies widely (Ehmsen, 2010; Klein, 2016).

The *Gleichstellungsbüro* is positioned at the nexus of increasing student diversity, decentralized higher education policy, and a limited student support model. It responds directly to historical and contemporary power relations within the German tertiary sector, reflecting an acknowledgement of each HEI’s historicity (Foucault, 1982; Heidegger, 1962). This inquiry seeks to outline the range of “equal opportunity” programs and policies in place at a subset of German HEIs. These programs and policies construct and enact frameworks for “diversity,” which reflect and reinforce existing hierarchies at HEIs. As Ahmed (2012) has put it, how HEIs translate diversity frameworks into practical action represents their institutional commitment to address inequality or “unequal opportunity” (Ahmed, 2012). Migrant and refugee students, in turn, are necessarily impacted by these various structures, both by inclusion and exclusion.

In sum, understanding current HEI structures for “equal opportunity” and “diversity” is vitally important in the German arena. While qualitative work on a subset of German HEIs is not generalizable to the tertiary sector as a whole, the use of stratified random sampling allows for a rigorous, potentially transferable analysis of the current landscape, while the application of CGT points towards both a future research agenda as well as relevant theory development.

Research Questions

The purpose of the study is to examine the following research questions:

1. At selected German public universities and *fachhochschulen*, how does the “equal opportunity plan” reflect goals for marginalized student groups beyond the traditional focus on women?
2. At selected German public universities and *fachhochschulen*, how do “equal opportunity office” (*Gleichstellungsbüro*) faculty and staff interpret their roles in terms of their institutions’ “equal opportunity plan”?
 - How does their programming reflect goals for marginalized student groups beyond the traditional focus on women?
 - Further, how do they do this in light of the specific institutional culture?

Possible Outcomes

Though CGT does not allow for formal hypotheses on the part of the researcher (the hypothesis being a fundamentally positivist construct), given my familiarity with the German tertiary landscape I anticipated that this study would show a wide spectrum of formulations of “equal opportunity.” This was reflected by relevant basic indicators: the varied length of *Gleichstellungsbüro* “equal opportunity plans,” which range from two to over 400 pages, and the number of *Gleichstellungsbüro* staff and faculty, ranging from a single part-time role to five full-time positions, indicating distinct capacities to conduct more or less expansive programming. Further, as indicated previously, I anticipated a range of formulations and offerings among institutional types, East/West and urban/suburban/rural setting, institutional ranking/prestige, and possibly concentration of international students at the institution (as a proxy for internationalization of the HEI as a whole).

Conceptual Framework

This dissertation uses a postcolonial lens in applying CGT to the German higher education sector. While the theoretical framework for this study is presented in chapter three, I discuss here key elements of the present study as connected to colonialism, postcolonialism, meritocracy, the marginalization of various student groups, racism, and internationalization.

Coloniality and Higher Education

While colonialism refers to the integrated physical, political, economic, and other occupation(s) of one territory by another, coloniality refers to colonialism's aftermath, also described as a "colonial power matrix" (Grosfoguel, 2007). Coloniality is pervasive in former colonizing contexts and includes a "coloniality of knowledge" which extends across education systems and includes the production of knowledge (Quijano, 2000). As Rizvi et al. (2016) have observed,

Postcolonialism's contentions surrounding the relationship between knowledge and power are linked directly to education, both as an institution where people are inculcated into hegemonic systems of reasoning and as a site where it is possible to resist dominant discursive practices. In this way, education has a systematically ambivalent relation to postcolonialism (p. 257).

While I agree with Rizvi's premise that a postcolonial approach to higher education ought to account for its potential as a site of transformation of hegemonic and exclusionary practices – indeed that is the emphasis of this inquiry – I consider the tertiary sector imbued with more power than Rizvi indicates.

For example, German academic structures that produce and distribute new knowledge continue to be pervaded by coloniality. This impacts not only current researchers, policy makers, and communities, but also future generations of those same groups. In 2015, a group of white

researchers comprising a research group titled “Black Knowledges” at University of Bremen submitted a grant proposal to fund the construction of a new Black Studies department, though none of the group’s members had experience teaching in that subject. Moreover, listed in the proposal as active or potential collaborators were various Black Studies scholars, who had been included without their permission or knowledge (Singletary, 2019, p. 307), thereby co-opting the work and positionality of people of color for tangible benefit. In another example, a recently graduated Ph.D. from a prestigious German research university noted that his experience at that institution indicated that students from the Global South, rather than being invited to participate in high profile summer schools or research visits, were expected to “perform in the institute's 'diversity shows' in order to fulfill the diversity measures of the program so that the latter can obtain further funding” (Arghavan, 2019, pp. 185-186). The same student further observed that while “in theory” HEIs had to comply with equal opportunity laws, “in practice no one can question the institutions which do not implement these guidelines. The white professors can always justify hiring white Germans as their assistants or *Habilitanden*” (post-docs) (Arghavan, 2019, p. 187).

Meritocracy

An interrogation of meritocracy in colonizing nation states has revealed the modes in which privilege associated with racial/ethnic identity, gender, social class, and migrant status (among other identity markers) massively advantages some students and scholars in their recognition as being of merit (Marini & Meschitti, 2018; Patel, 2015). Zanfrini has written that “the rhetoric of meritocracy... seems to exorcise, in some organizational settings, any discourse about “diversity,” as it would immediately evoke the concepts of prejudice and differential treatment” (Zanfrini 2016, p. 313).

This relates, too, to the concept of “equal opportunity.” Meritocracy’s supposition of “equality of opportunity” proscribes an emphasis on equity, understood as differential approaches to supporting historically marginalized groups in order to achieve parity in educational experience and outcomes (National Academies of Sciences, Engineering, 2019). In the German context,

Opportunities are said to be equal if gender or social background play no role in the educational choices of persons of equal merit. The aim is then to achieve “equality of educational opportunity” (Hallinan 1988, 251). From this perspective, the various educational successes of social groups are not necessarily a result of social inequality because these could be based on various aspects of performance or merit and would then be legitimate (Hüther & Krücken, 2018, p. 223).

In short, it seems that “inequality is therefore reproduced under the guise of meritocracy” (Brown 2013, p. 144). This is particularly evident in German HEI admissions practices, namely the *numerus clausus* admissions system, discussed in more depth in chapter two, which is an enrollment management technique allowing the most prestigious universities to screen their preferred applicants. Further, it relates directly to the experience of migrant and refugee students: Grada Kilomba, a Portuguese migrant who identifies as Black and completed her Ph.D. at (highly prestigious) Freie Universität Berlin, has written that she was

the only Black scholar in my colloquium, and then the only Black lecturer in my department, and one of the few in the whole institution. I cannot ignore how difficult it is to escape our body and its racist constructions within academia. While attending university, I remember being the only Black student at the department of Psychology, for

five years. Among other things I learned about the pathology of the Black subject and that racism does not exist (Kilomba, 2008, p. 35).

Student Groups

Many authors have made clear the connection between colonial history, traditions, and the marginalization of various student populations including women (Atuahene & Owusu-Ansah, 2013), migrants (Darian-Smith & Waghorne, 2016), international students (Tannock, 2018), and members of racialized groups including Native Americans, Aboriginal students, Black Africans, etc. (Tuhiwai Smith, 1999; Wade, 2010). Further, authors have crossed these “group boundaries” by employing frameworks associated with critical race theory (Crenshaw, 1991), producing intersectional analyses (Safia Mirza, 2009). Such projects attempt to reveal the artificial bundling together, or “essentialization” of “fixed identities,” such as the tendency to obscure class and gender differences among ethnic groups (Tikly, 2009, p. 35). With respect to the present inquiry, these intersectional approaches might interrogate, for example, how an equal opportunity plan serves women refugees who identify as Muslim. In what ways are their multiple and intersecting identities “allowed” for or supported by institutional diversity frameworks? Further, are they discussed using a deficit orientation (Tannock, 2018), or indicating a debt of institutional provision to provide supportive structures (Tuck & Yang, 2014)?

Tannock has described in a discussion of international students in the U.K. how explicit and implicit hierarchies are formed, referring directly to that nation’s colonial history. He writes that “some staff and students speak of there being implicit hierarchies in U.K. universities, in which different nationalities of international students are seen as being higher or lower achieving” (Tannock, 2018, p. 194). Further, he observes that hierarchies of the “Other” are seen by university staff as being constructed differently at elite Russell group institutions such as

Oxford University in comparison to other British HEIs (Tannock, 2018, p. 194). Again, one observes here a possible variation by institutional type with respect to coloniality, or rather the intersections of various types of individual and institutional power and privilege.

Racism

The postcolonial lens underscores that the construction of “race” has long been used as an exclusionary tool for economic, social, and political gains by various holders of power, both institutional and individual. Racism functions differently across national contexts according to distinct national histories, but it is clear that racist structures remain present in contemporary tertiary education (Essed, Farquharson, Pillay, & White, 2019). In the Canadian context, between 55-58% of refugee students surveyed in 2018 by World University Services of Canada (WUSC) reported that they had experienced or witnessed racism (Ghomeshi & Hyman, 2018). In writing of the German higher education sector, Layne (2019) has noted that

many People of Color (POC) in Germany would argue that despite the absence of the term 'race' from everyday conversation, racism very well exists, and not just on the margins of society, but in its very center, and not just on an interpersonal level, but as a structural problem (p. 218).

As Mirza has observed, Puwar (2004) notes that “certain types of bodies are designated as being the ‘natural’ occupants of specific [social] spaces” including “the polite and genteel corridors of higher education” (p. 241, 238). That is to say, coloniality enforces racialized norms, which in the German case frequently overlap with migrant status (Samples, 2019). Putting it even more clearly, Samples (2019) writes that “German nationality is racial; to be German is to be white” (p. 239). Further, when university students and scholars report having been targeted by racist acts, “their cases are all too often dismissed as ‘individual’ and sometimes ‘too petty’...

they are generally neither heard in the German university nor in German society” (Arghavan, Hirschfelder, & Motyl, 2019, p. 13).

This phenomenon may also be seen clearly in German historical context. Pugach, in her work on the former East German Union of African Students and Workers (UASA), has furthered that “those students who had developed a negative opinion of whites over the course of many years under colonialism needed to toughen up and ignore whatever racism they encountered in the GDR” (Pugach, 2019, p. S104). Additionally, El-Tayeb (2016) has argued that racist structures pervaded fascist, socialist, and colonial eras in German history. Further, she argues that at present, marginalized groups perceive that the consequences of colonial racism play a role in their current experience, and that this perspective is negated in popular media and discourse by the majority image of historical Europe as a site in which colonialism is external and unimportant (p. 235). Thus, for students marginalized by racist structures and practices, it has been made clear over a period of decades that “whites are the normative group and make decisions about who else can and cannot belong” (Essed et al., 2019, p. xiv).

Internationalization

Finally, coloniality is closely linked to the internationalization of HEIs in the German setting, as well as in other former colonizing contexts. Madge et al. have written of the British case that “both colonial legacies and postcolonial institutions are continuously being drawn upon to garner the authority and desirability of UK qualifications” (Madge, Raghuram, & Noxolo, 2009, p. 27). That is to say, elite HEIs such as Oxford and Cambridge have been constructed – with the strong influence of colonial hierarchies – as desirable destinations for students hailing from former colonial possessions. These students, in turn, internationalize the campus despite being subject to the racialized hierarchies of coloniality noted by Tannock.

Again, we observe a fundamental conflict here, observing that “although higher education is considered a human right, it remains subordinated to a meritocracy principle” – the discerning of students “of merit”– as well as a competition principle, whereby HEIs compete for the most “elite” international students (Goastellec 2008, p. 78).

The previous paragraph focused on what might be termed “intentional” internationalization, or internationalization of HEIs for the purpose of strategic advantage, monetary gain, or quality enhancement. There is another, newly developed form of internationalization termed “forced internationalization” that has been conceptualized as an institutional response compelled by the enrollment of refugees, and which has been elaborated with a focus on the Turkish context (Ergin et al., 2019). In that setting, the number of Syrian refugees enrolled in public universities increased from “608 in 2011 to 20,701 in 2018,” supported by the development of scholarships, tailored admission streams, and new Arabic language degree programs (Ergin et al., 2019, p. 9). Further examination of this construct is needed, for instance to probe whether there are sequella of forced internationalization that may not be seen in intentional internationalization. If funds are reallocated away from other student support services without a transparent strategic plan for the implementation of “forced internationalization,” might there be implications for student experience and attainment at the HEI as a whole? In turn, those effects might result in unintended negative consequences for both refugee students and their communities as university constituents react to shifting supports and pathways; Ziguras and McBurnie (2015) have referred to a similar effect for international students more broadly. In the case of Turkey this has been described as follows: “superior advantages specific to Syrian students formed the basis for dispute between the Syrian refugee students and Turkish students” (Arar et al., 2020, p. 14).

German Colonialism and Coloniality

How, in this context, can the German nation state be understood? German principalities and Imperial Germany pursued colonial territory throughout the 17th, 18th, 19th and 20th centuries, albeit on a smaller scale than France, Portugal, and other colonial powers (N. Berman et al., 2014; Conrad, 2012). Indeed, by “the 1880s, following Britain, France and the Netherlands, Germany acquired the fourth largest colonial empire at the time” (Conrad, 2013, p. 544). Outposts were established in Africa, Asia, and the Pacific (N. Berman et al., 2014). Travel writers discussed these new territories in gushing tones: C. Falkenhorst, as translated by Berman (1998), wrote that “the Kilimanjaro is German; it is a German mountain and, what's more, the tallest one in the German Reich. Eternal snow lies on none of our mountains at home--but it covers the summit of our newly won peak, only three degrees south of the equator!” (R. A. Berman, 1998, p. 1). Finally, extensive territory was seized and explored during the fascist regime of the NSDAP (*Nationalsozialistische Deutsche Arbeiterpartei*). By no means were the versions of German colonial possession uniform: “African colonies differed markedly from German rule in Jiaozhou in China, where higher education and a university were part of the colonial modernisation project” (Conrad, 2013, p. 558).

In addition to these physical possessions of territory, authors have discussed the broader colonial fantasies engaged in by various German actors. Conrad (2012) includes among these “influence on the Ottoman empire” and “colonial structures of rule in eastern Europe” (p. 13). The evangelizing work of Catholic missionaries in German East Africa and elsewhere (Aitken, 2015), as well as “the links between colonial discourses on miscegenation and citizenship” in the German context (Campt, 2004, p. 6) might also be added to this list.

However, as noted by Kurthen (1995), “the notion of national homogeneity was not challenged in Germany by massive postcolonial remigration movements of persons from former overseas colonies, in particular after World War II, as in the case of the United Kingdom, France, the Netherlands, or Belgium” (p. 916). Instead, Schilling (2015) observes of this post-1945 period that the influence of “former colonialists” in the political realm in essence “ensured that a positive memory of colonialism was upheld [and] established a near seamless link from colonial paternalism to postwar ‘development’” (p. 429).

In recent years, Germans have had something of a reckoning with this colonial past (Fitzpatrick, 2018, p. 88). Perraudin and Zimmerer (2011) write that “from the end of World War Two, the German public had forgotten about its colonial empire... and could therefore engage with the new post-colonial world without the dark shadow of a colonial past” (p. 1). This amnesia was interrupted, the authors note, by the 2004 centennial of the genocide of the Herero and Nama peoples in Namibia by German Imperial troops, which the German government officially apologized for in August of that year (the genocide took place over a four year period, from 1904-08) (Perraudin & Zimmerer, 2011). In spite of this public reckoning, Armbruster (2010) found during an interview series with German immigrants to Namibia (a former German territory), that although most participants knew little about the relevant colonial history, this did not inhibit their ability to profit from its aftereffects. Participants “were able to conduct their business in German, Afrikaans or English, have their children educated in German and realise ambitions of home-ownership,” also “benefiting, until quite recently, from a highly racialised class system” (Armbruster, 2010, pp. 1233-1234).

Thus despite government acknowledgments of profound colonial violence, issues around German coloniality persist in Germany and elsewhere. For example, El-Tayeb has highlighted in

her work that research into the question of racism in the German sphere has been regarded by some as unnecessary given the lack of “material indicators” including a lengthy colonial history (despite ample evidence to the contrary) and a “significant black population” (El-Tayeb, 2001). In fact, the European Commission against Racism and Intolerance (ECRI) observed in a 2014 report that “the notion of racism is often interpreted too narrowly in Germany and is linked to organised groups. The racist, and particularly xenophobic, character of some public discourse is still not established clearly enough in public debates” (European Commission against Racism and Intolerance (ECRI) 2014, p. 10).

It is clear, then, that a scholarly discussion of German colonialism, postcolonialism, and coloniality represents an area ripe for robust debate within and external to Germany itself. Areas in focus include those mentioned above, as well as the various colonial relationships of the former East and West Germany (discussed in the Mozambiquan setting by Madureira) as well as a possible “link between the Herero wars and the Holocaust” (Madureira, 2018, p. 280, 285).

This postcolonial context necessarily impacts the public tertiary education sector; HEIs, in turn, manifest their own postcolonial hierarchies of power and privilege that inevitably relate to temporally-bound discourses of “equal opportunity” and “diversity.” These discourses, in turn, inform migrant student experience in the higher education sphere.

Significance of the study

More students of migrant background have gained access to all levels of tertiary education in Germany in recent years (Brandt, 2014; Bundesamt, 2016; Ehmsen, 2010; Wolter, 2014). This shift has challenged HEIs – about 70% of which are public – to develop appropriate programming to support diverse student populations (German Rectors’ Conference, 2019). Rather than a coordinated approach, this area has been left to the individual institutions; as one

German analyst has written, “German universities are very much on their own in their efforts to deal with the problems – and opportunities – of diversity” (Leichsenring, 2011, p. 53).

In light of Germany’s demographic challenges – the menace of a shrinking workforce – an economic argument has been made that it is a necessity to retain at least some portion of the well-qualified migrants and refugees educated within its borders (Erber, 2015; Hoßmann & Karsch, 2011; Kalter & Granato, 2002; Schönwälder & Triadafilopoulos, 2016). An even stronger rights-based argument can be made, drawing on foundational documents of the international human rights discourse including the Universal Declaration of Human Rights and International Covenant on Economic, Social, and Cultural Rights (among others), which indicate equitable access to higher education (United Nations 1963; United Nations General Assembly 1966, 2018). Further, the 1960 UNESCO Convention Against Discrimination in Education states that the organization “while respecting the diversity of national educational systems, has the duty not only to proscribe any form of discrimination in education but also to promote equality of opportunity and treatment for all in education” (UNESCO General Conference, 1960).

There is initial evidence for the faculty and staff of HEI “equal opportunity offices” expanding student support programming from its traditional focus on women to encompass “diversity,” thereby including migrant and refugee populations as well (Leuphana Universität Lueneburg, 2014; Universität Kassel, 2013). *Gleichstellungsbüro* officers, working within the framework of their institution’s “equal opportunity plan,” therefore may play key roles in how migrants experience and succeed in higher education. Indeed, given the critical role that educational attainment plays in not only an individual’s trajectory but in terms of community wellbeing, educational success among migrant groups in Germany and Europe as a whole is of vital importance. Successful university graduates may join the ranks of a more diverse policy-

making strata in the public and private sectors in Germany and elsewhere. In the broadest sense, then, this inquiry supports community wellbeing, representative democracy, and the operationalization of the human rights discourse on education (UNESCO General Conference, 1960; United Nations, 1963; United Nations General Assembly, 1966, 2018).

Overview of Research Design

As this dissertation poses research questions related to individual processes of understanding and institutional policies for diversity, qualitative inquiry is indicated (the rationale for this mode of research is elaborated in chapter three). Specifically, this study uses Constructivist Grounded Theory (CGT) to develop a model for equal opportunity processes at HEIs, particularly in light of institutional culture. A sample of 32 German universities and *fachhochschulen* is employed, representing one of each institutional type per federal state. This sampling follows Charmaz's (2014) urging that the constructivist paradigm be seen as a "set of general principles, guidelines, strategies, and heuristic devices" (p. 3). I briefly discuss limitations of the proposed study here, though they will be addressed in detail in chapter five.

Limitations of the Study and Researcher Positionality

The methods of data collection selected for this study – document analysis and an interview series – present both opportunity and challenge for a researcher. Of primary concern here is positionality; as Kilbourn has put it,

A fundamental assumption for any academic research is that the phenomena (data) that we wish to understand are filtered through a point of view (a theoretical perspective)—that is to say, it is assumed that there is no such thing as a value-free or unbiased or correct interpretation of an event. Interpretations are always filtered through one or more lenses or theoretical perspectives that we have for "seeing" (Kilbourn, 2006, p. 545).

As an American doctoral student, I am an outsider to the German university ecosystem although I previously lived in the country for two years. Assumptions that I might unwittingly make about what is usual or atypical presumably influence my document analysis or interview coding. I attempted to combat this threat by utilizing a close familiarity with the German tertiary context, having delved deep into the literature and having conducted other, related interview work, which allow for an initial researcher-guided check of credibility. However, my role as the primary coder in this study was necessarily impacted by my positionality. I further addressed this issue by utilizing field notes and memos to record and track my impressions and emerging analyses, which were themselves analyzed at a later date (Charmaz, 2014).

Finally, I acknowledge that this “finished work is a construction” (Charmaz, 2014, p. xiv). It represents an “abstract theoretical understanding” based on my own pool of knowledge (Charmaz, 2014, p. 4). Therefore, the generation of theory based on the inquiry at hand is both enabled and constrained by the researcher herself (Manning, 2007).

Interpretation

Any research project crossing linguistic barriers is subject to problems of literal and figurative interpretation (Cole et al., 2006). While I anticipated that interviews for this study would be conducted in German, all interview participants chose to use English, and switched to German only to emphasize a few points. Therefore, translation of interview transcripts was unnecessary. While all equal opportunity plans were in German, I was able to read and code these plans independently. My findings were validated through member checking with German equal opportunity officers (elaborated in chapter three). Though the possibility of error exists in any research project, I explicitly address those areas I perceive to be the greatest threats to this study’s creditability and rigor.

Generalizability vs. Transferability

As this research project represents qualitative work, reliability does not apply in the same way as it would in a quantitative study. In quantitative work, reliability indicates whether the procedure, instrument and/or construct outlined in a particular study are consistent. Broadly speaking, quantitative work that is reliable and valid indicates that a study is generalizable – that researchers elsewhere in the world might be able to reproduce intended results. In contrast, qualitative work does not seek to achieve generalizability but rather aims to promote the transferability of a research study by providing “thick description” allowing the reader to evaluate whether a similar approach might be appropriate in another context (Geertz, 1973).

As noted previously, this study employs triangulation – through document analysis and interviews – to approach the research question and to build a “confirmatory edifice” (Fine et al., 2003). Charmaz refers to the collection of data from different sources as a part of “theoretical sampling,” which is emergent, fills in the gaps that the researcher identifies throughout the research process, and makes clear the meaning of analytic categories as well as the variation within and among them (Charmaz, 2014).

Validity

Similarly, validity is used in quantitative work to demonstrate that a given test is measuring what it purports to measure; this concept does not apply in the same way to qualitative work. As noted previously, I acknowledge that a threat to validity includes the researcher’s positionality, which I have outlined an approach to address.

Another threat to validity in qualitative work, and specifically grounded theory, is insufficient data. Charmaz (2014) writes that theoretical “categories are ‘saturated’ when gathering fresh data no longer sparks new theoretical insights, nor reveals new properties of

these core theoretical categories” (p. 213). She elaborates that this requires the probing of new, emergent codes – I found that at nine equal opportunity plans coded, I was no longer identifying new initial codes and therefore used the remainder of the plans to consider distinct state contexts and elaborate focused codes.

Overview of the Study

Chapter one of this dissertation outlines the study itself, providing an introduction to the topic, defining the problem, and discussing researcher positionality. Chapter two offers a review of relevant bodies of literature that have influenced the direction and design of the proposed research. These include a brief history of the development of the German university system with attention to student heterogeneity; the uses and constructions of “diversity” and “equal opportunity” in German tertiary education; and the development of the *Gleichstellungsbüro*. Chapter three discusses method and methodology, detailing sampling procedure and iterative analytic coding guided by CGT (Charmaz, 2000, 2004, 2006, 2014). The main findings of the study are presented in chapter four, and chapter five contextualizes findings, addresses limitations, and makes recommendations for policy, practice, and further research.

CHAPTER TWO

This chapter presents in three sections the literature framing “equal opportunity offices” (*Gleichstellungsbüro*) and their work with marginalized students at German higher education institutions (HEIs). I first provide relevant background by briefly outlining the development of German research universities and *fachhochschulen* (universities of applied sciences). This serves to offer historical context to the *status quo*, and moreover informs our “conceptualization” of relevant power relations; as Foucault has written, “we have to know the historical conditions which motivate our present conceptualization. We need a historical awareness of our present circumstance” (Foucault, 1982, p. 778).

Second, I discuss the use of the term “diversity” in the German higher education system, unpacking its various uses and translations. I touch on the role of consulting groups currently providing “diversity audits” to German HEIs, as well as the concept of diversity management. These frameworks for “diversity” inform an understanding of the growth and function of the *Gleichstellungsbüro*, which may be seen as something approaching an analog to the American university diversity office.

Third, I move to address the implementation of federally mandated “equal opportunity offices” at German HEIs beginning in the 1980s. This calls for a particular focus on the historically specific and evolving role of women at German institutions, and thus I attend to women’s participation in the student body and faculty in sections one and two as well. I provide clear examples of current “equal opportunity models” or plans from various HEIs to illustrate the broad range of *Gleichstellungsbüro* foci, reporting structures, and self-identified constituent groups.

In the final analysis, these three areas of scholarship frame the present study of 32 *Gleichstellungsbüro* across all federal states. Constructivist Grounded Theory (CGT) parses both equal opportunity plans and the interview-based reflections of *Gleichstellungsbüro* faculty and staff, with a focus on whether and how office operations reveal power hierarchies, more or less expansive “diversity” frameworks, and ultimately support increasing numbers of minoritized degree-seeking students.

History and Structure of German universities

In the paragraphs that follow, I briefly outline key historical developments of the German tertiary sector, emphasizing its decentralization, as well as exclusion of women, non-German, and low socio-economic status students. While the focus of the present inquiry is specifically on migrant students as umbrella category, data on exclusionary structures helps to inform our understanding of the contemporary moment in which migrants and refugees are constructed as “Other” (Faymonville, 2007; O’Neill, 2010). I trace the politicization of research universities during the fascist period through the campus expansion and massification of higher education in post-1945 West Germany, parallel to Stalinist influenced East German HEIs of the period. Finally, I discuss efforts in this century to address the academic tracking mechanisms at the primary and secondary school levels that have inhibited tertiary access for marginalized student populations.

Overview of System Development to 1945

German unification. The unification of (then) twelve German states took place in 1871 under the leadership of Prussian monarch Wilhelm I following the conclusion of the Franco-Prussian war. German universities of the age – the earliest having been founded in 1386 at Heidelberg – were allied more closely with their princely states and international peer

institutions than with any larger “German” university structure (Langewiesche, 2010). Thus, we note a clear emphasis on a decentralized, regionally specific system of higher education – a trend which continues to the present day albeit in a different form.

World War I and the Weimar Republic. From 1914-1918, many German university students and scholars were conscripted into military service. In some cases, this presented an opportunity for women to be involved as lecturers, a role which had not been made available on any broad scale previously; indeed, women were admitted as students at some universities only in 1900 (E. Glaser, 1997; Majcher, 2002; Morgenstern, 2006). The devastating losses of the war presaged a chapter of dynamic change in German culture during the Weimar Republic, extending from 1919-1933, during which universities failed to react in substantive ways to a new democratic order. HEIs did not admit working class students despite tremendous class conflict, with factions of social democrats, communists, and monarchists agitating for their respective agendas (Hartshorne, 1937, p. 43).

Further, Liddell (1948) writes that “before 1933, the “German universities were in no real sense democratic; they were not democratic in the spirit and personnel of the professors, or in the spirit and personnel of the students. In organization each university was an oligarchy” (Liddell, 1948, p. 33). Therefore, the period of 1871-1933 may be viewed as a period of consolidation of the research function of the German university, but also of tertiary sector failure to meaningfully respond to social and political trends or dismantle exclusive hierarchies.

The second World War. On January 30, 1933, the NSDAP (*Nationalsozialistische Deutsche Arbeiterpartei*) took power in Germany. By August 1934, all civil servants (including university staff – almost all higher education institutions being public) had been required to take two loyalty oaths, and it is estimated that 15% of university researchers lost their positions as a

result by the end of 1934 (Waldinger, p. 788, 794, 2010). The fascist government also moved quickly to establish quotas for university enrollment. In December 1933, a national cap of 15,000 student places was established for Academic Year 1934-35 (a 5,000-person reduction from the year prior). Each federal state received a specific quota, with the proportion of women never exceeding 10% of total enrollment in any province (E. Glaser, 1997). As Hartshorne (1937) puts it, between these quotas and strict entrance criteria (intellectual, physical and moral-political), universities served as conduits for the future political elite (Hartshorne, 1937).

Additionally, there was targeted persecution of migrant student groups under the new NSDAP regime. By 1937, there were only 500 Chinese students nation-wide, though Berlin alone had registered 1000 Chinese students in 1923 (Ha et al., 2007). Further, this group was subject to the "Central Office for Chinese" founded in 1938 by Richard Heydrich to sharply control visas, and Chinese-German relationships and marriages were persecuted with arrest (Ha et al., 2007).

System development from 1945-1990

Post-war reconstruction. The period immediately following the end of the second World War is termed reconstruction and applies to both the Allied and Soviet occupation zones. Many university towns had been nearly destroyed by bombing raids and various social structures had been banned or repressed by the Nazi party; only nine of twenty-three existing university campuses were "relatively unharmed in 1945" (Fallon, 1980, p. 55). Borders had also been redrawn, "with Königsberg and Breslau no longer classified as German (but Polish)" resulting in waves of migrant, ethnic Germans to the new "West" (Östling, p. 384, 2016). However, given the wide-spread devastation, the university remained a critical site for economic development, social stability and the transmission of political ideals for the occupying powers (Östling, 2016).

Approaches in the Allied sector. In expectation of an Allied victory, British intelligence had been cultivating information on the status of German universities to prepare for rebuilding. Their analysis problematized not only Nazi-era isolation from the international academic community and both staff and student purges, but also the structure of Weimar era universities, including: autocratic behavior of full professors; lacking a broader sense of social responsibility; a student body comprised of elites; and an inability to re-conceive of universities as democratic institutions after World War One (Diehl et al., 2013).

The effort to restore a “classical” German University model was, in the American, British, and French zones of occupation, filtered through the overarching goals of democratization (Dorn & Puaca, 2009). Tsvetkova (2014) notes that on the Western side of the new border, each university was initially under the auspices of military command (with “curators” rather than presidents) (Tsvetkova, 2014). Further, “after the official lifting of the occupation in 1952 and through the end of the Cold War, all 53 universities opened in West Germany during the period from the 1950s through the 1980s were targets of American public diplomacy” (Tsvetkova, 2014, p. 165). Pritchard (1999) writes that the intention of American leadership in the German sphere was to

reduce the power of the senior professoriate, to introduce student body representation into university administrative bodies, to make academic programs and university curricula more suitable for the real world, to introduce general education and political science in every university, and to introduce “classes” and seminars instead of lectures (Pritchard, 1999, p. 167).

Essentially, the goal was to apply traditions of American Universities to the German landscape, to give students a greater voice in university operations and to provide a forum for explicitly

democratic themes. Further, these aims were supported by private sectors actors including the Rockefeller Foundation (Staley, 1995).

University sector expansion in the West. Concurrent with other Western European nations, West Germany of the late 1950's and 60's experienced profound social change including protest against “remnants of colonialism, imperialism and fascism” (Schilling, 2015, p. 429). A growing awareness of women's rights, environmental justice, class structure and—importantly—the growing awareness among youth that actions during the Nazi regime had not been fully accounted for, led to unrest, student activism, and played a critical role in remolding the tertiary sector.

Concurrently, the guest worker (*Gastarbeiter*) program fueling economic growth recruited ostensibly “temporary” laborers from Turkey, Morocco, and southern Europe in particular – approximately 14 million between 1955-73 (Clarence, 2009; P. Martin, 2013; Schmidt-Catran & Spies, 2016; Schönwälder & Triadafilopoulos, 2016). Some of these workers over time welcomed their families, and are seen in retrospect as the first wave of (permanent) immigrants in the post-1945 Germany (Clarence, 2009; Grasmuck & Hinze, 2016).

Institutional capacity increased with a massive campus construction effort in the West, and access for minoritized groups increased as well (Kyvik, 2004). As noted by Perkin (2007), from 1950-1970, the proportion of working class students increased in West Germany from 4% to 13% (Perkin, 2007, p. 197). This movement was in line with massification trends seen elsewhere in more economically developed countries (Teichler, 2002). A contributing factor was the development of the *fachhochschulen* in the early 1970's, characterized by a vocational orientation and mandatory work experience (Grubb, 2003; Osborne, 2003). As observed by Kyvik (2004), in

1985 the decision was made to codify a binary system with the two institutions (universities and *fachhochschulen*) remaining distinct (Kyvik, 2004).

In the German context, this shift toward multiple avenues for tertiary education represented a movement away from a commitment to strict educational (and social) roles, which had perpetuated class divisions and restricted access to social capital (Schindler, 2016; Thum et al., 2013). However, in light of strict academic tracking mechanisms at or around age ten, progress towards more equitable access to tertiary education was slower than in other national contexts – Figure 1 displays the various paths through the tracked (or tiered) education system at this time.

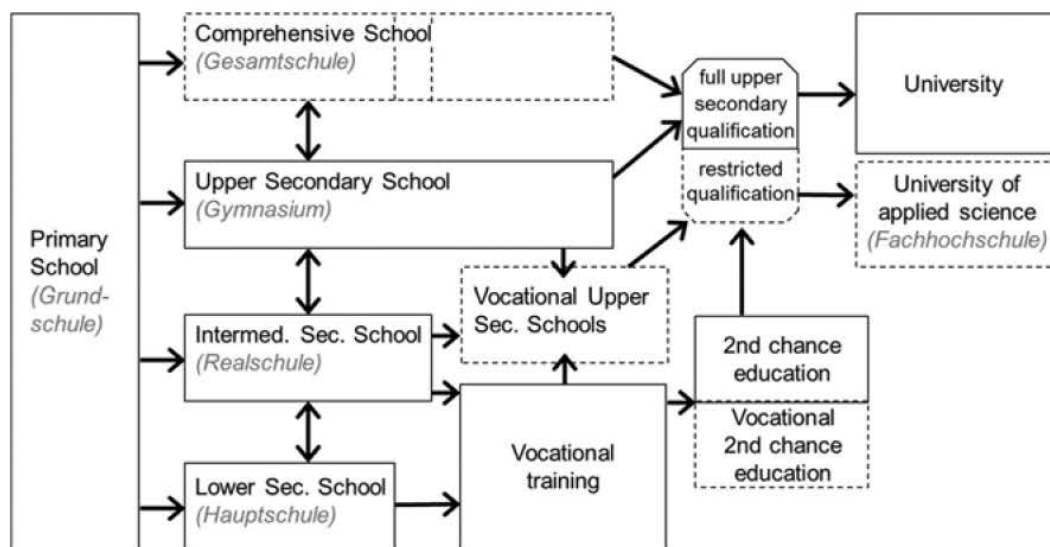


Figure 1. The German education system.

Note: Dashed lines indicate institutions that were introduced by reforms in the 1970s.

Figure 1: German education system (Schindler, 2016, p. 4)

The Soviet sector. In the Soviet zone, Stalinist-oriented goals guided the development of the post-war university sector, and thus the reconstruction period of 1945-49 may be seen as a period of externally directed rebuilding (Tsvetkova, 2014, p. 183). As Fallon (1980) and others

have put it, the ideological rivalry between socialism and liberal democracy would define the trajectory and development of German universities through 1990 (Fallon, 1980; Tsvetkova, 2014). Indeed, how these distinct traditions and environments continue to influence HEI operations is under-researched in the higher education literature and is relevant for the present inquiry (Kroll et al., 2016).

The partition of Germany was made formal in 1949 when two German states emerged from the period of reconstruction: the German Democratic Republic (or “East Germany”) and Federal Republic of Germany (or “West Germany). In East Germany, Soviet diplomats and Cultural Houses were responsible for administering the seven universities in operation following 1955. As Pritchard (1999) notes, the operating goals were to depart from Nazism and fascism, and to eliminate educational privilege of dominant classes (Pritchard, 1999). Indeed, Command Number 50 of Soviet Military Administration set up conditions for admitting students to university who did not hold the *Abitur* qualification (a standard pre-requisite for tertiary study), instead forming "pre-study institutions" as an alternate pathway for workers and peasants to access higher education: a new type of hierarchy (Pritchard, 1999, p. 153). However, "the new admissions regulations quickly became a steering mechanism for producing politically well-adapted conformist students" (Pritchard, 1999, p. 153).

Just as the NSDAP orchestrated university admissions to prepare an ideologically sound class of future party officials, so too did the East German government exert control over tertiary policy to further its own ideological goals (de Wit & Merckx, 2012). From 1951 onwards, following the Second Reform of Higher Education, university students in the East were required to study Marxism-Leninism for 20% of available curriculum time (Pritchard, 1999, p. 154). Centralized control of the university was not without consequence: by 1990 many East German indicators were

bleak, as only 12 to 13% of the relevant age cohort was enrolled in higher education at the time (compared to 23% in the West). Further, significant gender based polarization had occurred, with women representing only 5% of the professoriate (Pritchard, 1999, pp. 160-61).

System development from 1990-present

Reunification of East and West Germany. At the time of formal reunification of East and West Germany in 1990, an attempt to reconcile two strikingly different systems of higher education was made, although the literature indicates that the transition was much more an incorporation of East German universities into the West German system. This is not to say that all West German tertiary sector outcomes were superior; as Pritchard (1999) notes, the East German time to degree was 4-5 years as compared to 6.8 years in the West (p. 159). The *Wissenschaftsrat* (WR), a government institution established in 1957 during the West German Adenauer administration, provided several reports and recommendations on strategies for the unification of the higher education sector. The WR called for greater diversification and fundamental reform of the Western German system, but by 1993 "at the cost of much effort, money, time and sacrifice, East Germany had been given the same higher education structures as West Germany -- and with them some of the same problems" (Pritchard, p. 167, 1999).

PISA shock and tracking system. In the years since 1990, with the project of reunification substantially achieved, the German higher education system has continued to expand and differentiate. The finding – widely described as a shock – that a substantial gap by student socio-economic status and migrant background was reflected by TIMMS (Trends in International Mathematics and Science Study) and PISA (Programme for International Student Assessment) scores of the mid-nineties and early 2000s has resulted in a greater focus has been placed on including marginalized groups in the upper levels of secondary education and in facilitating their

access to higher education (Euler, 2016; Heath et al., 2008; Heinrich Böll Stiftung, 2011; Hoßmann & Karsch, 2011; Thum et al., 2013; von Below, 2007; Worbs, 2003). As the Open Society Institute (2008) has observed, PISA results displayed among all countries surveyed the “highest levels of inequality between the performance of immigrant children and ‘native’ children in Germany... with second generation migrants performing at lower levels relative to German students than first generation migrants” (Brind, Harper, & Moore, 2008, p. 24).

Some of the work responding to low TIMMS and PISA scores has focused on revamping the strict academic tracking system mentioned previously – tracking at the age of ten was an outlier in international context (Crul, 2013), as was the “rigid” nature of the sorting mechanism (Becker & Hecken, 2009, p. 234). As Schindler (2016) has put it, Germany’s “early educational transition into tracked secondary schooling is often regarded as a key mechanism in the formation of educational inequality (cf. Blossfeld 1993; Gresch et al. 2010)” (Schindler, 2016, p. 2). However, while progress has been made in both delaying the tracking decision and making it less final (or “rigid”), early tracking continues to take place (OECD, 2014).

What factors are at play here? Auernheimer (2007) has referred to the sorting process, which is meant to be a collaboration among parents, teachers, and administrators at the school level, as the “hidden curriculum of racism” (pp. 90-91). Indeed, as Wischmann (2016) points out, the profound lack of ethnic diversity among the ranks of school teachers involved in this tracking decision is among the structural factors in question (p. 11), as well as very few teachers identifying a migrant background (Camilleri et al., 2013). Additionally, the data points to key gaps in tracking decisions by region. Roesner (2007) highlights that in the 54 administrative districts of Nordrhein-Westfalen, the percentage of students moving into the *Hauptschule* (which does not qualify for university entrance) varied between 9% und 34%, while those transitioning to *Gymnasium* (the

highest level high school) ranged from 27% to 56% in academic year 2003/04. (p. 16). Therefore, while more attention is being paid to tracking among students of marginalized backgrounds, substantial gaps remain (Klusmeyer & Papademetriou, 2013).

Contemporary Access and Equity Issues

Current Enrollment

German universities enrolled a higher proportion of “non-traditional” students in 2018 than in decades prior, including students with children, part-time students, and others (Klammer & Ganseuer, 2013; Middendorf et al., 2013). However, the representation of these groups remains relatively low – 2.4 percent of all enrolled first-year students were classified as part-time in 2013 – and much progress remains to be made (Brändle & Häuberer, 2014). Figure 2 (below) illustrates persistent, pernicious gaps in higher education access in this regard.

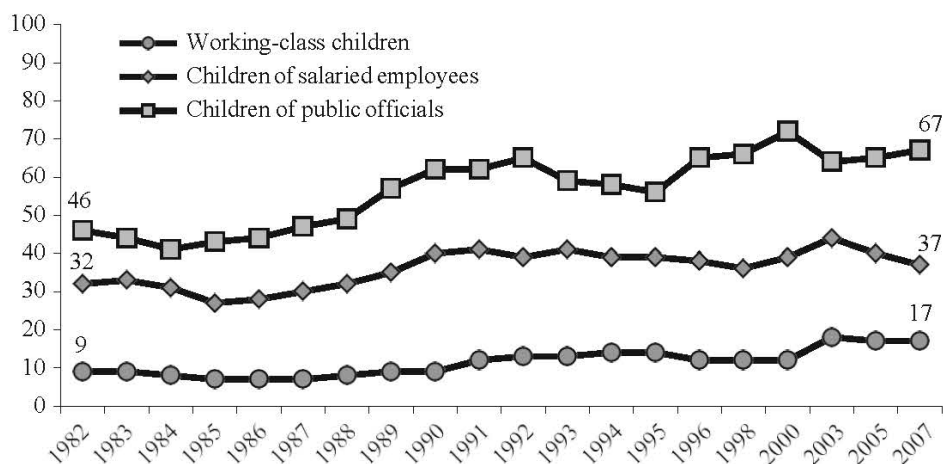


Fig. 7.13 First-time entry rates of students by their father's occupational status 1982–2007
 Figures in percent; up to 2003 only former West Germany including West Berlin; source: up to 2005: GESIS-ZUMA 2014; for 2007: Isserstedt et al. (2010, 101)

Figure 2: First-time entry rates of students by their father's occupational status 1982–2007 (Hüther & Krücken, 2018, p. 241)

Students from a migrant background now represent between 20-25% of the total tertiary enrollment, which roughly correlates with the proportion of the German population as a whole

(approximately 14% of the total population being first generation immigrants and 7% second generation) (Brückner, 2017; Deutsches Studentenwerk, 2018; Neusel, 2017). First generation immigrant students display on average a longer time to degree, as well as a higher risk of breaking their course of study (Kerst & Wolter, 2017). Additionally, migrants from some national backgrounds are disproportionately represented in the grouping of enrolled tertiary students and those qualified to access tertiary study (with an *Abitur* or *Fachabitur*). While immigrants from countries that sent guest workers (*Gastarbeiter*) including Turkey and Morocco represent 27.9% of the immigrant population as a whole, they comprise 12.7% of all qualified students; in contrast, immigrants from OECD member states comprise 7.5% of the immigrant community but 12.1% of tertiary-qualified students, and Chinese immigrants 0.9% and 9.1%, respectively (Brueckner, 2017, p. 236).

To add further nuance to this data, survey responses collected by the German Student Union reflect that 23% of all students enrolled at both universities and *fachhochschulen* self-identify a migrant background (Deutsches Studentenwerk, 2018). This umbrella category (which does not include refugees) breaks down as follows: 4% are *Bildungsinlander* (holding foreign citizenship with German university qualifying credential); 3% are *eingebürgerte Studierende* (who have given up a previously held foreign citizenship and are now German citizens); 2% hold dual citizenship (German citizenship and another); 3% are German citizens who identify at least one parent as holding foreign citizenship; and 11% are German citizens who were either born in another country or who identify at least one parent as being born in another country (so-called *Spätaussiedler*, or “ethnic Germans” who returned to Germany from, typically, the post-Soviet bloc in the 1990’s or early 2000’s) (Brückner, 2017; Deutsches Studentenwerk, 2018).

Numerus Clausus Admissions System

In recent years, increased attention has been paid to the merit of the current *numerus clausus* (closed number) university admissions system and possible exclusionary effects for marginalized students. This system, argue Braun, Dwenger and Kübler (2010), is designed with three priorities in mind: “to give students with excellent grades a very good chance to be admitted to their preferred university...to admit students with long waiting times... to allow universities to admit students according to their own preferences” (Braun, Dwenger, & Kübler, 2010, p. 1). That is to say, having a qualifying leaving certificate does not, in practice, guarantee admittance to the institution of choice in the program of choice. “Given capacity constraints at educational institutions and the ensuing need to reject some applicants,” rather, *numerus clausus* has been implemented so “that everyone should have a *chance* of being admitted into the program of his or her choice” (Westkamp, 2013, p. 562).

Finger (2016) writes that in 2013, “51% of all undergraduate programs were restricted [via *numerus clausus*], with strong variation between federal states and subjects (Herdin & Hachmeister, 2014)” (Finger, 2016, p. 113). In practice, the *numerus clausus* system indicates that admission to the most sought after universities or academic programs (for instance, law and medicine) requires almost perfect academic performance. The universities at the top (Humboldt-Universität zu Berlin, LMU München, etc.) are able to select the students they desire, not unlike a more explicitly tiered system such as the U.S. or U.K. In an interview conducted with a university staff member working with a refugee support initiative, the participant reflected that about 600 people applied for 15 study places each year in his university’s medical program, and that even qualified refugees had no chance of being admitted (Unangst & Streitwieser, 2018). Importantly, medical school admissions using *numerus clausus* were “declared to be partially unconstitutional by the German Constitutional Court as of 19 Dec. 2017” and a revised proposal

was due to the court for its review by the end of 2019 (Deutscher Akademischer Austauschdienst (DAAD), 2018, p 13). Whether a revised system of admissions will be applied across all subject fields remains to be seen.

The Excellence Initiative

Institutional differentiation in what was once a notably homogenous tertiary system is clearly increasing in light of trends toward corporatization and competition in the German landscape (Altbach et al., 2009). This is at least partly a result of the increased emphasis on German universities being recognized as “World Class” in rankings including the *Times Higher Education*, Shanghai Jiao Tong (ARWU), and QS systems (Bloch et al., 2014; Wolter, 2017). As Lehmann and Stockinger (2018) have written,

while the ranking-dominating Anglo-Saxon universities tend to be highly market-oriented, the quickly catching up Asian universities are centralised and state-oriented. Universities from Continental Europe, however, seem to be stuck in the middle (Audretsch, Lehmann, & Paleari, 2014; Heffernan & Heffernan, 2017), as reflected in only mediocre ranking positions (Lehmann & Stockinger, 2018, p 2).

Responding to this perceived mediocrity, the German Excellence Initiative, launched in 2005, provided 1.9 billion Euro to what were already elite research universities in the tertiary landscape, seeking to create a German Ivy League through increased research production and enhanced reputation (Bloch et al., 2014; Deutsche Forschungsgemeinschaft, 2013; Erhardt & von Kotzebue, 2016; Haas & Van De Werfhorst, 2017; Hazelkorn & Ryan, 2013).

Erhardt and von Kotzebue (2017), writing on the topic of increased institutional differentiation, have observed that “the mission statement functions as a meaningful indicator for horizontal differentiation, since it distills that part of the brand personality that is relevant for the

organization's positioning" (Erhardt & von Kotzebue, 2016, p. 336). Given that "equal opportunity plans" are likewise institutional documents that reflect a given HEI's aims and purpose, it seems reasonable to assume that these documents may also reflect the tertiary sector's increased differentiation. The research questions proposed by this inquiry should indirectly address this issue among a subset of public institutions.

The Bologna Process

Begun in 1999, the Europe-wide Bologna Process has also affected the German tertiary landscape. That process, which culminated "in 2010 with the declaration of the establishment of a European Higher Education Area (EHEA)" including 47 member states (Helms, Rumbley, Brajkovic, & Mihut, 2015, p. 12), has broadly sought to achieve harmonization of higher education systems in Europe. Key goals include increased student mobility across countries (with a goal of 20% of HEI graduates having studied internationally by 2020), the easy recognition of foreign credentials on the job market, social inclusion, and related aims (Ferencz & Wächter, 2012; Langholz, 2013). The Bologna Process may be seen as a driver of a continent-wide emphasis on internationalization, visible through the expansion of the Erasmus exchange programs (founded in 1987), the growth of campus internationalization offices, and campus internationalization more broadly (Wit, 2011).

One result of the Bologna Process in the German case was to shift the degree structure from the traditional *Diplom/Magister* tracks to the bachelor-master format familiar in the other contexts, thereby shortening time-to-degree for first qualification at the tertiary level (Weishaupt, 2013). Similarly, the implementation of a standardized credit system for university-level coursework, the European Credit Transfer System or ECTS, is an output of Bologna (Ferencz & Wächter, 2012). Further,

European and partner countries established a European Higher Education Area (EHEA) in 2010. This was the culmination of the Bologna Process [and involved] the European Commission, the Council of Europe and representatives of tertiary education institutions, quality assurance agencies, students, staff and employers (UNESCO, 2018, p. 4).

The ECTS and EHEA, in turn, established the groundwork for the newly launched Norwegian Agency for Quality Assurance in Education (NOKUT) "refugee passport" (Toker, 2019). This passport has been "piloted in 2018–2020 in nine European countries and collates information on a student's educational background, work experience, and language proficiency" to facilitate education and labor market access (Bernhard Streitwieser & Unangst, 2018, p. 17). NOKUT's refugee passport also reflects the larger social inclusion aspect of Bologna, though recent work querying Muslim students across universities in Armenia, France, and Germany has pointed to perceptions that there is much to be achieved in this area (Chubaryan, 2018).

In summary, while attention to access and equity issues has been heightened in light of the PISA/TIMSS "shock," expanding university enrollments and diverse student populations, a series of research questions is presented by both available and missing data. To echo Brückner's (2017) reflection on this dynamic and decentralized landscape, are some HEIs better able or more willing to support marginalized students than others?

"Diversity" in the German Context

The increasingly diverse student body at German HEIs indicates the need for a close understanding of how "diversity" is defined and utilized in that same context. "Diversity" as an English language noun, in its sparest sense, refers to "the condition or quality of being diverse, different, or varied; difference, unlikeness" and its first usage has been traced to 1340 by the Oxford English Dictionary (Oxford University Press, 2017). Of course, "diversity" represents a

construct as well, and one which is not only nationally and culturally specific, but – with respect to higher education – institutionally specific (Ahmed, 2012; Dobusch, 2017). As furthered by Ahmed (2012), the work of deconstructing diversity artifices is “fundamentally the work of examining how universities that sponsor ‘diversity’ frameworks generate, mitigate, or ignore inequalities” (Ahmed, 2012). I seek here to outline a few of the critical dimensions of difference – diversity – frameworks in the German tertiary arena. I begin by addressing language around diversity in the German context, before discussing how “diversity” and/or “*vielfalt*” have been incorporated by universities.

Defining Terms

In the Anglophone tertiary context, we are familiar with several concepts that, while distinct, have been represented (at times indistinctly) by “diversity” (Fuentes & Shannon, 2016). These include – but are not limited to – diversity as descriptive of ethnic, cultural, and other difference; as normative construct for higher education; as a façade for ongoing, pervasive institutionalized racism, sexism, and other oppressors (Ahmed, 2012). At times, themes of diversity are also used in connection with the democratic purposes of the university, though they may be articulated as vital “intellectual freedoms of individual scholars” or “scholarly autonomy” – this, we may interpret as diversity of scholarly inquiry (Gutmann, 1987, p. 176). In this mode, Hanassab (2006) writes that “diversity in every sense is central to the university experience; the fundamental purpose of the university requires an active quest for exploration of different intellectual perspectives” (Hanassab, 2006, p. 169).

In the academic, business, and socio-political realms, “diversity” as a construct and a noun has made its way to Germany and is both frequently and explicitly recognized as emerging from the U.S. sphere (Dietz, 2007; Dobusch, 2017; Ehmsen, 2010; Hanappi-Egger et al., 2015; Klein,

2016; Werning & Avci-Werning, 2013). Indeed, the German Council of Science and Humanities (2010) notes that “‘Diversity’ is used in ... the Anglo-American discussion and means the heterogeneous origin of the students according to ethnicity, age, nationality and educational background” (Deutsches Wissenschaftsrat, 2010, p. 12). Given that there is no single, commonly understood definition of “diversity” in the (Anglophone) context of origin, it is therefore more accurate to discuss *translations* of diversity frameworks in the German setting (Hanappi-Egger et al., 2015).

Further, some of the authors writing about “diversity” in the German context employ language that merits interrogation (the statement in the previous paragraph from the *Wissenschaftsrat* among them). A consultant and convener of diversity workshops at various German universities has referred to the advantages and disadvantages of diversity and recommends that instructors refrain from using “gender” or “discrimination” in course titles in order to attract more students (Vedder, 2015). Additionally, a report on study and teaching in the universities of Sachsen-Anhalt describes “Happy Diversity,” a project whereby photo cards of students from various backgrounds are printed with their names and answers to some of 18 questions, thus displaying their “signs of difference” (Pohlenz, Seidel, & Berg, 2017, p. 46). The cards are meant to be used as a game or icebreaker in various settings to facilitate conversation on “heterogeneity” (Pohlenz, Seidel, & Berg, 2017, pp. 46-47). While certainly the aim of the project seems to be inclusion and productive dialogue, problematic approaches (and language) can be identified in the program as described. Why, how, and whether “diversity” ought to be constructed as happy is a valid question – does this not do exactly what Ahmed and others have warned about, glossing over the realities of institutionalized racism, heteronormativity, and other systemic oppressors (Ahmed,

2012)? Who, exactly, is “diversity” happy for? How have the 18 questions been selected, and by whom? Can 18 categories sufficiently represent “diversity” and lived experience?

Diversity vs. *Vielfalt*. Though indeed “diversity” is used as a noun and a construction in German language media and scholarship, Ehmsen writes that the direct translation of “diversity” (as variation of type) is either *Vielfalt* or *Unterschiedlichkeit* (Ehmsen, 2010). She notes that the larger concept of diversity relating to a mindset or approach to difference is “mostly” referred to as either “Diversity Management” or “Managing Diversity” (Ehmsen, 2010, p. 1). This complicates the issue of translation further – diversity constructs may be identified by another name, which itself may stand for a specific organizational management approach (this interweaving of terms is reflected by *Gleichstellungsbüro* organizational plans and brochures produced by universities themselves) (Hanappi-Egger et al., 2015; Universität Vechta, 2014). Indeed, *vielfalt* and *Vielfalt Management* are used in a similar way (Schareck, 2013), and some authors and institutions use both “diversity” and “*vielfalt*” in a single text in a seemingly interchangeable manner (Goethe-Universität Frankfurt am Main, 2011; Leuphana Universität Lüneburg, 2014).

Inferring what “diversity” means – German discussion of a foreign construct. Authors writing about the German tertiary context (who are frequently German themselves) ascribe various origin stories to “diversity.” These various understandings of what “diversity” has represented and currently represents seem to also indicate how the writers in question conceive of diversity constructs as applicable in their own contexts.

Many authors situate “diversity” as emerging from “old” immigrant receiving contexts such as Australia, Canada, and the U.S. (Dietz, 2007). These scholars note that “diversity” frameworks have (intentionally or not) reinforced essentialist thinking, for instance grouping students by racial or ethnic group in order to “count” or “acknowledge” difference in some way

(Bendl & Eberherr, 2015; Dietz, 2007; Hanappi-Egger & Bendl, 2015). Critically, this process of categorization fails to observe the artificiality of these constructs as detailed by Crenshaw, McCall, Nunez and other intersectional scholars of the Anglophone world (Crenshaw, 1991; McCall, 2005; Nunez, 2014). Dietz writes in this vein that

By subsuming complex “racial,” “ethnic,” “gender,” “cultural,” “subcultural,” and “life-style” differences, overlappings and intersectionalities, the new multiculturalist core concept of “culture” becomes more and more similar to the static notion that anthropology generated in the 19th century and which it has attempted to overcome definitively at the end of the 20th century and the beginning of the 21st century (Dietz, 2007, p. 12).

There is also widespread recognition that in comparison to other national contexts (including some outside of the Anglophone world), the German tertiary sector is delayed in explicitly addressing questions around “diversity”: Dietz (2007) describes “diversity” or heterogeneity as an “appendix” rather than point of emphasis (Dietz, 2007, p. 7). As Klein (2016) observes, diversity is a “relatively new idea for those involved in doing equality work in higher education in Germany... a well-developed, coherent concept of diversity, is still missing” (Wild & Esdar, 2014) (Klein, 2016, p. 147).

One example of the emergent nature of this area is the relative inattention to Afro-German literature and culture in curricula despite a colonial history on the African continent; indeed, academic programs in Afro-German studies seem not to exist at the tertiary level (C. Johnson, 2001; Schenker & Munro, 2013). Layne (2019) has also observed that during lectures and research presentations she has conducted in Germany, her work on Black German Studies is often treated as though she is “the first person to pursue these topics” (p. 228). This serves to underscore Klein’s (2016) observation that “what remains underdeveloped in Germany because

of missing historical precursors is a diversity approach that takes into account that inequality is more than just unequal numbers in the student body” (Klein, 2016, p. 151).

“Diversity management” themes. Several authors note that themes of “Diversity Management” – related to but distinct from “diversity” constructs – have taken hold in the German sphere perhaps more than “diversity” itself (Dietz, 2007; Editors, 2016; Klein, 2016; Linde & Auferkorte-Michaelis, 2014; Löther & Vollmer, 2014; Werning & Avci-Werning, 2013). Indeed, the University of Duisburg-Essen and TU Dortmund, among others, have administrative units for Diversity Management (Löther & Vollmer, 2014). Hüther and Krücken (2018) write that Diversity Management is a “new task for higher education institutions” and describe this as a potential challenge for organizations in the sense that it may indicate a “cluttering of goals,” an additional task for universities to address (Hüther & Krücken, 2018, p. 166). I adopt here as an operational definition – though the literature offers various descriptions – Zanfrini’s (2016) suggestion that Diversity Management as a construct represents

an approach to human resource management which is voluntarily oriented to the creation of an inclusive work environment, that is a context capable of recognizing the personnel’s diverse experiences and identities, facilitating the expression of this diversity, and valorising it to the advantage of the organization’s performances (Zanfrini, 2016, p. 305).

Some HEIs have undertaken a consultant-driven “diversity audit” of their “Diversity Management practices,” including Universität Göttingen and Hochschule Hannover (Werning & Avci-Werning, 2013). This process includes stages beginning with a “diversity-check,” which includes a peer review of the institution; internal auditing, which includes a kick-off workshop and mid-point workshop; five “diversity-forums” with specific themes, led by expert facilitators and open to the university community; and concludes with “certification” and membership in a

“diversity club,” which aims to bring together certified institutional representatives to discuss current challenges in meetings (the frequency of which is not provided) (Werning & Avci-Werning, 2013).

We understand, then, that Diversity Management in Germany indicates an organizational and strategic approach to change. Diversity Management may take various forms and be led by internal (faculty and senior leadership) or paid external consultants. Further, we learn from Hanappi-Egger et al. that while Diversity Management in the U.S. context tends to focus on race, ethnicity or skin tone, gender, sexual orientation, and sometimes military veterans, in the German setting gender, age, and physical ability are the criteria of particular interest (Hanappi-Egger et al., 2015). We also learn that German organizations almost always address nationality (or ethnicity) rather than race, given the association of the literal translation, *Rasse*, with NSDAP (Nazi) policies (Hanappi-Egger et al., 2015). In a critique of German Diversity Management approaches – situated in a cross-national study of French and U.K. practices and not specific to the higher education sector – Tatli et al. (2012) have problematized relevant approaches as reflecting a “racially biased and ethnocentric notion of integration” that applies “a specific interpretation of integration... which we term *integra-cism*” (p. 10).

The Development of *Gleichstellungsbüro*

The first “equal opportunity” offices at German HEIs were established in the 1980s, emerging from debates around diversity and feminism, and became common in the 1990s, often representing the lone organizational structure explicitly supporting “diversity” (Klein, 2016; Vollmer, 2016). The aim of the *Gleichstellungsbüro* was to support women in the academy in their pursuit of degrees and career progress, be they students, staff or faculty. By no means did these offices take a standardized form – this remains the case today. However, they are grounded in the

same legal framework: Article 3 of the Constitution, which asserts the equal rights of men and women (Grundgesetz für die Bundesrepublik Deutschland, 1949); federal legislation requiring tertiary institutions to uphold these equal rights; and state-specific laws which may include more detailed guidelines. Municipal regulations may also apply, and certainly, various HEIs adopt distinct strategies in pursuit of “equal opportunity.” Discussing this period of emerging *Gleichstellungsbüro*, Zippel (2016) argues that

the specific strategies adopted reflect the previous policy history of Germany: its constitutional commitment to gender equality, its institutionalisation of gender equality officers throughout the public sector, its legal embrace of mainstreaming measures, and its preference for supporting mothers as a means of addressing gender inequalities. Moreover, the sensitivity of German institutions to international rebuke, the national concern for regaining reputation as a leader in science and technology, the growing influence of EU norms, and the perceived need to modernise family policy to support dual-career couples opened doors to policy pressure in Germany that remain closed in other countries (Zippel et al., 2016, p, 879).

Thus we perceive that the development of the *Gleichstellungsbüro* is neither simple nor an altruistic sign of progress towards gender equality, though certainly widespread commitment to gender based equity was instrumental in the institutionalization of “equal opportunity” offices.

The myriad *Gleichstellungsbüro* have been credited with popularizing terms and developing programs around concepts including the Dual Career Path, the family-friendly orientation of organizations, Gender Mainstreaming, and, indeed, Diversity Management (Zuber, 2013, p. 153). Mentorship activities have also been frequently associated with *Gleichstellungsbüro* (Wild & Esdar, 2014, p. 60). In recent years, substantial federal and state level support for office

operations has been provided under the auspices of a program for female professors, referred to as the PWP (*Professorinnenprogramm*) (Zippel et al., 2016). The initiative has “allocated substantial funds (150 million euros for its 2008–2012 first phase and another 150 million for 2013–2017)” to support professorships for female faculty members at “universities that submit acceptable gender equality plans to an expert committee” appointed by the Ministry of Education (BMBF) (Zippel, Ferree, & Zimmermann, 2016, p. 877).

Empirical progress in this area has been made since the 1980s in terms of equal representation for women in the academy, though much remains to be done as evidenced by Figure 3 below; women comprise less than 20% of full professors in the country. The lack of parity is, among other things, related to structural barriers including the relatively strict faculty hierarchy system. This compels prospective academics to apply for positions at institutions other than where they completed their study. Further, with limited positions at each step of the academic ladder (assistant professor, etc.) “internal candidates do not receive preferential consideration when a senior position is vacated; they are obligated to apply in open competition with external candidates” (Altbach, Reisberg, & Pacheco, 2016, p. 297). A new role, junior professor, was established in 2002 with the express purpose of “making academic careers less uncertain” by bridging the post-doctoral to faculty phase, and are seen as facilitating the transition of women to faculty roles (Hüther & Krücken, 2018, p. 201), but this has yet to make a substantial impact. While the system has its advantages – and responds directly to historical problems of German faculty isolation and elitism outlined previously – it also means that support networks built by marginalized groups cannot be optimally used in the academic job search process.

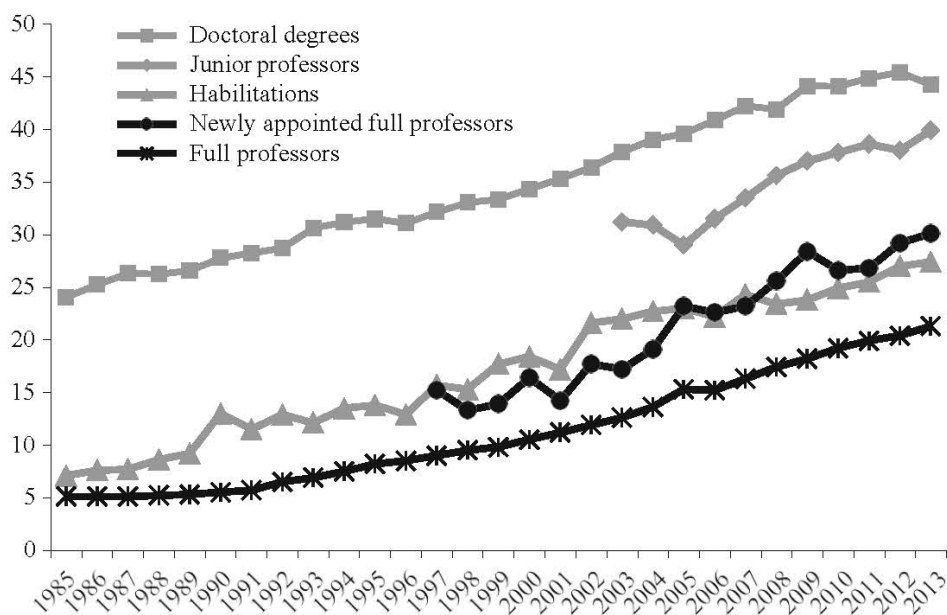


Fig. 7.5 The proportion of women at key points along the academic career path in Germany from 1985 to 2013

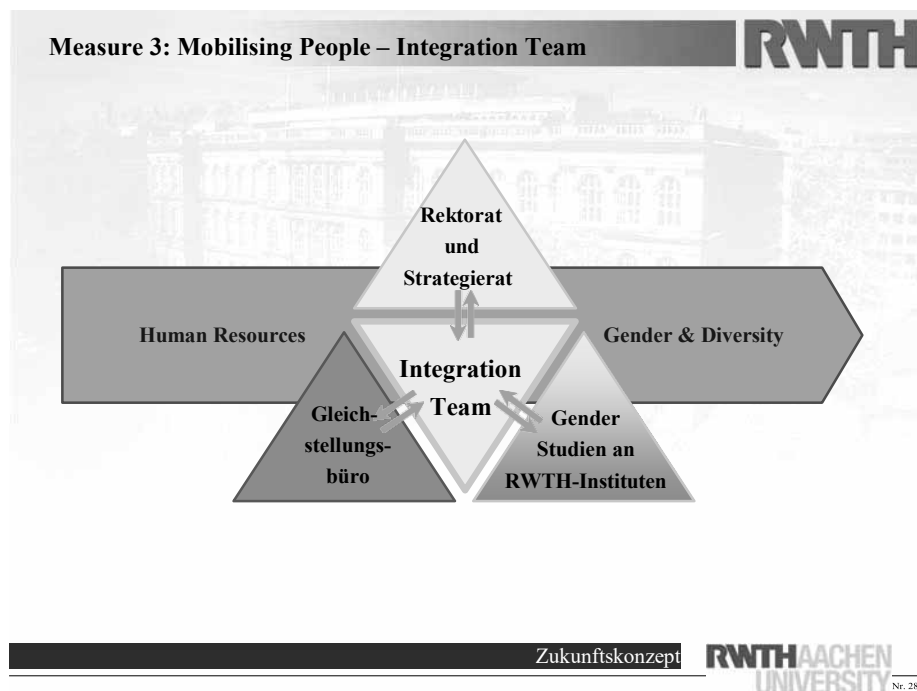
Figures in percent; source: Data on new appointments and postdoc studies: GESIS (2014c), data on doctoral studies BMBF (2017a, b), data on junior professors: Statistisches Bundesamt: Personal an Hochschulen (annual publication), some own calculations

Figure 3: The proportion of women at key points along the academic career path in Germany from 1985-2013 (Hüther & Krücken, 2018, p. 230)

Current models of operation. As noted previously, the *Gleichstellungsbüro* currently operating across Germany take a plethora of forms and offer a similarly wide range of programs. Some offices have a part-time staff person assigned, while others are supported by multiple fulltime employees. I briefly offer a few examples from this spectrum of office models and operations to underscore variability by institution, which is a particular focus of the research project proposed here.

Figure 4 (below) displays the concept model for “equal opportunity” at RWTH Aachen University, which proposes an integration team responsible for coordinating the work of, and communicating emerging themes from, three key realms: senior administration (*Rektorat* and *Strategierat*), the *Gleichstellungsbüro* itself, and the academic department of gender studies

(*Gender Studien*). Of particular note here is the clear emphasis on scholarship related to women and gender as closely related to the work of the *Gleichstellungsbüro*. While this connection is drawn by some institutions, others either do not maintain a faculty focused on gender studies, or do not make an explicit connection to the *Gleichstellungsbüro*, which is sometimes seen as providing logistical or administrative support.



Quelle: RWTH Aachen: RWTH2020 Meeting Global Challenges. Zukunftskonzept der RWTH Aachen. Informationsveranstaltung vom 8. Januar 2008.

Figure 4: RWTH Aachen University “Future Concept” Model (Leicht-Scholten, 2008)

The Europa-Universität Viadrina Frankfurt (Oder) offers a somewhat more prescriptive model for its work on gender equality, which also appears to reach further into the various branches of the university (thereby including more constituents) (Oder, 2017). In summary, it demonstrates that senior administration in collaboration with the rector and faculty senate is responsible for developing an “equal opportunity concept,” which is then to be expanded into an “equal opportunity plan” by the faculties of law, economics, and social sciences, as well as representatives of central administration and members of the “equal opportunity council” (Oder,

2017). This council, in turn, is comprised of a representative of the rector's office, the head of the *Gleichstellungsbüro*, an official focused on supporting families at the university, and “decentralized” equal opportunity officials, who are situated within academic units (Oder, 2017).

Similarly, Universität Kassel outlines the bi-directional influence of multiple stakeholders with respect to “equal opportunity and the promotion of women” (2013). Of particular note is the multi-directional influence of academic departments, the state of Hessen, the faculty senate, and various employees focused on supporting women and equal opportunity (who are situated in central offices as well as individual administrative units).

Conclusion

The German tertiary sector may be characterized as highly dynamic and decentralized though increasingly hierarchical, which underscores the variety of approaches taken in both establishing and expanding *Gleichstellungsbüro*. These “equal opportunity” offices supporting women in the academy, like the institutions that sponsor them, vary dramatically in terms of form and function. Similarly, both the *Gleichstellungsbüro* and HEIs in question occupy varying positions of power and privilege, inhabiting and responding to their own institutional histories and the history of the German tertiary sector as a whole. They also, as observed by Wilpert (2003), represent organizations that have a “regulating and normative influence” on society at large (Wilpert, 2003, p. 249).

This chapter has sought in relatively few pages to discuss the evolution of the higher education sector in Germany since unification in 1871, and to outline some of the ways in which “diversity” and “Diversity Management” are construed in the same context. I make the argument that in light of an expanding, diversifying university student population, the institutionally specific mechanisms and offices supporting these students merit attention. Given that the lone

common support structure facilitating “equality of opportunity” (a phrase that has been problematized elsewhere) is the *Gleichstellungsbüro*, I further discuss the evolution of these offices, which may be positioned to meet the needs of increasingly heterogeneous campuses.

In the chapter that follows, I present the method, methodology, and research design selected for the study at hand. I discuss the call for a postcolonial lens of inquiry, as well as the advantages of pursuing CGT in a relatively under-researched domain. Finally, I outline the sampling procedure for 32 selected HEIs, at which equal opportunity officers and plans are in focus.

CHAPTER THREE

Contemporary displacement crises span five continents and include political turmoil in Venezuela as well as armed conflict in Afghanistan, Myanmar, and Syria. From 2011 to present, Germany has represented one of the top refugee receiving countries in Europe with a recognition rate of about 50% in 2015, extending legal permission to remain in the country via approved refugee status, subsidiary protection, or on the basis of humanitarian reasons (Aiyar et al., 2016; Bitoulas, 2015; Grote, 2017). Indeed, Germany has been lauded for its comparatively robust response to the refugee crisis. As Trauner (2016) has written, “Germany ... has been central for avoiding a humanitarian tragedy within Europe” (p. 321), reflecting the collapse of the principle of “first country” refugee admissions codified in the Dublin Rules (International Organization for Migration (IOM), 2019). This commitment of EU member states to process claims in the first country entered by asylum seekers proved impossible to uphold (in the current crisis, Greece and Bulgaria were overwhelmed by demand and were alleged to have forcibly removed asylum seekers from within their borders) (Orchard & Miller, 2014).

Between 32.000-40.000 refugee students are expected to be enrolled in degree programs at German universities by 2020, though many more refugees report interest in higher education (Stifterverband, 2017). Over 100 million Euro have been allocated on a competitive basis to German HEIs to support a wide range of programs serving refugee students (Sobieraj, 2015; Unangst, 2019). While an emerging literature focuses on the efficacy of these pathway/bridging programs, a larger question has emerged: in the context of an increasingly diverse country, which has welcomed not only refugees but also immigrants for many decades, how are universities supporting these non-traditional students once enrolled in degree granting courses (Unangst & Streitwieser, 2018)?

Given the limited provision of student services in the German tertiary context – entrenched in light of free tuition and non-residential campuses – the institutional unit that most directly supports marginalized students is the “equal opportunity office” (*Gleichstellungsbüro*). These offices are mandated by law, and each publishes an “equal opportunity plan” that defines and operationalizes “diversity” for their respective HEI (Blome et al., 2013). While these offices have historically focused on supporting women in the academy, some are now expanding operations to include students of migrant and refugee backgrounds.

The research encompassed by this dissertation included semi-structured interviews with *Gleichstellungsbüro* staff, document analysis of equal opportunity plans, and member checking with equal opportunity officers at selected institutions. Data analysis and subsequent theory generation served to interrogate how “diversity” was constructed in a postcolonial public university context as well as how “diversity” frameworks translated to the support of migrant and refugee students.

Research Questions

The research conducted here examines the following questions:

1. At selected German public universities and *fachhochschulen*, how does the “equal opportunity plan” reflect goals for marginalized student groups beyond the traditional focus on women?
2. At selected German public universities and *fachhochschulen*, how do “equal opportunity office” (*Gleichstellungsbüro*) faculty and staff interpret their roles in terms of their institutions' “equal opportunity plan”?
 - 2a. How does their programming reflect goals for marginalized student groups beyond the traditional focus on women?
 - 2b. Further, how do they do this in light of the specific institutional culture?

Conceptual Framework

Postcolonial Theory

Postcolonial theory is situated under the umbrella of critical theory, and is used to understand how identity and power operate (Tuhiwai Smith, 1999). In very broad terms, scholars and practitioners working with postcolonial theory may seek to address colonialism as an economic, historical, and political practice, as well as colonialism as individual experience and condition. We may envision post-colonial work as a spectrum, spanning “colonial” to “post-colonial” to “coloniality;” it considers the immediate and the long term impacts of the absent, formal colonial presence.

Coloniality has been discussed by Grosfoguel (2007) as “the continuity of colonial forms of domination after the end of colonial administrations, [which] produced colonial cultures and structures in the modern/colonial capitalist/patriarchal world-system” (p. 219). Similarly, Quijano (2000) writes that “the model of power that is globally hegemonic today presupposes an element of coloniality” (p. 533). That is to say, coloniality is an ongoing and pervasive system of hierarchy that extends to present day. Systemic coloniality, in Patel’s (2015) formulation, targets “distinct racially minoritized groups” through oppressive, multiple, and contradictory encodings (p. 659). Clifford and Montgomery (2017) illustrate the impact of coloniality in the educational sphere, writing that it “still pervades many countries and education systems, and institutional inertia and investment in the status quo fuel resistance to change” (p. 1149).

In a sense, the physical occupation associated with colonialism has been replaced by a new hegemony. As Vanner (2015) has observed, former colonies “are usually characterized by a new imperialism (Harvey, 2003; Tikly, 2004) shaped by the economic, political, military, and cultural hegemony of the West within the context of globalization (Tikly & Bond, 2013)” (p. 1).

Various hegemonic forms and mechanisms persist not only in sites of colonization, but in colonizing contexts as well (Collective People's Knowledge Editorial, 2016). As Migliarini (2018) has written of the Italian case, terms and concepts related to race and racism are made problematic by Italy's colonial history, thereby "foreclosing any discussions of race and white privilege in public space" (p. 439).

We observe here a relationship between coloniality's structures and institutionalized, nationally-specific racism (Friedrich, 2011; The Durban Declaration and Programme of Action (DDPA), 2001). As Erel (2016) has noted, "recognition of racism as a structuring feature of European societies is needed to address how Europe's migration regimes articulate and are articulated by racialization and coloniality (Gutiérrez Rodríguez, Boatca, and Costa 2010; Lentin 2014; Mignolo 2012; Möschel 2011)" (Erel et al. 2016, p. 1341). Importantly, Migliarini underscores that coloniality is expressed through indirect cultural or social control, or "soft power" (Nye, 2005). Again, soft power as a hegemonic form may be seen in all postcolonial contexts and extends to the educational sphere (De Wit et al., 2017; Knight, 2011; Lo, 2011; Tamtik & Kirss, 2016). Gutiérrez-Rodríguez (2016) has addressed this point in her work on the German setting, writing that racial stratification

is recreated through subtle institutional practices favoring the access of the White national affluent population...Further, as we will see in regard to the implementation of migration control policies in universities, while not explicitly operating within a racial matrix, the logic of differentiation that they establish reproduces social hierarchies reflecting and reinforcing processes of racialization (Gutiérrez-Rodríguez 2016, p. 169).

The phrase "postcolonial theory" is, however, in some ways misleading: rather than representing a uniform theoretical perspective (Bayart, 2011), this grouping may more accurately

be framed as “postcolonial *theories*.” Lazarus (2011) has written that the “project of ‘unthinking Eurocentrism’ is... arguably the only project that all scholars active in the field would agree that they hold as a common aspiration” (p. 7). Further, “postcolonial” as a concept has been problematized as inaccurate given the ongoing and pervasive forms of imperialism and oppression perpetuated by the Global North (Parry, 1997). Still others construe colonialism more narrowly, arguing that it refers to a specific practice geographically- and temporally bound (and therefore specific to national or regional context and time period) (Vázquez-Arroyo, 2018). Alternately, “postcolonial” has been used to describe an historical period (Lazarus, 2011) and a “space clearing gesture” of intelligentsia (Appiah, 1991). Barry (1995) refers to it as the rejection of universalism: “whenever a universal signification is claimed for a work, then, white, Eurocentric norms and practices are being promoted by a sleight of hand to this elevated status, and all others correspondingly relegated to subsidiary, marginalized roles” (Barry, 1995, p. 192).

Postcolonial theorists: Said and Bhabha

Having acknowledged the diffuse nature of postcolonial theories, I ground this investigation in the work of two foundational scholars: Edward Said and Homi Bhabha. One shorthand for postcolonial theory (ascribed to here) is that it probes an architecture of power wielded by the colonial agent, and it seeks to deconstruct the obvious and the insidious ways in which colonial traditions, structures, languages and privileges linger. Following the printing of *The Wretched of the Earth* (Fanon, 1963), Edward Said’s *Orientalism* is a second benchmark publication elucidating these postcolonial themes. (Said, 1979). Similarly, Bhabha’s *The Location of Culture* is seen as a pivotal work (Bhabha, 1994). Perhaps the most relevant argument of that publication for this inquiry is the concept of hybridity, to be discussed in the paragraphs that follow. However, neither of these publications has been applied extensively in

German education. For example, a November 2018 search of the database “Web of Science” for topics “Edward Said AND German*” produced 21 results, none of which were relevant to education. Similarly, a search for “Bhabha AND German* resulted in 22 matches, none of which were education-focused.

Said seeks, initially, to make clear the constructed but essential duality of the Orient-Occident; he writes that “as much as the West itself, the Orient is an idea that has a history and a tradition of thought, imagery, and vocabulary that have given it reality and presence in and for the West” (Said, 1979, p. 5). He continues to elaborate the mechanisms by which particularly the British and French maintained hegemony over the “Orient,” its people and products, while utilizing that construction to define (in opposition) what was essentially British and French. While his work does not focus on Germany or Germans, he notes an equivalency of that country with other colonial powers, noting that “my discussion of that domination and systematic interest does not do justice to... important contributions to Orientalism of Germany, Italy, Spain, and Portugal” (E. Said, 1979, p. 17) and that “what German Orientalism had in common with Anglo, French and later American Orientalism was a kind of intellectual *authority* over the Orient within Western culture” (E. Said, 1979, p. 19).

Bhabha has written of “exclusionary imperialist ideologies of self and other” that lead to empirical difference – marginalization – but also create an opportunity for “cultural and historical hybridity” (Bhabha, 1994, p. 19, 21). He conceives of Otherness as not only a construction of individuals and groups but a dialogue, a constant navigation of self and other. Hybridity, then, represents a dialectical space for translation of identity, and is fundamentally temporal, a “discursive temporality” (Bhabha, 1994, p. 25). This postcolonial perspective makes clear that we ought not to think of individual as binary (colonizer: colonized) but rather

changeable, agentic hybrids. Students, by extension, may not be easily categorized as “refugee” or “migrant” in terms of their identities and experiences (though indeed their legal status as such may influence lived experience). Rather, we understand that identity and power are fluid. This perspective “refuses to view colonial power in some absolute sense, always guaranteed to produce the intended effects in the colonial subjects. Instead, it involves subversion, transgressions, insurgence and mimicry” (Rizvi, Lingard, & Lavia, 2006, p. 253). Critics of Bhabha have noted that “hybridity” may be seen as value neutral, rather than critical of systems of hierarchy and oppression; these critics include During (2000) and Rizvi (2006, 2009), among others.

Hybridity lends itself to a consideration of mechanisms of student support given that, in the present case, refugees and migrants will have encountered a variety of privileges and challenges. For instance, previous study in English or German at an advanced level may have supported early access to degree programs in Germany (among many Syrian students, for example), while the vast majority of prospective students have needed several years of language study to acquire C1 level proficiency mandated for HEI entry (Council of Europe, 2017; Unangst & Streitwieser, 2018). Again, essentialist categories including “refugee” and “migrant” are seen as failing to represent a postcolonial conception of identity; in a broad sense, they fail to acknowledge hybridity.

One of Bhabha’s sources of evidence for this argument is Foucault’s discussion of “repeatable materiality,” or the process in which discourse from one entity or institution may be “transcribed in the discourse of another” (Bhabha, 1994, p. 22). In the context of education, this applies clearly to a decentralized higher education system, which is indirectly influenced by national and state level politics and policy, but depends largely on the “translation” of

implementation at the institutional level. In fact, Foucault refers to educational institutions as a “block of capacity-communication-power” (Foucault, 1982, p. 787). That is to say, the discourse (or systems and structures) of education are informed by the discourse of politics. Similarly, the structures of one university may be adapted by another higher education institution, thereby mimicking power structures and hierarchies, though in a distinct fashion. Indeed, this transcription of discourse may be seen in contemporary Germany’s “equal opportunity office” faculty and staff, which the study outlined here examined in detail.

Additionally, the frames used by those same equal opportunity offices, which were founded in response to feminist problematization of sexism in German academe, may themselves be seen as sites at which coloniality operates. As Kilomba (2008) has put it,

There has been, however, strong resistance within Western feminist discourses to accepting and theorizing racism as a crucial and central dimension of the female experience. Afro-German feminists, for instance, have claimed this theoretical view in the German context for more than twenty years... By conceptualizing gender as the only starting point of oppression, feminist theories ignore the fact that Black women are not only oppressed by men – both *white* and Black – and institutionalized forms of sexism, but also by racism – from both *white* men and *white* women – and institutionalized forms thereof (p. 59).

Constructivist Grounded Theory (CGT)

In the pages that follow, I discuss in more depth CGT as an element of this study’s conceptual frame as well as its indications for method. Briefly, I note that Charmaz (2004) has written that grounded theory is appropriate for “studying individual processes, inter-personal relations, and the reciprocal effects between individuals and larger social processes” (pp. 497-

498). This dissertation examines an individual's process for understanding "equal opportunity," as well as perceptions of institutional processes at universities and *fachhochschulen* as described by faculty and staff. Through document analysis, it also probes reciprocal effects between diversity as process in higher education and equal opportunity officers tasked with the implementation of diversity frameworks.

In the following paragraph, I discuss the origins of CGT, which can be traced to the 1967 publication of *The Discovery of Grounded Theory: Strategies for Qualitative Research* (B. G. Glaser & Strauss, 1967). As will be made clear, grounded theory at present "is not a unified framework. There are, multiple versions: positivist, postpositivist, constructivist, objectivist, postmodern, situational, and computer assisted (Charmaz, 2006; Clarke, 2005)" (Denzin, 2007, p. 2). Thus the CGT employed in this dissertation represents only one of many possible approaches using grounded theory broadly construed.

Development of Objectivist Grounded Theory (OGT). Importantly, CGT builds upon – and is distinct from – the OGT first proposed in 1967 by Glaser and Strauss, which itself "derives its theoretical underpinnings from Pragmatism (Dewey 1925; Mead 1934) and Symbolic Interactionism (Park and Burgess 1921; Hughes 1971; Blumer 1969)" (Corbin & Strauss, 1990; B. G. Glaser & Strauss, 1967). OGT (sometimes referred to as classical grounded theory) emerged from a positivist tradition and sought to systematize and routinize qualitative inquiry to match the rigor associated with quantitative methods. Glaser and Strauss (1967) framed their proposition for grounded theory as a solution for sociological researchers seeking to analyze data and generate theory using comparative analysis; they wrote "we address ourselves to the... important enterprise of *how the discovery of theory from data –systematically obtained and analyzed in social research—can be furthered*" (p. 1). The authors took pains to distinguish

between the evidence being analyzed and the concepts generated from evidence, in this way emphasizing the fixed and scientific product of analysis. They wrote:

in discovering theory, one generates conceptual categories or their properties from evidence; then the evidence from which the category emerged is used to illustrate the concept. The evidence may not necessarily be accurate beyond a doubt... but the concept is undoubtedly a relevant theoretical abstraction about what is going on in the area studied. Furthermore, the concept itself will not change, while even the most accurate facts change (Glaser & Strauss, 1967, p. 23).


Glaser and Strauss jointly published studies related to death and dying in an explication of their theory, before Strauss began a collaboration with Juliet Corbin to propose a more elaborately structured process of analysis in the use of grounded theory (Corbin & Strauss, 1990). Corbin and Strauss (1990) positioned themselves as addressing shortcomings of the 1967 proposition of grounded theory, noting that “many readers of that early book apparently have formed an image of grounded theory research as not at all concerned with verification” (p. 422). Further, they outlined the need for the development of a theoretical concept’s “properties and dimensions, the conditions which give rise to it, the action/interaction by which it is expressed, and the consequences that result” (Corbin & Strauss, 1990, p. 420). In addition, they added numerical parameters to the approach; as Saldaña (2009) notes, the authors recommended using detailed coding in the analysis of a minimum of 10 interview transcripts or other sources of data to develop a grounded theory (p. 84).

CGT and the assumption of multiple realities. In response to the work of Glaser, Corbin, and Strauss, Charmaz’s work of the 21st century has outlined Constructivist Grounded Theory, which, “instead of embracing the study of a single process or core category as in the

Strauss and Corbin (1998) approach... assumes diverse local worlds and multiple realities and aims to show the complexities of particular worlds, views, and actions” (Creswell, Hanson, Clark Plano, & Morales, 2007, p. 250). Further, CGT may be seen as performative given its interpretivist orientation, and may therefore be seen as “an act of intervention, a method of resistance, a form of criticism, and a way of revealing agency and presence in the world,” which again intersects with the aim of the various postcolonial projects discussed previously as well as the present study (Denzin, 2007, p. 5). This acknowledgment of multiple realities not only reflects the work of Bhabha and Said, but also ties to the concept of hybridity underscored in refugee and migration studies (O’Neill, 2010; Tandon, 2016; Woods, 2018).

How can we understand CGT in terms of its ontological and epistemological stance? Mills, Bonner and Francis (2006) argue that “Ontologically relativist and epistemologically subjectivist, CGT reshapes the interaction between researcher and participants in the research process and in doing so brings to the fore the notion of the researcher as author” (p. 31). This is opposed to OGT’s “clear epistemological orientation that assumes that reality can be discovered, explored, and understood. From this perspective, reality is unitary, knowable, and waiting to be discovered” (Bryant & Charmaz, 2012, p. 3). Therefore, subjectivity and reflexivity are manifest and defining ontological and epistemological features of CGT.

Charmaz offers a clear distinction between these objectivist and constructivist traditions, provided in Figure 5 below.



Comparisons and Contrasts	
<p style="text-align: center;">Foundational Assumptions</p> <ul style="list-style-type: none"> • Assumes an external reality • Assumes discovery of data • Assumes conceptualizations emerge from data analysis • Views representation of data as unproblematic • Assumes the neutrality, passivity, and authority of the observer. 	<p style="text-align: center;">Foundational Assumptions</p> <ul style="list-style-type: none"> • Assumes multiple realities • Assumes mutual construction of data through <i>interaction</i> • Assumes researcher constructs categories • Views representation of data as problematic, relativistic, situational, and partial • Assumes the observer's values, priorities, positions, and actions affect views.
<p style="text-align: center;">Objectives</p> <ul style="list-style-type: none"> • Aims to achieve context-free generalizations • Aims for parsimonious, abstract conceptualizations that transcend historical and situational locations • Aims to create theory that fits, works, has relevance, and is modifiable. (Glaser) 	<p style="text-align: center;">Objectives</p> <ul style="list-style-type: none"> • Views generalizations as partial, conditional, and situated in time, space, positions, action, and interactions • Aims for interpretive understanding of historically situated data • Specifies range of variation • Aims to create theory that has credibility, originality, resonance, and usefulness.
<p style="text-align: center;">Implications for Data Analysis</p> <ul style="list-style-type: none"> • Views data analysis as an objective process • Sees emergent categories as forming the analysis • Sees reflexivity as one possible data source • Gives priority to researcher's analytic categories and voice. 	<p style="text-align: center;">Implications for Data Analysis</p> <ul style="list-style-type: none"> • Acknowledges subjectivities throughout data analysis • Views co-constructed data as beginning the analytic direction • Engages in reflexivity throughout the research process • Seeks and (re)represents participants' views and voices as integral to the analysis.

Figure 9.1 Objectivist and Constructivist Grounded Theory: Comparisons and Contrasts

Adapted and expanded from Kathy Charmaz. (2007). "Reconstructing Grounded Theory." P. 470 in P. Atasuutari, L. Bickman, and J. Brannen (eds.), *Handbook of Social Research Methods*. London: Sage

Figure 5: Objectivist and Constructivist Grounded Theory: Comparisons and Contrasts

(Charmaz, 2014, p. 236)

Research Methodology

As noted in preceding sections, CGT dictates the method selected for this research project on constructing "equal opportunity" in the German tertiary ecosystem. I employ a constructivist approach to grounded theory in the mode of Charmaz, herself strongly influenced by the work of Glaser, Corbin and Strauss (Charmaz, 2000, 2004, 2006; Corbin & Strauss, 2012c; B. G. Glaser & Strauss, 1967). CGT posits, akin to "other forms of qualitative inquiry, [that] the investigator is the primary instrument of data collection and analysis. As such, the researcher/analyst relies on skills as well as intuition and filters data through an interpretive lens" (Bowen, 2009, p. 36). This interpretivist lens requires a clear discussion of positionality, which I have included in chapter one of this dissertation. This understanding of researcher as co-constructor of data indicates what

Smagorinsky has referred to as “limitations and cautions”: interviews may not be seen as “benign but rather involve interaction effects” (Smagorinsky, 2008, p. 396).

The results of interview transcript and document analysis provide triangulation on specific university/*fachhochschule* contexts and individual experiences at these institutions. As Charmaz puts it: “researchers can compare the style, contents, direction, and presentation of material to a larger discourse of which the text is a part” (Charmaz, 2006, p. 35). The analysis of these data sources was guided by sensitizing concepts that were themselves developed in dialogue with Bhabha and Said, and reflecting postcolonial themes (Charmaz, 2014). These included power, hierarchy, and hybridity.

Research Design

The design of this qualitative study incorporates two data collection methods – document analysis and semi-structured interviews – guided by a postcolonial approach to Constructivist Grounded Theory methodology (Charmaz, 2000, 2004, 2006). Indeed, a postcolonial lens has been previously employed by cross-disciplinary researchers working with and through grounded theory (Inman et al., 2015; Migliarini, 2018; Vanner, 2015; Wachter & Gulbas, 2018). Analysis of interview transcripts and “equal opportunity plans” has pointed towards theory generation. Chapter four concludes with a proposed model for understanding how equal opportunity documents and implementers at German universities frame relevant policy and programs supporting marginalized students including refugees and migrants. The interview protocol approved by the Boston College Institutional Review Board is included in Appendix III.

Why qualitative inquiry?

Several factors indicate the suitability of qualitative (rather than quantitative) analysis in this area. First, there is the issue of a dearth of prior scholarly work on equal opportunity plans and offices themselves. Though scholars have discussed the establishment and general functions

of *Gleichstellungsbüro* (Blome et al., 2013; Klein, 2016; Löther, 2012; Löther & Vollmer, 2014; Roski & Schacherl, 2014), I am unaware of any scholarly work comparing the specific programs and missions of these offices, or eliciting the experiences of office faculty or staff. A grounded theory approach suits this scarcity of data, as grounded theory not only points towards theory generation, but also towards the development of questions that might form a future research agenda. In sum, this dissertation is seen as only a first step in the larger, critically-oriented project of equity-focused change in the German higher education sector with respect to the support of enrolled students of refugee and migrant backgrounds via equal opportunity offices.

Second, the use of the postcolonial lens and emphasis on historical trends indicates the need for gathering contextual data, which qualitative inquiry makes possible. Middleton (2005) has observed that qualitative inquiry facilitates examination of how “historical constructions of ‘race,’ ‘equality,’ and (individual and social) ‘need’ are played out in contemporary human experience” (p. 478). This approach to qualitative research encompasses both the “thick description purpose” and the “developmental purpose” as outlined by Donmoyer (2006) in his discussion of research paradigms (p. 25). These calls for rich data underscore the usefulness of detailed qualitative material in close and deep understanding of the phenomena, process, or people at hand, as well related evolution of those same phenomena, process, and/or people. Accordingly, this inquiry focuses on descriptive and process questions rather than causal questions (again, as there is a lack of information on the state of the field, which ought to frame a probing of causal relationships) (Eisenhart, 2006).

Third, there is the question of overlapping, dynamic and sometimes contradictory terminology in migration and diversity in German higher education, which makes quantitative

inquiry difficult and impractical on several levels (Macfarlane, 2010). Indeed, “refugee,” “migrant” and “international student” have been used to describe the same group of students in the German context, and while some university faculty and staff indeed use these terms interchangeably, others make idiosyncratic distinctions (Unangst & Streitwieser, 2018). Further, in the context of refugee inflows in parallel with increasing international student recruitment (which itself varies by HEI), categories of students from non-German backgrounds are quickly evolving. Cassell and Symon have written that “only qualitative methods are sensitive enough to allow the detailed analysis of change” (Cassell & Symon, 1994, p. 5), again indicating the approach taken here.

Fourth, this study emphasizes the role of a decentralized higher education system and distinct institutional cultures, and does so through interviews with faculty and staff located outside of senior leadership. The positionality of these interview participants invites the possibility of “counter-narratives,” which may contradict official “equal opportunity plans.” Counter-narratives or counter stories are pursued by scholars working under the larger heading of Critical Theory to generate missing data essential to understanding the phenomenon, process, or institution in question (De Angelo et al., 2016; Harper, 2013; Muñoz & Maldonado, 2012); this approach necessitates qualitative work.

Data Sources

While it is more common for grounded theory analysis to derive from a series of interviews or focus groups, coding transcripts in order to develop a theoretical model, document analysis has been used by cross-disciplinary grounded theory researchers (Castellà-Creus et al., 2019; Gross et al., 2015; Mehling & Kolleyck, 2019). In particular, it has been used to parse national and institutional frameworks for migrant or asylee support (Campbell & Steel, 2015). It

has also been used to dissect higher education policy and practice (Porter, 2019; Zwane & Mtshali, 2019).

Sample

The decentralized German public higher education sector, responsible for the vast majority of tertiary provision (Salmi, 2000), is guided by state-based education policies. For example, following the Federal Constitutional Court decision in 2005 to transfer higher education decision making autonomy to state level, seven of 16 states introduced tuition fees (which, for the most part, have now been rescinded). Similar to the U.S. context, then, while federal government and public-private actors such as the German Academic Exchange Service (DAAD) influence education policy and practice through funding initiatives, the 16 federal states are distinct in terms of tertiary priorities and structures.

Further, as familiar in transnational context, the demographic and economic realities of states, regions, and municipalities also play an important role in the varied missions and operations of German universities. This was discussed with particular reference to the East/West divide in chapter two. For instance, rural universities in Germany tend to have lower proportions of female full professors than the national average of 20% (Hüther & Krücken, 2018). Technische Universität Bergakademie Freiberg identified 7.6% of all faculty as women in 2013, and Technische Universität Ilmenau 8% in 2016 (Gleichstellungsrat der TU Ilmenau, 2016; Technische Universität Bergakademie Freiberg, 2013). Additionally, the emerging literature on supports for refugee students in Germany indicates that coordination between university and community entities is critical to the development of robust networks (Unangst & Streitwieser, 2018). As local non-profits and government supports tend to proliferate in more urban areas with a higher concentration of refugee and migrant populations, attention to university setting is highlighted here.

Stratified Random Sampling

In an effort to reflect the range of state based higher education policy frameworks as well as geographic specificities, this paper employs stratified random sampling, where the sample consists of one research university and one *fachhochschule* per state. I acknowledge that analysis of 32 institutions total is by no means representative of all institutions in operation. Given the “enabling constraints” of a doctoral dissertation meant to be completed in four years (Manning, 2007, p. 8), I am not able to complete a full study of all 81 public research universities and 103 *fachhochschulen* (the target population). However, I seek to capture a range of processes and experiences at a subset of HEIs: in this case how “equal opportunity office” faculty and staff interpret their roles in light of their institutional culture and “equal opportunity plans.”

In defining the terms of the sample, I utilized the German Rector’s Conference database for HEIs, which offers an authoritative list of all public universities and *fachhochschulen* (German Rectors’ Conference, 2019). I have correlated each institution with its state, as well as the official population of the institution’s town or city as provided by the German Federal Statistical Office (Statistisches Bundesamt, 2018). Finally, using one list for research universities and one for *fachhochschulen*, I assigned a random number to each institution with the relevant function in Microsoft Excel. Having grouped institutions by rural/suburban/urban setting (I defined rural as a municipality with fewer than 50,000 residents, suburban between 50,001 and 99,999 residents, and urban 100,000 or above) (Bundesagentur für Arbeit, 2018; Fritsch & Jena, 2013), I selected institutions by assigning those with a random number closest to one and moving towards zero in each category.

Therefore, of public German research universities (81) and universities of applied sciences (103), I selected in the following order (German Rectors’ Conference, 2019):

- 16 research universities and 16 universities of applied sciences, each representing a different federal state

Of these 32 institutions representing the decentralized, state-based public higher education landscape:

- 10 institutions are located in rural areas of fewer than 50.000 residents
- 10 institutions are located in rural areas of between 50.000 and 100.000 residents
- 12 institutions are located in rural areas of greater than 100.000 residents (53% of all *fachhochschulen* fall into this category, as do 77% of research universities)

The list of institutions selected via stratified random sampling is as follows.

Case no.	Rural/Suburban/Urban	Research University/Fachhochschule	State
1	Rural	Research University	Niedersachsen
2	Rural	Research University	Sachsen
3	Rural	Research University	Thüringen
4	Rural	Fachhochschule	Thüringen
5	Rural	Fachhochschule	Bayern
6	Rural	Fachhochschule	Brandenburg
7	Rural	Fachhochschule	Sachsen-Anhalt
8	Rural	Fachhochschule	Baden-Württemberg
9	Rural	Fachhochschule	Nordrhein-Westfalen
10	Rural	Fachhochschule	Rheinland-Pfalz
11	Suburban	Research University	Hessen
12	Suburban	Research University	Mecklenburg-Vorpommern
13	Suburban	Research University	Bayern
14	Suburban	Research University	Schleswig-Holstein
15	Suburban	Research University	Baden-Württemberg
16	Suburban	Fachhochschule	Mecklenburg-Vorpommern
17	Suburban	Fachhochschule	Niedersachsen
18	Suburban	Fachhochschule	Schleswig-Holstein
19	Suburban	Fachhochschule	Hessen
20	Suburban	Fachhochschule	Sachsen
21	Urban	Research University	Nordrhein-Westfalen
22	Urban	Research University	Rheinland-Pfalz
23	Urban	Research University	Saarland
24	Urban	Research University	Hamburg
25	Urban	Research University	Berlin
26	Urban	Research University	Bremen
27	Urban	Research University	Brandenburg

28	Urban	Research University	Sachsen-Anhalt
29	Urban	Fachhochschule	Hamburg
30	Urban	Fachhochschule	Berlin
31	Urban	Fachhochschule	Bremen
32	Urban	Fachhochschule	Saarland

Table 1: Selected institutional cases for grounded theory analysis

Inclusion criteria

In the process of collecting the legally mandated equal opportunity plans and concepts of each of the 32 institution in question, it became clear that these were not comparable documents. While some HEIs offer “equal opportunity plans” (*Gleichstellungspläne*), others offer “equal opportunity concepts” (*Gleichstellungskonzepte*), “action plans for equal opportunity” (*Aktionsplan zur Gleichstellung*) or “women’s advancement plans” (*Frauenförderpläne*). While some of these documents were accessible online, others were password protected and reserved for university constituents; still others were not online but were made available by equal opportunity officers per email request. Some equal opportunity officers noted that a plan was in progress, and that only an out-of-date plan was available. In order to offer a cohesive analysis, only those documents that were made available on publicly accessible websites were analyzed in this study. Further, documents were only included if they were issued within the last ten years and issued by the central administration, rather than by an individual university faculty. Lastly, an excluded plan was used to pilot constructivist grounded theory coding using sensitizing concepts.

Table 2 reflects the 21 plans discussed in the remainder of this chapter, comprising 768 pages in total. These plans span 14 of the 16 federal states. All plans were in German, and while some specify a timespan of effect (for example, 2018-2022), others simply specify the date on which the plan was approved. Of the 21 plans, 10 represent *fachhochschulen* and 11 universities.

The plans ranged from 7-137 pages in length. The shortest excluded plan was 5 pages in length, and the longest 484 pages in length.

Former East/West	Urban/Suburban/Rural	Fachhochschule/University
Former East Germany: 7 institutions	Of which 4 are in rural areas, 1 in a suburban area, 2 in urban areas	2 <i>Fachhochschulen</i> , 5 research universities
Former West Germany: 14 institutions	Of which 3 are in rural areas, 5 in suburban areas, 6 in urban areas	8 <i>Fachhochschulen</i> , 6 research universities

Table 2: Plans coded using constructivist grounding theory by geographic location

Context for the Present Analysis

2017 Interviews

A formal pilot test of interviewing procedures was not conducted for this research project. The rationale for this decision was that a similar interview series conducted by the author in summer 2017 with German university faculty and staff produced data that was analyzed using grounded theory. That project probed how faculty and staff understood supports for refugee students at their universities, and, towards the end of the interview, asked about the participants' understanding of the role of the university in supporting diversity.

Some 2017 participants (responsible for instruction) indicated that they would never bring up migrant or refugee status in the classroom setting, so as not to make students of this background feel different in any way. Others, in turn, noted that they devoted a significant amount of time to discussing diversity in Germany as a whole, and in the university context specifically, as an important part of their instructional practice (Unangst & Streitwieser, 2018).

Additionally, one interview participant discussed at length the results of a “diversity audit” that had recently taken place at her institution, and seemed to understand “diversity” as both an institutional priority (that a focus on diversity might mean a change in organizational structure, a point echoed by other participants as well) as well as people “getting along.” Finally, another interview participant working at a somewhat isolated university noted that when “I came

here [there was] no diversity at all” and that “the higher the [level of] education is, the more white privileged people you find” (Unangst, 2018).

These 2017 results indicated a range of perspectives on the status of refugee students and the meaning of “diversity” among German university faculty and staff. Further, they indicated a promising landscape for more extensive qualitative inquiry—interview participants in 2017 had not, at that time, engaged in a similar study/interview project.

2019 Interviews

The initial aim of the current project was to interview one faculty or staff member associated with the “equal opportunity office” at each of the institutions identified through random stratified sampling. Most German universities/*fachhochschulen* list only one institutional contact for their *Gleichstellungsbüro*, though a few identify several faculty or staff members working in that unit, and I intended in all cases to first recruit the senior member of the team (where identified). This recruitment process indicated that I would not screen according to age, gender, race, or migration background, among other factors, acknowledged as a limitation of the study (a further discussion of limitations follows in chapter five).

However, outreach to equal opportunity officers did not prove as successful as hoped, necessitating a change in procedure. After three rounds of outreach to equal opportunity officers at the 32 selected HEIs, I received six responses, and three equal opportunity faculty/staff ultimately agreed to participate in video interviews (the remainder expressed regret that they were unable to join given a restructuring of their department or scheduling conflicts). Instead of matching an interview with document analysis at each of the 32 HEIs as originally envisioned, I instead pursued those three interviews as opportunities to pilot the 2019 study. The interviews were conducted in spring 2019.

Data Gathering Procedures

Ethics and Consent

Institutional Review Board (IRB) ethics approval was obtained on March 22, 2019. Initial outreach to prospective interview participations took place via Boston College's email service. All initial outreach was in both English and German. For those equal opportunity staff and faculty who agree to participate in an online interview, a consent form was sent as an email attachment for their signature (the form was available in both English and German). Video interviews of between 45 minutes-60 minutes in duration were conducted in either English, German or both (at the participant's discretion) and took place on the online Zoom application. Interviews were recorded with participant permission.

Transcription and Data Storage

Transcription of interviews was conducted by the author. As most of the three interviews conducted were in English, with a few German phrases in each to explain particular concepts or ideas, the author also translated those phrases. Interview recordings and transcripts were stored on the restricted access drive of the Center for International Higher Education. Only current staff members of CIHE had access to this data, however as there were no personal identifiers attached, the risk of violating participant privacy was minimal. No hard copy data was stored. Raw data gathered from publicly available "equal opportunity" documents as well as interview transcripts were uploaded to NVivo for coding and visualization.

Field Notes and Memos

Field notes and analytic memos were written at the conclusion of each document analysis and interview session; these represent "data that may contain some conceptualization and analytic remarks" (J. Corbin & Strauss, 2012b, p. 123). These observational notes included, in

the case of interviews, detail setting, interruptions or pauses, points of emphasis, and other features of an interview that may not be easily coded from the text itself. In turn, these notes represented data that were analyzed in the generation of theory, and also informed the production of analytic memos charting theory-relevant ideas and concepts as they emerged.

Thorough memos (including diagrams) were constructed after each interview and analysis of a university/*fachhochschule* equal opportunity document, as indicated by Charmaz (2014). Memos focus on “discovery and theory development, not application” and through “continuous memo writing, re-reading and re-writing” facilitate “progressively more abstract levels of theorizing” (Lempert, 2007, p. 15). Memos incorporated diagrams included tables, vendiagrams, and flow charts – any visual representation of relationships inherent to the study at hand (Lempert, 2007). These tools enable the researcher to attend to ambiguity in the research process, and critically for the grounded theory researcher, to anticipate and develop the next stage or iteration of research (this includes, but is not limited to, choice of codes) (Saldaña, 2009). Additional memos were written as the research process continued, and served to integrate focused codes, as well as the development of categories or themes (and the stumbling blocks along the way). This iterative memo drafting, reading, coding, and re-writing is a key component of CGT and specifically the “constant comparative method.”

Coding Procedure

The coding procedure utilized in this inquiry was guided by CGT as elucidated by Charmaz (2006, 2014). Coding in this mode involves the constant, iterative posing of questions in four primary categories:

- sensitizing questions (the who, what, when, where and why of the sphere of research)

- theoretical questions (which may probe relationships among data, for instance among the permeable micro, meso, exo and macrosystems of Bronfenbrenner's bioecological model)
- practical questions (which might also be termed evaluative questions, those which evaluate the direction of the data gathered to date and point the way forward for future data collection and analysis, for instance whether the "saturation point" is near or far);
- and guiding questions (those driving interviews, document analysis, and overall analysis) (Bronfenbrenner & Morris, 2006; Corbin & Strauss, 2012c).

Again, it is critical to emphasize that data collection and analysis within the grounded theory framework is not artificially separated, but connected through iterative coding, writing, and reflection. In a sense, the main prescription of grounded theory is not to prescribe at all: a "grounded theorist builds the research as it ensues rather than having it completely planned before the data collection. Similarly, you shape and alter the data collection to pursue the most interesting and relevant material" (Charmaz, 2004, p. 516). In other words, grounded theory's constant comparative method makes it possible to "establish analytic distinctions-and thus make comparisons at each level of analytic work" (Charmaz, 2006, p. 54).

Initial coding. I first engaged in initial coding of every line of data following the three initial interviews, and the first nine documents analyzed. Charmaz describes initial coding as the consideration of "fragments of data," or "words, lines, segments, and incidents" (Charmaz, 2014, p. 109). Examples of initial coding conducted in this study included diversity, women, and transparency of equal opportunity data. Initial codes included questions, and were typically short as well as showing action (Charmaz, 2014, p. 112). They also included *in vivo* codes, or codes

which adopt language used by document authors or interview participants as “symbolic markers” (Charmaz, 2014, p. 134). Initial codes also reflected key terms reflected in commonly referenced documents or policies in the field (Kelley, 2019). I refer to Saldaña for a helpful benchmark: he writes that “Lichtman (2006) projects that most qualitative research studies in education will generate 80-100 codes that will be organized into 15-20 categories which eventually synthesize into five to seven major concepts (pp. 164-5)” (Saldaña, 2009, p. 20). Given that the number of initial codes generated by the first nine documents analyzed was quite high (210), I moved to use the remaining equal opportunity plans to establish theoretical saturation and centrality, having created an initial visual model. A high number of initial codes has been described by Holton (2007) as common for researchers influenced by earlier training in qualitative methods, and indeed I found that initial codes could be collapsed into focused codes as I became more comfortable with the CGT analytic process (p. 10).

Focused coding. Initial coding was followed by “focused coding.” Focused coding “uses the most significant or frequent initial codes to sort, synthesize, integrate, and organize large amounts of data” (Charmaz, 2014, p. 113). Examples of focused codes in this inquiry, as guided by Charmaz, included identifying budget limitations, making a claim to town-university collaboration, and promoting funded research opportunities for women.

“Theoretical integration” also begins at the stage of focused coding. In the case of both initial and focused coding, the researcher constructs codes based on the data in an interactive process and seeks to identify higher level concepts or “categories” (Charmaz, 2014, pp. 114-115). These categories are then further probed for “theoretical centrality” through the analysis of additional data, including the researcher’s field notes and memos as well as the writing process

itself. This analytical process incorporated “visual representations” of process and meanings in an effort to help conceptualize an eventual model (Corbin & Strauss, 2012a).

I found in my review of focused codes and in my memos and field notes that I was frequently linking together equal opportunity and diversity as indeed they very often appeared in the same sentence or paragraph. This relates to the concepts of equal opportunity and diversity being linked in the legal foundations for *Gleichstellungsbüro*, and so I was able to generate a category in this way. Similarly, the tuition-free context of German HEIs and their postcolonial context were not mentioned in plans or interviews, but to me emerged as major, unspoken themes structuring and defining the work of equal opportunity. Further, I grouped together the reporting of the proportion of women at a given HEI as well as strategies to increase those figures, which I began to refer to as a numerification of diversity. This numerification and a bureaucracy of equal opportunity I would come to see as perhaps the defining features of HEI equal opportunity plans, reinforced by the country-wide gender equality ranking conducted by the Center of Excellence of Woman and Science (CEWS), which reports on the number of women in various student, staff and faculty roles. CEWS is itself associated with the Leibniz-Institute for the Social Sciences. Ultimately, the dual emphases on statistics gathering and the fulfillment of complex and highly elaborated internal consultancy functions and committee roles I believe results in fragmented support programs.

Theoretical Saturation

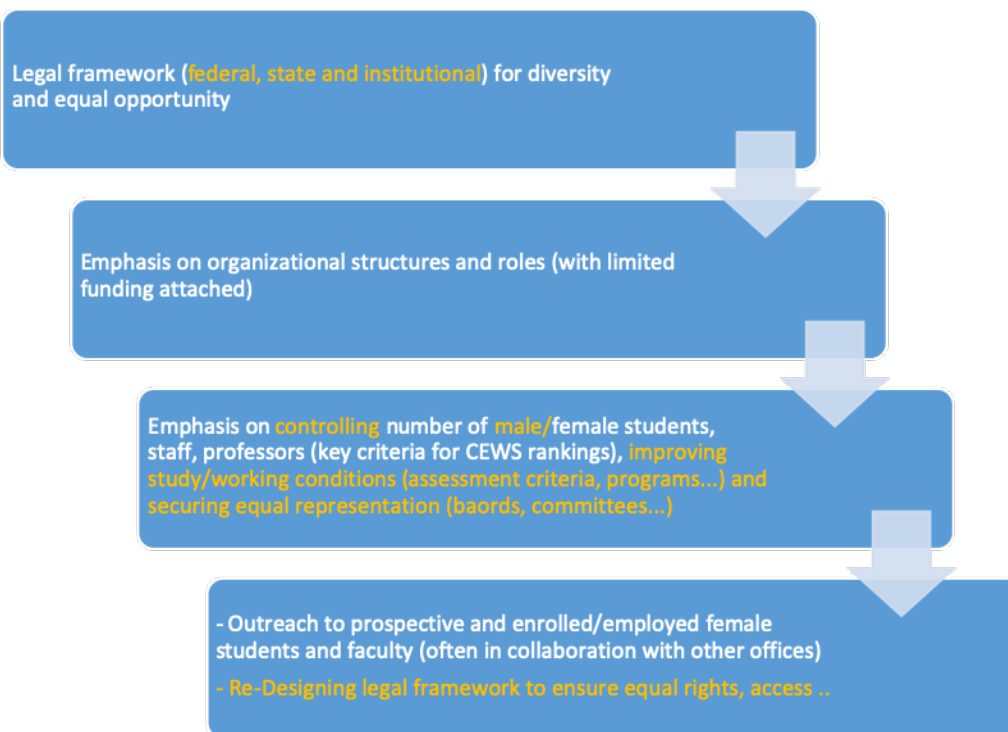
The question of when and whether theoretical saturation has been reached is acknowledged as a difficult one in CGT (Charmaz, 2014; Guest et al., 2006; Hoare et al., 2012; Morse, 2007). While “diagnosing” saturation is the responsibility of the researcher – again emphasizing the interpretivist and constructivist nature of CGT – helpful guidelines have been

offered by scholars in the field. I used as a guideline the suggestion by Morse (2007) that “Once the researcher is convinced that they understand what they see, can identify it in many forms, and it appears culturally consistent, then the category may be considered saturated and sampling may cease” (Morse, 2007, p. 14). I found that after nine plans analyzed, I was no longer creating initial codes but was able to move towards consolidating focused codes and towards the identification of categories.

Member checking

In early October 2019, I sent as an email attachment to the 32 equal opportunity officers identified in the first stage of sampling the following preliminary model of equal opportunity work at German universities and *fachhochschulen*. My goal in member checking at this stage was to evaluate whether the emerging theoretical model made sense to these practitioners, or alternately if they had clarifications or objections that would shift the model. If I had been referred to a second HEI employee in in the first round of outreach, I included that individual in correspondance related to member checking.

I received feedback from three equal opportunity officers, one of whom included an annotated chart with her response (reflected in Figure 6, below). One of these individuals had been interviewed in spring 2019. None of the feedback offered reflected a substantive argument against the model at hand, but rather offered additional nuance and suggestion as to the frameworks (ex. cross-sectional, advocacy) at play in equal opportunity work. Therefore, member checking served to both confirm my findings as well as to elaborate my categories as indicated by Charmaz (2006, 2014).



Data privacy restrictions seem not to apply to gender reporting? **For sure they do! All in accordance with legal framework.**

Numerification (focus on numbers of women) of diversity + equal opportunity? **legal and qualitative aspects also very important**

What do diverse university members desire/seek in this area? **Gender as open category, support e.g. for queer as well**

What role does internationalization play in this work? **Cross-sectional task in each measure**

Figure 6: Annotated visual model incorporating member checking (in yellow and bolded font), German University and Fachhochschule Gleichstellungsbüros as understood through analysis of Gleichstellungspläne and interviews with Gleichstellungsbeauftragte

Theory construction

In an effort to make sense of the feedback received during member checking, and having revisited my categories and memos, I moved towards an abstract explanation of the process under study: increased diversity at German universities and the programs and services offered to migrant and refugee students in that same context. This reflects Charmaz's (2014) observation that "most grounded theorists produce substantive theories addressing delimited problems in specific substantive areas (p. 10). Again, this reflects an understanding of CGT as producing "limited, tentative generalizations, not universal statements" (Bryant & Charmaz, 2012, p. 16).

Specifically, I revised my understanding of data privacy restrictions, given that they are perceived as rigid and immovable by equal opportunity officers. I was also able – given the mention by several people of the during member checking – to clarify that diversity and equal opportunity are closely but indefinitely linked in *Gleichstellungsbüro* work, and further was able to understand that this was really an overarching theme of the grounded theory.

Conclusion

As discussed here, CGT with a postcolonial lens guided the present inquiry, which incorporated a small number of interviews, document analysis of over 700 pages, and member checking. In chapter four, I discuss the main findings of this research and present a final visual theory and model.

CHAPTER FOUR

This chapter elucidates findings of the Constructivist Grounded Theory (CGT) study that unfolded in two distinct phases during 2019. Detailed are: interviews from spring 2019 and document analysis from summer-fall 2019. The chapter concludes with discussion of the theoretical model developed. Chapter five extends this discussion to address the implications and limitations of the study as a whole, as well as areas for further research.

Initial Interviews

To set the stage for document analysis, and to confirm or challenge the sensitizing concepts of the postcolonial CGT approach (power, hybridity, hierarchy), I conducted three interviews with equal opportunity staff at German higher education institutions in spring 2019. Equal opportunity officers of the central administration at each of the 32 universities and *fachhochschulen* selected through stratified random sampling were identified using institutional websites and were contacted by email a maximum of three times. Three interviews were conducted with the officers who provided affirmative responses. Signed consent forms were collected from participants, and all conversations were recorded with permission; each lasted about one hour.

While I omit the names of interview participants as well as their institutions as specified in recruitment emails, the three HEIs represented one *fachhochschule* and two research universities, and the three states represented were Baden-Württemberg, Berlin, and Mecklenburg-Vorpommern. This grouping represents one state from the former West, one from the former East, and the city-state divided between the two. Further, these HEIs represent one urban and two suburban institutions. The equal opportunity officers included one chief officer and two deputy officers, who described themselves as having a variety of academic backgrounds.

Equal Opportunity Officers (*Gleichstellungsbeauftragte*) as Political Actors

All three interview participants offered frank observations of their office's role within the respective HEI. Their reflections made clear that they harbored no illusions about their work being seen in a universally positive light, but rather that their duties and advocacy were contested in different ways at different times. To some extent, the role of the equal opportunity officer seems to have been enshrined as adversarial in university-specific regulations, though these regulations differ by campus. Interview participants noted, for example, that equal opportunity officers have an important role to play in hiring processes (for both faculty and staff) and also a veto right in the drafting of equal opportunity plans at some institutions, but not others. It seems evident that the equal opportunity officer role as described is imbued with (varied levels of) power and understood as necessary because of larger socio-political trends. In a sense, this reflects hybridity: equal opportunity staff as both centralized, legally-mandated authority-holders but also peripheral community members.

The equal opportunity officers interviewed described their roles as being political in terms of their selection for the role. In reflecting on the different types of electoral processes that had brought them to their current positions (for differing lengths of time), they noted that officers can be elected by a women's council (*Frauenbeirat*), consisting of professors, students and administrative staff, or by a faculty senate. One participant reflected that for each term she had been re-elected, there was "no one here to my knowledge who want[ed] to have all the stress," resulting in the election being uncontested. Another indicated that while she had not yet decided if she would stand for re-election at the end of her term, it was likely that she would be re-elected if she chose to do so given a lack of interest in taking on the position. She has since left the HEI and is no longer engaged in equal opportunity work.

This theme echoes previous scholarly work on the experience of equality officers. In their work on the British case, which focused on public and private sector organizations rather than universities specifically, Kirton and Green (2009) found that “Even if equality officers came from inside the organisation, they might become alienated from former colleagues and might jeopardise their careers” given negative perceptions of that role (p. 161). This resonates with the finding of German scholars and practitioners that “equal opportunity officers are often met with resistance and defensiveness with respect to their work and the larger theme of equal opportunity” (Blome et al., 2013, p. 292). The central administration equal opportunity officer, then, is seen as inhabiting a politicized, isolated role.

When asked about the gathering of data relevant to the work of the equal opportunity office, participants indicated that the act and process of data gathering were legalistic, politicized, and also bureaucratic in nature. One participant noted that the gathering of data was “a problem we face at the diversity management office... We establish diversity controlling, in discussion about how to gain more data [on] enrolled and prospective students [with senior leadership].” Another participant described the evolution of this data gathering and reporting process, saying that the university in question had shifted from an emphasis on reporting representation (“how many female students, how many female staff, how many female professors”) towards a declaration of strategy or “some actions about what can we do to get more female students, more female professors...” Thus there is a core legal mandate for data collection, but a HEI-specific process for what type of data to gather and whether that is integrated into an overarching, differently resourced plan for progress.

The definition of key terms including diversity was clearly understood as politicized by interview participants. One noted: “we use the word *diversität*... because maybe some

administrative staff don't know what to think about 'diversity' (the English word). We also work with 'equality' and '*vielfalt*' ... [this shifting] happens a lot..." This perspective also seems to indicate a landscape of varied operationalizations and understandings of equality, diversity, and *vielfalt* as widely understood and/or advantageous, a point to which I will return in discussing the document analysis carried out during this study.

Distinct equity environments by region and technical orientation of universities.

One equal opportunity officer, who had worked on equity issues in both the former East and West of the country, observed that in the former, "gender equity is pretty bad because of Eastern culture" indicating a less progressive orientation towards equal opportunity. This theme was also reflected in the personal history of another participant, who recounted her own experience of growing up in the former East and being unable to pursue a profession of interest because of her gender. Further, one participant emphasized her HEI's location in the former East as an explanation for its contemporary student, staff, and faculty composition, saying:

We have eight percent non-German students, and of the professors maybe two or three are not German people, and we have at the moment no one from a refugee background as working staff, we only have a student as refugee ... yes we have some from Russia or Poland... but normally for Germany you think of people from Turkey or Italy or Greece.

These observations seemed to indicate that indeed there was a regional difference with respect to both the perceptions of equal opportunity officers regarding the efficacy and scope of their work as well as the composition of university student, staff, and faculty bodies, indicating the need to probe differences in equal opportunity plans across regions to discern potential differences in the construction of opportunity and diversity. Further, there seems to be clear indication for work on a state level regarding how diversity is present, made visible, and connected to discussion of

systemic oppressors in any given context. Are different support programs for migrant students called for, distinguishing former guest-worker-sending countries from other migrant-sending contexts? Incorporation of current student feedback and desires seems urgent.

A geographic divide was also reflected in comparing urban and rural environments. At one HEI in a major city, an interview participant identified as a key element of equal opportunity work the institution's vice presidential role focused on diversity, which was not identified at other HEIs. This distinction among dedicated leadership roles is an interesting feature of the public higher education landscape that may possibly relate to an urban/rural divide and attendant migration patterns, and one which merits further study: some universities (including Friedrich-Schiller-Universität Jena, an urban institution not included in the present study) have established cabinet level positions such as a Vice President for Young Researchers and Diversity Management while many others do not (Friedrich-Schiller-Universität Jena, 2019).

Additionally, a participant who had worked previously at both research universities and technical institutions observed a distinction between those environments. She reported that she "didn't know how bad the situation COULD be having not worked at a technical university before" and discussed the experience, shared with other women in leadership roles at the technical university, of having been the only woman present during many managerial-level discussions. Again, this theme indicated the importance of an attention to institutional type and indicates an area for further research: if women are under-represented in the very leadership roles that hold responsibility for constructing equal opportunity plans, it may well be that plans themselves are distinct at technical universities.

Finally, interview participants elucidated the important effect of distinct state law on how equal opportunity was constructed at different German HEIs. One observed that:

“...at other universities there’s a different name for it... at the university in the East we never said “women’s officers” because we were “equal opportunity officers” and so worked a lot with men.... Here in [LARGE CITY X] we have to call ourselves women’s representatives, *Frauenbeauftragte*.... Here we talk only about women. Then I learned that it’s the law here in [CITY X] ...but also politically women representatives want to be called women’s representatives....”

Another participant indicated a distinction in the state law relevant to her own context that clearly interpreted “equal opportunity” as pertaining to men and women, rather than diverse groups more broadly. She stated “of course *Gleichstellung* can also be seen in a broader view for equal opportunities of heterogeneous groups, but we mostly see it between men and women, because this is fixed in the law of [STATE X].” Therefore, despite a centralized legal protection in the federal constitution on the basis of ancestry, race, gender, and other categories as previously discussed, it is indeed state and city law and political norms that (at least in large part) guide the operationalization of equal opportunity as gender.

Decentralization of “equal opportunity” and bureaucracy

It was clear throughout all interviews that the decentralized nature of equal opportunity work was a key descriptor of and defining factor for the role of the central equal opportunity officer (or deputy officer). Interview participants described developing allies throughout institutional layers in order to meet equal opportunity goals, including the need to work closely with faculty (school) based equal opportunity officers in order to implement strategy specific to those individual academic units. Positive collaborations were noted with aligned departments including a separate campus unit for family affairs (focused on issues ranging from child care to work-life balance), as well as the university communications department, though this varied

across HEIs. The overall university “equal opportunity plan” was described by one interview participant as reinforcing central equal opportunity office goals (which would later be quantified and reported upon) but rarely used by faculty or staff across the university. She observed:

I’m actually working on the new plan this week... it’s more than 50-60 pages, we try to summarize all the things we want to be communicated, all the things we have done, the structures here, all the rights, we have the goals, all the activities we did the last five years.... It’s more an administrative framework... we know that nobody will read it, we can say but look here at this action plan, you see how it has to be done, please regulate this process or please do it in another way...

At another university, the interview participant reported that every faculty had an independent equal opportunity representative as well as a deputy officer in addition to the staff employed at the central equal opportunity office. She emphasized the need for close collaboration between and among these officers, while also describing an unwieldy bureaucratic structure of regulation and controlling:

The law says I have the right ... to get [all notes] from every meeting here at the university, at really every official meeting... so I can collaborate with everyone... I can choose with whom I collaborate... In the first years my goal was to get the big ones... I’m looking at heads of the faculty and get memos of their meeting... in the first years it was a little crazy and they don’t like it and now I don’t think they like it [LAUGHS]... but it’s easier to collaborate with me than to block me... they [have] learned it’s easier to cooperate...

Here, there is an emphasis on both the need to reflect the legal obligation of the equal opportunity office and attendant requirements for university actors. A clear, highly time consuming focus on related regulation of university constituents is identified.

Incidental, not intentional work with migrants and refugees

In broad terms, the engagement described by equal opportunity officers with migrant and refugee populations was incidental rather than intentional in nature. In brief, support of migrant groups was not described as a core function of equal opportunity work at any of the three institutions in question. At two HEIs this was expressed to be related to both the (perceived) separate work of other university offices focused on this area as well as lack of funding. One interview participant reported that

Our international program has lots of women from Iran or Sudan and they are some kind of refugees.... Also one woman from Syria we were able to recruit with her family.

UNIVERSITY X has a specific office for refugees.... And of course we are in touch with them. We have one program specifically targeted at female students and we have some students with migration background and one who is a refugee... this is basically due to limited funding [that we don't have more programs for migrant and refugee students].

In this case, we observe that the HEI's international office and refugee office were perceived by the equal opportunity office representative to be more involved with students from migrant and refugee backgrounds. Additionally, it is vital that the international office in question refers to itself on its website as a "state department" for the HEI, facilitating a range of study and work exchanges, and that the refugee office is focused on pathway programs. In neither case is there an emphasis on ongoing student support of minoritized groups. However, the implication was that the equal opportunity office's incidental engagement was due to a lack of funding for more

intentional activities; this is borne out by the findings of document analysis and discussed in section 2b of this chapter.

At another HEI, the equal opportunity office representative noted that engagement with migrants and refugees was limited to

one project when we worked with students from a migration background and we provided a mentor for them... we saw that they have a lot of ability and sometimes they have difficulty... especially [in the master-level programs] with their academic writing, and for this purpose we bring them together with retired professors, someone very experienced, to talk about their texts and also exams that they did so that [migrants] get a better sense for German academic language Now we have shifted to refugees [through pathway program work].

The program described here is essentially responsive – it reacts to a perceived need among students from a migrant background for both German language tutoring in the area of academic writing, as well as closer familiarity with the unwritten or “hidden” curriculum, or expectations of German university instructors that may be unwritten or unspoken (Brandt, 2014). This is acknowledged as an area of concern among marginalized students in other national contexts (Felix, 2016; O’Shea, 2016; Stergiopoulos et al., 2018), as well as in teaching and learning across cultures, though embedded in a single national context (Leask & Carroll, 2013).

Additionally, the program described was very low-cost, working through the network of retired faculty to offer mentorship to migrant students. This seems to reinforce the notion that lack of funding is a primary limitation to more intentional and expansive work with migrants and refugees.

Evolving personal understandings of diversity and equal opportunity

It is manifest that there is not only a range of personal and professional definitions of diversity and equal opportunity among the HEI staff interviewed, but also that those definitions have shifted over time and that they are in some respects based on an opposition to American or British definitions of those terms. Whether this is because of the “origin story” attributed to these concepts, the fact that the participants were being interviewed by an American graduate student, or both, this opposition indicates a fluidity, relativity, or perhaps an internationalization of the definitions of diversity and equal opportunity.

To this point, one HEI officer observed that “our office is responsible for gender equality, family support, and diversity. This is quite a new field, different to the UK or the US... this is the field that is developed latest... you can see that [because of] the heterogeneous students this is a topic that is emerging more and more.” Another participant referred to her HEI as being less diverse than what I, an American researcher, might expect; she stated

Our university is not really diverse... yes we have a really small percentage of lesbian and gay people.... Really small... I think five probably.... Now six, not more. We are a small community and we know each other. There’s not much *Vielfalt* [diversity].... The same on nationality and the same on *Ethnie* [ethnicity] and race.... Not much Mexican people [LAUGHS], yes we have refugees... one Muslim.... We have some black people from Africa and one German black person.... sometimes we have disabled persons but it’s really one or two... I think it’s not easy for them.

One of the things that I find striking in this statement is how familiar the interview participant is with the composition of the student, staff, and faculty bodies. Indeed, this seems to point towards the equal opportunity officer in question serving as a *de facto* diversity officer (though that role is not typical in the German setting), despite arguing that there is “not much” diversity and

having previously noted that the work of the equal opportunity officer is focused on gender. In chapter five, I will discuss in further detail the implications of this concept of an “emergence” of diversity in the German setting.

With respect to personal and professional views on diversity, two interview respondents noted that these perspectives were the same for them. Further, their comments indicated personal dedication to progress in terms of gender equality. One noted the professional pathways pursued by male family members as an example, saying “my father’s an engineer and I wanted to do chemical engineering and my two brothers are chemical engineers and I’m not and that’s very typical I think... that’s why I work in this area to give other girls the opportunity to [pursue their intellectual and professional interests].” Another noted with respect to her own definition of diversity and equal opportunity:

To be honest my mind has changed... at the beginning I thought “do we still need an office like this”... at first I thought “isn’t this a bit old? ‘Don’t we have to think about doing it together with men?’”... We were thrown back into the Feminism debate in the 80’s... but the more I worked hereI thought “now I understand working at a technical university not a general university”....

Further, one participant observed that her own perspective on diversity and equal opportunity had shifted based on the reports she had heard during her career from female students, staff, and faculty regarding continued discrimination, as well as a lack in progress in terms of equal representation at the full professor level. She specifically referred to recurring micro-aggressions or disappointments (*Entmutigungen*) at what she referred to as the “man’s university” at which she worked.

In the context of these challenges to personal and professional values, participants expressed both pride in their work and sadness when equal opportunity goals remained unmet. One noted that “every year you see [reports with] ... not one [diverse] person more... it makes me sad,” which also emphasizes a central focus on reporting of key enrollment and employment data. Another found satisfaction in a strong reputation among and support from peers in the field – this reference to peer and professional networks for equal opportunity officers is somewhat reminiscent of the Title IX officer network described by American researchers (Kelley, 2019). Future work might consider cross-national comparisons among the work of equal opportunity, diversity, and Title IX officers. It seems evident that all participants are value-driven: one noted that

I have to think about students and especially first generation students because it is the duty of the university to make it possible for anyone who wants to study to study...It’s not like in the U.S., it’s free and they don’t have to pay but still there’s a *habitus* and it’s intimidating. We have to make it accessible and think about their *habitus*...

While this framing of “equal opportunity” seems closer to “equity,” another participant observed that “Diversity is very complex... It’s more openness, it’s not about shaping [students so] that they have to fit the system, more about being open,” which seems to reflect an orientation towards equality of opportunity. Again, I will return to this point in the following section, which discusses key findings in the analysis of equal opportunity plans.

Document Analysis

As noted in chapter three, in the process of collecting the legally mandated equal opportunity plans and concepts of each of the 32 institution in question, it became clear that these were not comparable documents. While some HEIs offer “equal opportunity plans”

(*Gleichstellungspläne*), others offer “equal opportunity concepts” (*Gleichstellungskonzepte*), “action plans for equal opportunity” (*Aktionsplan zur Gleichstellung*) or “women’s advancement plans” (*Frauenförderpläne*). In sum, 21 plans that were publicly available and current were included in the present study, comprising 768 pages in total. These plans span 14 of the 16 federal states and represent 11 *fachhochschulen* and 10 universities. The plans ranged from 7-137 pages in length.

I now move to a discussion of findings from document analysis, which I separate into three themes: **diversity as gender; diversity as supplementary task; and diversity as statistic.** These findings gesture towards a visual model that theorizes the connections among “diversity,” “equal opportunity” and selected German research universities and *fachhochschulen*. Given that during interview participant recruitment it was expressed that HEIs would not be identified by name in this study, I do not include citations from the relevant equal opportunity plans in the section that follows (Westoff & Potvin, 2015).

Vitality, the documents reflected scant attention paid to migrants and refugees. Instead, the selected documents discuss diversity and equal opportunity at length and with a clear and primary focus on diversity as gender. This redirected my analysis to a consideration of underlying HEI frameworks for diversity and equal opportunity, which might be expanded to include migrant and refugee students. Charmaz indicates this approach, writing that

Grounded theorists evaluate the fit between their initial research interests and their emerging data. We do not force preconceived ideas and theories directly upon our data. Rather, we follow leads that we define in the data, or design another way of collecting data to pursue our initial interests (Charmaz, 2006, p. 17).

Diversity as Gender

While the equal opportunity plans surveyed here offer a potentially expansive definition of diversity, it is equally clear that the institutions surveyed have largely operationalized diversity as gender in the context of these institutional plans. Thus, while students, faculty, and staff from “working class” families, migration background, those who self-identify chronic illness or disability, etc. are mentioned, they are not the focus of the programs and initiatives supported by the equal opportunity office.

Legal Framework. Tying the HEI’s equal opportunity plan and related programs to federal, state, and sometimes local legal frameworks is a universal feature of the plans analyzed in this research. In short, the equal opportunity offices in question draw their *raison d’être* from the legal framework, rather than from social obligation, a dismantling of systemic oppressors, or a response to a call from community stakeholders, though some of these catalysts are mentioned.

As an example, one of the plans surveyed quotes Article 3 of the federal constitution, which indicates the prohibition of discrimination or preference based on gender, origin, race, language, homeland or ancestry, system of belief, or religious or political views (“*Niemand darf wegen seines Geschlechts, seiner Abstammung, seiner Rasse, seiner Sprache, seiner Heimat und Herkunft, seines Glaubens, seiner religiösen und politischen Anschauungen benachteiligt oder bevorzugt werden.*“) (Grundgesetz für die Bundesrepublik Deutschland, 1949). It also refers to the respective state’s equality law (*Landesgleichstellungsgesetzes* or LGG), which compels HEIs to develop an equal opportunity plan every six years with a review every two years. Another legal reference is the state university law (which emphasizes protection against sexual harassment). Further, governing bodies and professional associations in the university sector are referenced as influencing the development of the equal opportunity framework. These include the recommendations of the German Research Council (*Deutsche Forschungsgesellschaft* or DFG),

German Rectors' Conference (*Hochschulrektorenkonferenz* or HRK), German Council of Science and Humanities (Wissenschaftsrat or WR), the national Joint Science Conference (*Gemeinsame Wissenschaftskonferenz* or GWK), and the Center of Excellence of Woman and Science (CEWS).

Equal opportunity as gender equality. A universal feature of the plans coded for the present study is the overwhelming emphasis on *Gleichstellung* as related to gender. This is perhaps most easily expressed numerically by referencing *in vivo* codes: there were 1,286 initial codes for *Frauen* (women) and 335 for gender. This is much higher than any other (essentialist) identity marker mentioned in the plans. Importantly, most plans refer to women in terms of their structural roles at the university (student, staff or faculty member) but without attention to the heterogeneity of women's experiences regarding first generation status, migration background, religion, etc. This is somewhat surprising given that, for instance, "vertical class differences between women are growing ever greater" which impacts those affiliated with universities and *fachhochschulen* as well (Nachtwey, 2018, p 31). Further, it seems to imply that "one size fits all" programming might be suitable for all (or most) constituents, which is problematized by the cross-national student development literature (Baker et al., 2018; Gaebel & Zhang, 2018; Godwin et al., 2016; Hart & Lester, 2011; Thomas et al., 2017; Wild & Esdar, 2014).

In a small minority of the equal opportunity plans analyzed, there is discussion of "gender studies and research" as a component of the HEI's overall strategy. In some cases, this is connected to the integration of gender studies across all departments, in other cases within an existing department for gender studies or women's studies. This concern for the production of new knowledge and new researchers in identity studies will be discussed further in the pages that follow. Of particular note are both the late implementation of gender studies departments in the

German context – 1997 at Humboldt University – and that departments are generally quite small and frequently staffed with adjunct or visiting faculty (Boatca, 2012).

More and less critical stances toward existing social structures. I could not identify a single, clear position among the plans surveyed regarding existing social structures that minoritize and marginalize women, migrants, and refugees in Germany. In other words, there is no common connection between equal opportunity, diversity, and systemic oppressors. In some cases, there seemed to be no normative evaluation of marginalization whatsoever: one plan stated that “because of the tradition and strongly pronounced technical profile [of the university] the proportion of women is relatively lower [than other universities].” There was no additional explanation provided – apparently the perception that technical orientation in itself indicates gender imbalance is uncontested in this context. This same HEI describes a program for girls aged 7-18, in which they participate in various activities related to the natural sciences and technology; the program is titled “Like the Father, so too the Daughter.”

In several plans, a point of focus was identified as supporting or promoting personal motivation among emerging women researchers (*persönliche Motivierung*). While it is unclear what exactly is meant by personal motivation, this formulation seems to place the burden of progress on the individual student or researcher, absent any discussion of the unjust system of oppression having marginalized women in those same roles for decades. This collapsing of burden onto the minoritized individual has been identified as problematic in the literature and indicates a deficit approach (Langholz, 2013; Mergner et al., 2019; Yosso, 2005).

Other plans observe that the goal of equal opportunity work at the HEI is to improve conditions so that no gender-specific disadvantages persists which, though enticing, is a vision unlikely to materialize given entrenched power imbalances discussed in chapters one and two.

Still others identify as key equal opportunity mechanisms committees with rather bland, nonsensical names, for example the committee for women's questions. Again, we observe an inattention to ongoing, systemic forms of oppression.

As a counterpoint, several plans mention the commitment of the university to use gender-neutral language in official documents including job postings. This is a particular issue in German, a language that uses the masculine and feminine form for many nouns (for instance: professor and job applicant). Indeed, the "neutralization" of the German language – or a move towards gender neutral language – has been commented on by linguists, politicians, and the Association for German Language, taking positions on all sides of the issue (I. P. Johnson, 2019). The implementation of gender-neutral language across university publications and communications may therefore be seen as a more critically oriented action of equal opportunity offices at the HEIs in question.

Emphasis on women as mothers. All of the plans analyzed reflect a clear focus on supporting women as mothers in the academy; this reflects the literature discussed in chapter two, which identifies a clear preference in the German case for supporting family-based initiatives as primary component of equal opportunity measures. Interestingly, across universities this is an area where long-term partnerships with students and community groups appear to be impactful. One university notes that its current child care offerings are bolstered by a collaboration to increase said offerings, which includes the local art institute, student union, and social services agency.

Further, several universities note that they offer – or plan to soon extend an offer – supporting the international travel of students who are mothers (for exchange programs, research, etc.). The rationale given is that not covering costs for research travel with children prohibits the

development of international networks for the given student or post-doc and may be seen as exclusionary. There is no mention among the plans analyzed of the overall resource allocation to programs supporting women as mothers in terms of overall allocation; we cannot quantify to what extent this is an area of emphasis based on the data at hand.

Emphasis on gender binary. Though not universal, the majority of the plans surveyed indicate an understanding of gender as binary or fixed: as man/woman, rather than a spectrum of gender identity. In short, terms such as cis-gender and trans-gender are not used, which may reflect a lack of critical attention to gender as construct and programs and policies that perpetuate this understanding across the HEI (Kessi, 2018; Kulick et al., 2016; Renn, 2003; White & Jenkins, 2017). Further, this emphasis on gender binary seems to reflect the impossibility of hybridity. This is reflected in some of the language used in describing programs aimed at supporting women in the academy. For instance, one university observes the need for action by stating: “Women learn differently. Women have different priorities. The existing curriculum does not reflect these facts. Specific, tailored learning goals for women are absent and should be developed through the measures discussed here.” We see here an essentialist view of gender and learning orientations that contradicts current pedagogical best practice, though the overall aim of curricular revision with diversity in mind is clear.

Another plan uses on its front cover an image of a stick figure man and woman, with the man wearing pants and the woman wearing a dress. They are positioned on a balancing beam holding them at the same level. Again, this seems to clearly indicate a understanding of gender as binary and as fixed with particular qualities ascribed.

Diversity as Supplementary Task

A second theme emerging from document analysis situates diversity as a supplementary rather than a core task of the HEIs surveyed here. However, it is important to note that there are emerging signs of structural or organization-wide work in this area: though the content and impact of external “diversity audits” conducted by private sector actors merits extensive study, the process that universities engage in to pass an audit and receive a certification moves toward a valuing of diversity as a central objective of HEI operations and senior leadership.

Honorary roles, limited budgets. In describing the work of equal opportunity officers, (both central and faculty-based) we learn from the plans analyzed that these positions are sometimes honorary (particularly at the faculty level) and may be compensated by work release rather than salary. Many positions outlined are part-time, and indeed this reflects evidence offered in a spring 2019 interview, during which a participant mentioned that most of the staff members in her HEI’s equal opportunity office had temporary contracts.

Moreover, we observe that the budgets dedicated to the programs of the equal opportunity offices are quite slim: 50.000 Euro annually in one case and 80.000 annually in another. In some documents, detailed budgets are offered, providing more insight into how these funds are used. One such plan lists several initiatives as being without a specific budget allocation, as “existing resources” would suffice to achieve the given aims.

While the present study is not comparative in a trans-national sense, it is difficult to consider these facts and figures without making an initial comparison to peer institutions. While it is rare for universities to identify equal opportunity or diversity office allocations (many use ambiguous language such as being “committed to allocating a commensurate amount of resources for the coordination, implementation and regular evaluation of these measures” (Buitendijk, Curry, & Maes, 2019, p. 62), some examples do exist. For example, the University

of Mississippi, a public institution enrolling about 20.000 students (2020), spent “95.8 percent of its diversity-related budget (\$1,249,868) on personnel-related costs. That adds up to \$1,197,080 in 2018-19 for eight full-time employees with more budgeted for part-time student workers” (Wilson, 2019). Importantly, the purview of this office is more expansive than the equal opportunity offices considered in the German case, but this gives some semblance of the imbalance present in budget allocations. Here, the German tuition-free context should be seen as a guide or fundamental driver of constrained equal opportunity services.

Scope of equal opportunity officer work. It is also clear that the tasks assigned to the central equal opportunity officer and/or their deputies and faculty-based counterparts are numerous and, in many cases, unwieldy. Responsibilities of the equal opportunity officer include – at one institution – the “maintenance of discrimination-free university culture” and the encapsulation of equal opportunity as a marker of quality in teaching and research across the entire organizational culture and in all committees. In addition, internal consulting services are frequently mandated: “so that this is seen as a whole-university task, professional development must be provided to senior leaders and the equal opportunity council (*Gleichstellungsrat*) on gender sensitivity.” Further, transparency around equal opportunity work and outcomes is identified as a necessity and as a task of the equal opportunity officer, who must publish relevant indicators available to “the entire university community.”

In sum, it is the equal opportunity officer who is placed in charge – though seemingly without much real authority or extensive resources – of the bureaucracy of equal opportunity work at a given university. As one institutional plan puts it, *Gleichstellung* is understood as a cross-sectional administrative task that engages all university constituents, and which is reflected programmatically through university values and organizational structure. Plans reflect that the

universities themselves acknowledge this burden: several plans indicate the need for the increased acceptance of equal opportunity work. The suggestion of a recent handbook for equal opportunity officers as to areas for possible professional development of the community reflects a far-reaching portfolio of responsibilities; these included: the rights, duties and tasks of the officer; instruments and strategies of equal opportunity work (including the creation, revision and evaluation of plans); performance funding systems; the self-understanding of the officer (in terms of their own conception of their role); procedural requirements; engagement in diversity work; counseling duties, especially in cases of sexual harassment and violence; knowledge and information management; public-facing work; and training in implementation skills, conflict management, project management, and time management (Blome et al., 2013, pp. 293-294).

Pervasive lack of student input. Identified through omission (meaning that there were very few relevant initial codes), the lack of student feedback and input on equal opportunity plans and programs in this sample is striking. Among the 21 plans analyzed, the very few mentions of student feedback address it in a limited capacity (typically related to a single survey, single mentoring program, or peer-to-peer initiative). One HEI plan uses a visual to outline the process of implementing equal opportunity work, which includes input from university leadership (*Hochschulleitung*) and members of key committees (*Gremien*); students are absent from this chart. It seems, then, that equal opportunity work is peripheral enough so as to eliminate the need for robust student feedback, meaning that it is unclear whether the student body as a whole finds relevant programming supportive and/or perceives it as addressing power imbalances or existing hierarchies.

One area that might well be brought to the surface via student input and engagement is the support of religious minorities. While the *in vivo* code “religion” was used only eight times

among all 21 equal opportunity plans, it is clear that religious discrimination is a salient aspect of contemporary German society. As Wasmer has noted, in 2010, following the publication of the best-selling and highly controversial book *Germany Abolishes Itself (Deutschland Schafft Sich Ab)* by former politician Thilo Sarrazin, the party of the

Christian Democrats adopted a resolution that Germany was based on a ‘Judaean-Christian heritage’ which should be considered as the country’s Leitkultur [guiding or core culture]. The message was clear: Leitkultur should be understood primarily as a political tool in the struggle against Islam” (Wasmer, 2013, p. 174).

In the 2015 *Parallel Report on the 19th–22nd Report submitted by the Federal Republic of Germany to the UN Committee on the Elimination of Racial Discrimination under Article 9 of the International Convention on the Elimination of All Forms of Racial Discrimination*, which directly references the Sarrazin publication, German civil society authors observe that “a dynamic understanding of racism encompasses racism and anti-Muslim hostility” (Aikins, Barskanmaz, Brandstätter, Bruce-Jones, & Mesghena, 2015, p. 19). These phenomena are connected directly to hierarchies of power associated with postcolonialism and coloniality as indicated by Bhabha, El-Tayeb, and Said (Bhabha, 1994; El-Tayeb, 2016; Said, 1979).

Operationalizing “sensitization.” An initial code that has become a key part of the theoretical model to be introduced at the conclusion of this chapter is “sensitization,” often used in conjunction with gender, but at times with diversity more broadly. One institution notes that it has a need for an overall “sensitization,” which can be achieved through various de-centralized channels, including relevant on-campus events, publications in the internal university newsletter, and in external print media. Further, that same institution indicates

We sensitize for the right to equal chance (or lack thereof), particularly in the areas of equal opportunity, family friendly approaches, internationalization (for example interculturality), the absence of barriers and the right to study. The responsibility for the long term realization of this mission is carried by all constituents of the University.

While it seems to encompass “familiarity” and “awareness” if not action-taking, the term “sensitization” is never operationalized. There is no metric for success in this area, and frequently it is unclear who (if anyone) is in particular need of sensitization. Such a goal cannot be adequately resourced or achieved. This sensitization may be seen as a supplementary (rather than core task) in at least two ways. It indicates a goal of awareness of gender and diversity issues rather than a responsibility for action-taking or participating in organization-wide change. Second, it is frequently assigned to the chief equal opportunity officer and deputies, who cannot practically engage in expansive training of all university constituents. Sensitization is, then, a somewhat empty commitment.

While the concept of sensitization is frequently used in the literature on higher education management and refugee studies (Achieme, 2014; Dranzoa, 2018; Inter-agency Network for Education in Emergencies (INEE), 2019) attention to the assessment of sensitization is called for. This is particularly the case when sensitization is meant to be achieved by a single individual – the head equal opportunity officer – or their staff. Ought an equal opportunity officer be both conducting sensitization and assessing the resulting level of sensitization? Can an individual’s sensitization be measured by a standardized tool akin to the Intercultural Development Inventory (IDI) used in the realm of intercultural skills (Bennett, 1993, 2004), and if so, what processes are in place to establish that tool?

Equality or equity? There is inconsistent language used with respect to equality and equity across the plans analyzed. I adopt as a working definition the framing of equity as social construction that “remains a contested concept, theoretically and practically” (Miron & Wimpelberg, 2006, p. 321) but that seeks to address entrenched gaps in opportunity and outcomes among marginalized groups including women, people of color, refugees, and other groups (Earnest et al., 2010; Núñez, 2014; Roegman et al., 2019; Tamtik & Guenter, 2019). Indeed, there is contradictory language used within individual plans themselves. In one case, a plan states that:

- “the University aggressively inserts itself for diversity” (which seems to reflect an equity approach)
- “the University constructs equality-based structural parameters that are open to all people with a university qualification, regardless of their life circumstances or social background” (which is standard equality language)
- and that “through the networking of gender equality actors” there will be a regular, critical reflection “on central developments in gender equality policy and to coordinate the further development of the gender equality concept and gender equality measures” (which seems to bridge equity and equality).

One way to understand this lack of consistency within and across HEI plans is as indicating a lack of operationalization of assessment structures. How might the same HEI aggressively insert itself for diversity and also construct equal opportunity-based structural parameters? How are those two quite distinct goals resourced, and how are specific strategies developed, measured, and made transparent?

Another imprecise conflation of terms (repeated several times) is between *Chancengleichheit* (equality of chance) and *Gleichstellung* (equal opportunity) between women and men. *Chancengleichheit* has been defined by German authors as allowing individuals equal access to education according to their abilities (Spieß & Zambre, 2016, p. 464). However, in one plan these terms are both mentioned in outlining an affirmative action program for women, which indicates that between equally qualified male and female candidate for a position, the female candidate will be favored. This seems to reflect another contradiction in orientation between equity and equality.

The overall emphasis across HEI plans analyzed is on equality between men and women. However, equity is indicated as a focus in a minority of plans, some of which discuss “justice” or “equitableness” (*Gerechtigkeit*, which is coded ten times among all 21 plans and used by five HEIs).

Parallel function to internationalization. The internationalization of higher education is mentioned in several ways throughout the plans analyzed. The Bologna process is described as having created new patterns of women’s educational attainment through the introduction of bachelor and master degree tracks in the mid-2000s; in one university plan, this transition is characterized as having compelled the university to respond via revamped marketing and promotion campaigns targeting women’s enrollment. Other mentions of international standards include citing Germany as being in the bottom third of the European Union (EU) average for women in academic leadership positions as a motivation for equal opportunity work.

In one case, the equal opportunity plan reflects that the given HEI’s career center is being temporarily financed using EU funds. In another case, reference is made to a new initiative to develop all job postings in German, English, and French – this is presented as a way to

encourage more women to apply for HEI roles. Elsewhere, foreign researchers of gender studies are highlighted as being supported by dedicated research funds for short term faculty mobility. In brief, there is clear overlap between equal opportunity work and internationalization according to equal opportunity plans, an area that calls for additional inquiry.

In general, in those plans that do address the internationalization of the HEI, it seems that internationalization can be understood as a larger, umbrella effort of the HEI that in some limited cases intersects with the work of the equal opportunity office. That is to say, the impression is that internationalization is a more core function of HEIs, and that equal opportunity is supplementary though occasionally overlapping. This is supported by the larger literature, which observes that “Germany has embraced ‘Europeanising’ and ‘modernising’ academic strategies” under the auspices of both internationalization and competition, and that these strategies sometimes include gender equality policies” (Zippel et al., 2016, p. 870).

Documents not truly comparable

An important finding of the present research is that the 32 equal opportunity plans originally selected for inclusion are not comparable documents, which seems to reflect a fragmented approach to equal opportunity and diversity across the HEIs surveyed. While on the one hand this might be seen as reflecting a decentralized system of higher education, it is also conspicuous given the common and legally mandated equal opportunity office. That is to say, it is remarkable that ostensibly common institutional documents explicating equal opportunity principles and policy range from five to 484 pages in length, have various titles, and in some cases appear to have been established decades ago without revision. While most (21) were publicly available on *fachhochschule*/university websites, others were available only after entering a password, were available only through personal correspondence with an HEI representative, or were available only as separate faculty-based plans (rather than a single,

centralized institutional plan). Further, it is manifest that a plan of five pages is likely to reflect a less resource-intensive diversity or equal opportunity planning process than a plan of several hundred pages in length.

While this heterogeneity of plans may reflect a diversity of institutional types, contexts, and student bodies, it also indicates a lack of standardization around equal opportunity frameworks and seems to indicate equal opportunity as peripheral in at least some university settings. Again, this is reflected by the literature: Blome et al. (2013) observe that diversity concepts differ widely among HEIs (p. 218).

Diversity as Statistic

It is clear from the equal opportunity plans surveyed here that there is a numerification or quantification of diversity and equal opportunity. That is to say, the detailed reporting of numbers of women in student, staff, and faculty roles, as well as in part-time, temporary, and third party-funded positions is consistent across all of the documents analyzed, and in almost all cases this is the primary emphasis of the plan in question. Indeed, the quantification of “performance,” broadly construed, is identified as a predominant though controversial feature of the German higher education landscape and this seems to resonate with equal opportunity plan emphasis on “achievement” in increased enrollment and employment of women (Hüther & Krücken, 2018, p. 78). At some institutions there is a clear system for the funding of university units based on the achievement of gender-specific goals, and at others performance is identified as playing a role in the yearly budget negotiations between central and faculty levels.

However, as observed in the trans-national critical education literature, “social relationships are not readily amenable to quantification”; constructs such as gender, race, and migrant status are “only ever a social construct – a dynamic of power (history, culture,

economics, representation)” (Gillborn, Warmington, & Demack, 2018, p. 170). Indeed, the simplistic and linear nature of quantification elides a critical perspective (Bowleg, 2008). As Klein (2016) has written, a “recognitional concept of equality emphasiz[es] little more than tolerance and celebrating students and staff diversity” (p. 152). This concept has also been referred to as compositional diversity (Harvey & Mallman, 2019; LePeau et al., 2019; Lundy-Wagner & Winkle-Wagner, 2013).

Reporting, capturing, and controlling numbers. Elaborate mechanisms of collecting, reporting, and measuring equal opportunity data are detailed in the documents analyzed. These include in one case “[women in] research leadership positions, staff, time limited contract workers, part time workers, students, and committee representation.” The amount of time required to accurately report these figures on an annual basis is substantial, and for those several institutions that commit to offering real-time, web-based tracking information in this area, almost prohibitive. This seems to echo a concern expressed in the U.S. setting, that among university diversity officers, the “tendency is for staff who are already busy, and often overburdened, to prepare and submit interim reports in a compliance mode rather than using them to facilitate campus learning” (Smith, 2016, p. 269).

Further, there is constant reference to how national averages (particularly of student enrollment and the number of women faculty) compare to the relevant figures of the institution in question. The *in vivo* code *Frauenanteil* (proportion of women) was used 403 times across the 21 plans surveyed and was present in each individual document. Again, it seems worthwhile to problematize an exclusive focus on structural representation, which can mask the need for ongoing supports for enrolled and employed constituents while ignoring larger, systemic processes of hierarchy and exclusion. Alternatively, positioning the student as subject

underscores “the societal structures and dynamics that produce and perpetuate marginalization and oppression (e.g. racism, heterosexism, ableism)” (Torres et al., 2009, p. 583).

Bureaucracy of statistical improvement. German higher education has been described as a bureaucratic maze or complex, which results in “difficulties to all applicants – including German nationals [and indicates the need to establish] adequate student advisory services” and represents a “larger issue within education policy that exceeds the refugee issue” (Schneider, 2018, p. 461).

With respect to the equal opportunity office, a number of quality control processes to ensure the improvement of women’s representation across HEI units are outlined in the selected equal opportunity plans. These include detailed requirements that the equal opportunity office seems to be involved in fulfilling regarding hiring procedures. At one university, all hiring committees for faculty roles must include a female professor, staffer, and student (with an external professor taking this role if needed) and all women applicants who meet qualifications must be invited to give a job talk. Additionally, the respective faculty-based equal opportunity officer has the right to participate in the questioning of those applicants, as well as to participate in discussions about hiring of research and non-research personnel (this applies to both central and faculty-based equal opportunity officers). This represents a thoroughly considered, yet bureaucratic and incredibly time consuming mechanism for the achievement of gender-based diversity goals by equal opportunity officers with heavy workloads. It also reflects the existing scholarship, which cites that “work on committees takes the most time of all responsibilities” of German equal opportunity officers (Blome et al., 2013, p. 321).

A bureaucratic approach to diversity work has been problematized by myriad scholars and practitioners: argumentation in this vein furthers that "bureaucratic systems simply reinforce

inequality. In *The Feminist Case against Bureaucracy*, Ferguson (1984:7) argues that bureaucracy creates a veneer of fairness covering traditions that favor white men, a ‘scientific organization of inequality’” (Dobbin et al., 2015, p. 1016). In adopting Ahmed’s (2007) discussion of racial equality plans in the British contexts, equal opportunity plans may be seen as “diversity as performance,” established for the purposes of state and national-level assessment. In other words, the bureaucracy of equal opportunity detailed in those plans can be understood as a paper trail comprising a hierarchy of diversity councils and committees, which all serve to make an equal opportunity policy “good” rather than to demonstrate “good equal opportunity” (Ahmed, 2007, p. 597).

Initial and focused codes by East/West

As discussed in chapters one and two of this paper, public higher education in the former East and West Germany was subject to distinct political influences and constraints following the end of the second World War, indicating distinct hierarchies of power. In the years since, and particularly in the last decade, it has become clear that despite massive investment into the former East, economic indicators in that region are comparatively bleak and also that there is substantially less diversity in terms of residents identifying a migration or refugee background (Bundesamt für Migration und Flüchtlinge (BAMF), 2019, p 9). Further, results from the Robert Bosch Foundation’s national “diversity barometer” survey indicate that acceptance of diversity is much higher in the three German city-states (Berlin, Bremen, Hamburg) and in the western German states of Schleswig-Holstein and Niedersachsen, with a clear gap between East and West overall (Arant, Dragolov, Gernig, & Boehnke, 2019, p. 97). It was therefore of particular interest to examine to what extent initial and focused codes could be distinguished between selected HEIs in the former East and those in the former West.

As 14 of the 21 equal opportunity plans selected for analysis represent HEIs in the former West Germany, this grouping is overrepresented in the data. However, a key gap in initial codes is indicated: while “diversity” was coded 121 times and “*vielfalt*” 46 times in these plans, diversity is coded only 13 times in the plans originating from HEIs in the former East Germany. There were no instances of “*vielfalt*” in those same texts. This finding reflects the perspectives of two interview participants, who indicated that they perceived a lingering distinction in how diversity was conceptualized and operationalized in East and West. Further, this seems to clearly indicate an area for future research. Notably, among HEIs in both the former East and West, there was an uneven distribution of initial codes for “diversity.” In both geographic regions, several institutions failed to use the term at all, while one HEI’s plan in the former West and one in the former East reflected over half of all codes for diversity within the relevant subset. Therefore, I find uneven use of “diversity” and “*vielfalt*” across the institutional plans analyzed, but much more frequent use of these terms in the former West.

Initial and Focused Codes by Institutional Type

As outlined previously, I also considered it important to examine the distinctions among equal opportunity plans generated by universities and *fachhochschulen*, given that these institutional types are differently impacted by the intentional differentiation of the German public higher education system through the Excellence Initiative. Further, there is evidence that refugees in Germany strongly prefer to attend universities over *fachhochschulen* (in the aggregate), though the latter has traditionally been an important vehicle for students from working class backgrounds to gain entry to tertiary education in that same context (Fourier et al., 2017; Schindler & Reimer, 2011).

Two important distinctions between these institutional types emerge when considering initial coding. First, and perhaps predictably, there is a greater number of codes for “MINT” (the German acronym that is an analog for STEM) among *fachhochschulen*, with eight of the 10 plans in this category using the term. In total, the term was coded 141 times across *fachhochschulen* plans. In contrast, there are 41 codes for MINT among the 11 university plans analyzed (MINT is mentioned in six plans among this subset). This may be seen as predictable in the sense that *fachhochschulen* have a clear technical or vocational focus, while universities include science programs as part of a wider offering. By extension, this also meant that there were more focused codes related to MINT programs for women. Programmatic offerings targeted both enrolled and prospective students at *fachhochschulen*, with some programs representing innovative partnerships with secondary schools and community groups. Again, this seems to indicate an area for future research with respect to targeted programs for refugees and migrants pursuing MINT study. Several programs serving refugee women interested in MINT are already in operation at HEIs not included in the present study and this might represent a particularly promising area of refugee and migrant support at universities of applied sciences (Fachinger, 2019; FH Koblenz, 2017). Further, this represents the interest of over 50% of refugee students in Germany surveyed by DAAD: those students reported that their academic interests lay in MINT fields (Fourier et al., 2018).

The second important distinction that emerged was the substantially greater number of initial and focused codes related to mentoring programs at universities than at *fachhochschulen* (though six university plans and six *fachhochschulen* plans mention mentoring). It is not clear whether this is due to a generally larger budget for equal opportunity programs at universities, potentially a larger equal opportunity staff able to facilitate these programs, or other factors.

Again, this seems to represent an important area for further research both given the indication by one interview participant that a mentoring program for migrant students under the auspices of equal opportunity work had been successful, and also given cross-national literature that underscores the importance of similar programs for refugee and migrant students alike (Oberoi, 2016; Ragab et al., 2017; Xiong & Lam, 2013). Importantly, mentorship activities are by no means universal: eight of the HEIs surveyed do not mention any such initiatives.

Focused codes by urban/suburban/rural locations

The most notable finding with respect to codes among equal opportunity plans emerging from urban, suburban, and rural HEIs also relates to occurrences of codes for “diversity” and “*vielfalt*.” However, the gap here seems to be between suburban HEIs, which have a lower number of these *in vivo* codes (eight instances across all five plans analyzed), and urban and rural HEIs, which have higher numbers. In terms of number of plans, 75% of rural HEI plans reference diversity or *vielfalt*, while 66% of urban and 40% of suburban plans do so.

Though it is not clear why this might be the case – and again this Constructivist Grounded Theory (CGT) study is not representative or generalizable – it might be that urban universities tend to enroll higher numbers of heterogeneous students (certainly urban areas attract more residents from migrant and refugee background). Further, while there is enormous range among rural regions in Germany in terms of prosperity, public transit connections, etc. (OECD, 2007), it may be that rural universities are particularly conscious of the need to acknowledge and/or support national, linguistic, racial, or ethnic diversity in their remote locations.

Visual Model

The use of CGT in the present study has allowed for the development of a theoretical model for equal opportunity at selected German universities and *fachhochschulen* incorporating

codes from interviews, document analysis, memos, field notes, and member checking. This model (reflected in Figure 7) addresses the postcolonial context in which German HEIs are situated, as well as implications for migrant and refugee students. The model, as well as the theory it represents, are now able to be tested further.

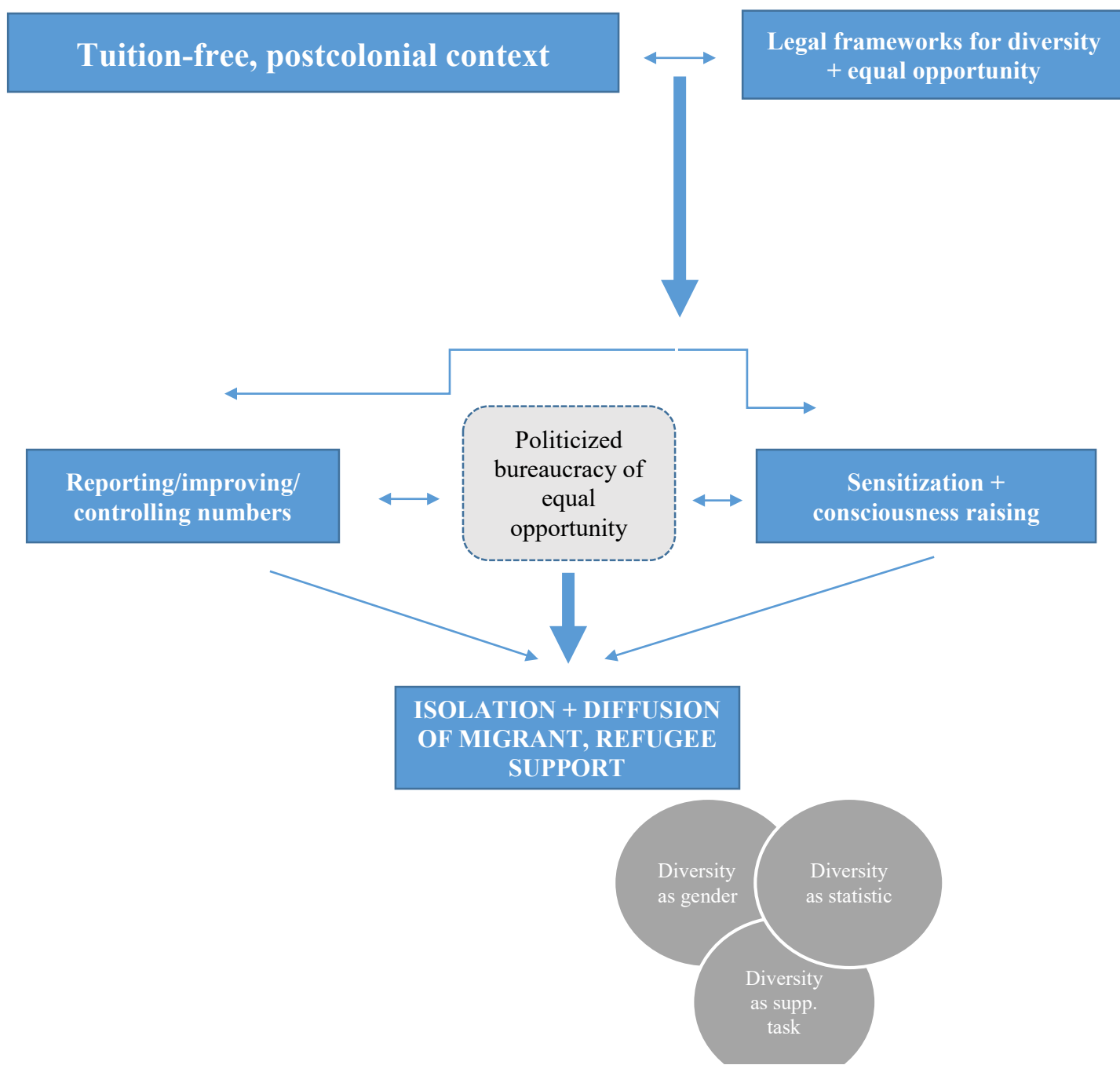


Figure 7: Theoretical model for equal opportunity at selected German HEIs

This visual situates the historical context of German HEIs (their presence in a postcolonial nation in which coloniality is enacted through various exclusionary hierarchies) in conjunction with the entrenched tuition-free public higher education model as grounding equal opportunity work. In parallel, these same contexts have influenced the development of federal, state, and municipal legal codes for equal opportunity and diversity, which are referred to in all of the plans surveyed for this study. These codes and regulations differ by state and local context, and should not be seen as fixed, given that the legal arena is not immune from political pressure, the perceptions of key actors, the influence of advocacy by people and organizations, or the “top down” influence of European legal norms, which are themselves dynamic (Botsch, 2015; Masselot, 2007). Therefore, the first level of this model describes a historical, legal, and economic context that pervades equal opportunity at German HEIs, but this context itself must be seen as evolving.

As described in chapter four, the findings of the present inquiry indicate two overarching functions of the centralized HEI equal opportunity office. That unit is responsible for the gathering, checking, and reporting of numbers of women enrolled and employed at the respective HEI: it is this mandated work to which equal opportunity plans most closely attend. Concurrently, equal opportunity officers indicate a broader, HEI-wide function for consciousness-raising around gender, which connects to work forming cross-unit alliances, establishing realistic expectations for knowledge of and compliance with equal opportunity guidelines, and a tacit acknowledgment that the work to be done is enormous and to a large extent unachievable. Equal opportunity plans bear this out, indicating scarce resources allocated, and a lack of concrete measures for success associated with that same consciousness raising and sensitization. These features of equal opportunity work indicate an overall politicized

bureaucracy of highly detailed committee work and numbers-gathering functions which, in light of constrained resources, indicate that expansive programs cannot be maintained or iterated by the equal opportunity offices in question. Those programs that are in operation are focused almost entirely on cis-gendered women and frequently apply a peer-to-peer model (likely given limited staff time).

The student voice is largely absent from these plans. It seems likely that under-resourced equal opportunity staff are unable to undertake regular, penetrating survey, interview, or focus group work with students to assess their interests in ongoing student support programs. Rather, the impression is that when student feedback is incorporated, it is the voice of the “usual suspects” already engaged with the relevant *Gleichstellungsbüro*; there is no evidence of campus-wide student feedback mechanisms regarding equal opportunity programming. Given that (as indicated by interviews) equal opportunity officers are rarely operating programs for women of migrant and refugee background, it is quite unlikely that the expressed needs of enrolled students from these groups are reflected in relevant strategic planning. Indeed, there were no indications among interviews or plans that there were future goals tied to these increasing populations.

CHAPTER FIVE

This dissertation employed Constructivist Grounded Theory (CGT) in an examination of the decentralized and increasingly differentiated German higher education system. That system has recently been challenged to develop access and support mechanisms for a growing migrant population and displaced students fleeing political turmoil and armed conflict in Syria, Afghanistan, Eritrea, and elsewhere. Specifically, this study focused on equal opportunity offices (*Gleichstellungsbüro*) as the institutional unit best positioned to support students of migrant and refugee backgrounds enrolled in degree programs at German HEIs.

The data analyzed here included interviews with *Gleichstellungsbüro* officers, equal opportunity plans (*Gleichstellungspläne*), and feedback garnered during member checking. Further, analysis incorporated the researcher's own field notes and memos. While 32 institutions spanning all 16 federal states were originally included in the scope of this study, a lack of publicly available equal opportunity plans necessitated the narrowing of the sample to 21 higher education institutions situated in 14 federal states.

As allowed for by Charmaz (2014), this research has employed a postcolonial lens in its consideration of the German higher education system (Bhabha, 1994; El-Tayeb, 2016; Kilomba, 2008; Said, 1979). Specifically, it examines how public HEIs are imbued with power and relate systems of inclusion/exclusion that serve to marginalize students of migrant and refugee background. This contemporary landscape of minoritization is connected to historical trends of exclusion extending to the university sector at the time of German unification in 1871, albeit constructed differently across campuses in the former East and West. It is also connected to contemporary lived student experience, which includes experiences of racism, though “official and academic discourses in Germany” have avoided using that term (Kilomba, 2008, p. 43).

Further, it is connected to the current political landscape, where the representation of migrant and refugee populations in civic leadership is extremely low – approximately 4% of all city council positions between 2006-11 (Bekaj & Antara, 2018, p. 45) – and where researchers make statements including “Germany has never stood as the prototype of a multicultural society and it does not do so now” (Wasmer, 2013, p. 163). In addition, clear shifts on the national level have taken place as discussed by Nachtwey (2018): “for the first time since 1933, fascists are seated in the German Bundestag and there is widespread public resentment of parliamentary democracy. A nervous, agitated mood has entered politics” (p. 228).

The following research questions were addressed by the study at hand:

1. At selected German public universities and *fachhochschulen*, how does the “equal opportunity plan” reflect goals for marginalized student groups beyond the traditional focus on women?
2. At selected German public universities and *fachhochschulen*, how do “equal opportunity office” (*Gleichstellungsbüro*) faculty and staff interpret their roles in terms of their institutions' “equal opportunity plan”?
 - a. How does their programming reflect goals for marginalized student groups beyond the traditional focus on women?
 - b. Further, how do they do this in light of the specific institutional culture?

In summary, this study finds that while selected equal opportunity offices articulate potentially expansive visions for diversity and “equal opportunity,” the relevant equal opportunity plans do not address students of migrant or refugee background in any substantive way. Instead, they focus largely on gender, with most plans reflecting an understanding of gender as binary.

Selected equal opportunity office representatives have different understandings of their roles, based partly on HEI type and location, and indicate deep commitment to their work, which they describe as urgent and difficult in many cases. The relevant institutional equal opportunity plan is not described as guiding everyday activities though it seems to articulate the relevant legal framework and overall institutional goals. Further, equal opportunity representatives express generally expansive views of diversity and related, cross-sectional activities; they point to campus collaborations as a means of working towards the support of marginalized students who are not served by "standard" office programs in light of resource constrained environments. Participating faculty and staff are very clear about the opportunities and limitations of their institutional cultures, histories, and circumstances and express awareness of the need for the ongoing support for migrant and refugee students.

Themes and Implications

A number of themes and implications are indicated by the findings reported here. These include:

- **Overall lack of attention dedicated to reckoning with the postcolonial context**
- **Inconsistent formulations of equality vs. equity**
- **Focus on reporting and controlling numbers of minoritized students, faculty, and staff but profound lack of data on student experience**
- **Top-down bureaucratization of diversity and equal opportunity**
- **Gaps in diversity framework expansiveness by HEI region and type**
- **Lack of consistent, core student support initiatives**
- **Expanding equal opportunity structures to support migrants and refugees**

Little attention to the German postcolonial context

With few notable exceptions, the postcolonial lens and sensitizing concepts of power, hierarchy, and hybridity that undergird the present study underscore the lack of focus on dismantling coloniality and attendant systems of oppression in the plans surveyed. The outlier HEIs were located in major cities, with one relevant equal opportunity plan emphasizing a focus

on research and teaching around identity studies; diversity as a quality indicator; and the goal of making diversity visible while dismantling discrimination. These themes directly relate to the sensitizing concepts defined in this study. They move beyond diversity as symbol (Patel, 2015), and acknowledge the power of university leadership in directing resources to research, teaching, and learning on diverse identities and experience. To borrow Ahmed's assertion, "to recognize diversity requires that time, energy, and labor be given to diversity" (Ahmed, 2012, p. 29). Further, they underscore the dual obligation of institutions in a postcolonial context to value and make diversities visible in parallel with an active undoing of systemic, identity-based discrimination (Gasman et al., 2015).

However, most equal opportunity plans did not contain similar commitments reflecting the German postcolonial context or attendant institutional obligations. While varied language was used around structural disadvantage affecting individuals (typically as a rationale for equal opportunity work), absent was a macro-level attention to broad systemic processes of discrimination or a tie to resourcing diversity-related activity within the research and teaching function of the HEI, which might serve as an instigator of social change. Additionally, there was almost no attention paid to the historical context of Germany as former colonial power or the HEIs themselves as traditionally exclusionary, despite emphasis in the cross-national literature that an institution's past informs its present with respect to diversity policy and practice (Glasener et al., 2019; Warikoo, 2016; Yonezawa & Inenaga, 2017).

A failure to attend to Germany's colonial history may be seen as silencing the minoritized groups impacted by the colonial hierarchies of power that persist in 2020. This includes students of migrant and refugee backgrounds. Again, similar observations have been made of German society as a whole. Wasmer (2013) writes that "Policies at the core of the multiculturalist

approach – recognizing and supporting immigrants in maintaining and expressing their distinct identities and practices (Banting and Kymlicka 2006) – are not key elements of German integration policy” (p. 169).

An inattention to postcolonial context not only has implications for individuals and migrant groups more broadly, but also on the research enterprise itself. As indicated by Kilomba’s exploration of Blackness in the German academy, “the themes, paradigms and methodologies used to explain such reality might differ from the themes, paradigms and methodologies of the dominant” German culture that privileges whiteness (p. 29). That is to say, it is not only students themselves who may be marginalized by persistent colonial hierarchies but also the research they might pursue. While not all migrants and refugees in the German setting identify as students of color, many indeed do so and are differently affected by the “hierarchy of deservingness” established by coloniality (Holmes & Castañeda, 2016, p. 16).

Inconsistent formulations of equity vs. equality

As discussed in chapter four, both interview participants and equal opportunity plans evidence inconsistent orientations towards equity and equality. At times, a single equal opportunity plan seems to move between goals associated with both of these concepts. While structural equality (or equality of representation) is indeed a laudable goal, the postcolonial lens indicates an attention to the existence of pervasive structural oppressors including racism and xenophobia. Institutional emphases on equality of opportunity mask pervasive oppressors that are continually enacted. For example, some of the equal opportunity plans surveyed reference to the “leaky pipeline” of women in academia as static fact absent further context.

Germany is by no means singular in this changeable focus on equity. An inconsistent understanding of gender equality and equity has been observed in the postcolonial Swedish

context (McEachrane, 2018), in which the representation of women in education and the workplace is heavily regulated to achieve parity. Gasman et al. (2015) have also parsed the conflation of equality and equity in the American context, indicating that this conflation perpetuates institutionalized racism at elite HEIs (p. 3).

Some authors have asserted that there is a tendency in Germany to focus on inequality outside of its borders (Kiyak, 2011). As discussed by Broeck (2011), “Germans can condemn American racism and imagine themselves in the role of the oppressed without having to interrogate their own racism and white privilege”... though “the larger and more public presence of a black German community pushes back against white Germans' claims of colorblindness and uncovers the many forms of racism present in German society” (Layne, 2018, p. 195). Again, this tendency has been observed in other settings including Norway and Switzerland (Guðjónsdóttir & Loftsdóttir, 2017; Purtschert et al., 2016).

In short, movement towards an equity focus in expanded equal opportunity work is vital in promoting the spirit of education as human right, and in order to deconstruct coloniality in higher education. This is the case in Germany as well as in other former colonizing contexts.

Reporting and controlling numbers of minoritized groups.

There is a profound, pervasive focus on reporting the number of women in the student body, faculty, and staff across the equal opportunity plans surveyed. Many of the plans surveyed present detailed tables and graphs indicating the precise number of women enrolled in various degree programs, as well as those in research and non-research staff roles, and finally those holding different level of faculty appointment. Frequently, these tables and graphs compare enrollment and staffing levels in recent years in order to reflect (most often) a higher level of enrollment and staffing among women over time. I refer to this as a "numerification" of equal

opportunity and diversity, which has a number of implications. It also seems likely to be related to limited funding for programs, representing an emphasis on equal opportunity as a reporting function.

One way to view the numerification of equal opportunity might be as a focus on structural disadvantage at HEIs as has been discussed in other national contexts (Özturgut, 2017). Indeed, the Federal Act of Gender Equality indicates this focus, stating “Structural discrimination against women shall be eliminated by means of their specific promotion” (*Act on Equality between Women and Men in the Federal Administration and in Federal Enterprises and Courts (Federal Act on Gender Equality)*, 2015). While detailing what are in general positive trends in terms of the enrollment of women, a primary focus on enrollment (as a structural element of disadvantage) may indicate inattention to how structural disadvantage is actually dismantled; the following excerpt from a recent book chapter focused on HEIs in Germany and Austria reflects that perspective.

Given that most of the social groups that fall into the segment of demographic diversity are legally protected against discrimination, it is to be expected that structural barriers and discriminatory mechanisms will get gradually removed and diversity and equal opportunities will make their way into the heart of HEI (Gaisch & Aichinger, 2018, p. 225).

In short, an emphasis on addressing structural disadvantage in terms of student enrollment must be seen as a first step rather than a comprehensive measure taken by institutions in supporting marginalized groups including women, migrants, and refugees (European Union Agency for Fundamental Rights, 2008). Equality-focused enrollment practices may be seen as the lowest common denominator (Tienda, 2013). Indeed, it is important to note that structural disadvantage

itself is narrowly construed in the German context, given that no goals for refugee or migrant enrollment or employment are identified in the plans reviewed.

Further, detailed reporting of the enrollment and employment of women seems to contradict a frequent explanation for a lack of data on the enrollment of migrants and refugees at German universities: data privacy. Indeed, as noted in chapter two, the most accurate data on this topic is generated by voluntary surveys conducted by the German student union in the absence of comprehensive institutional, state, or national level statistics on migrant or refugee enrollment (I do not refer here to data on refugees in pathway programs, as that information has been made more readily available, presumably given reporting obligations to funding agency DAAD). While one equal opportunity officer engaged in member checking did indicate that data privacy concerns applied to the reporting of the enrollment and employment of women at HEIs, there is a clear gap within the equal opportunity plans themselves between reporting on women and reporting on other minoritized groups.

The absence of data on migration status, language proficiencies, etc. in the German setting indicates difficulty in constructing student supports at appropriate scale for these groups, and for an evolving understanding of the myriad hybrid identities among those same populations. The core of the argument echoes recent criticism of the European Community race directive: “it is difficult to understand how the existence of any complex structures of discrimination could be identified, or at least verified, without the use of statistics” (Mason, 2010, p. 1740). Indeed, author Jan Plamper has recently suggested that migrants and others with hybrid identities refer to themselves as “German-plus,” a satirical nod to the discomfort associated with identifying as, for instance, Afro-German (Plamper, 2019).

There seems to be a parallel with the French system of data collection. In that postcolonial setting, data on race and ethnicity are not collected by the national census; however, “France's race-neutral policies do not prevent the bias and discrimination caused by ‘color-blind racism’” (Ware, 2015, p. 187). Attention has also been paid to the impossibility of constructing “hybrid identities” in a space where national policy codifies a singular identity: French (Ware, 2015). Similarly, scholars concerned with migration and race in Germany have addressed this issue, writing that: “one is either Black or 'German,' but not Black and 'German;' the 'and' is replaced by 'or,' making Blackness incompatible with German-ness.... It is precisely this incompatibility between 'race' and nationality that defines new forms of racism” (Gilroy, 1987 quoted in Kilomba, 2008, p. 64). To this point, a recent master’s thesis offers the perspective of a student at a German HEI who identified as “both” Malaysian and German; that student observed “A lot of people don't really agree. When I say that I'm Malaysian living in Germany? Because even today some of my friends will be like, you are a German, you were brought up in Germany so you should be German” (Lee, 2017, pp. 78-79).

At least one HEI studied here sees itself as holding an advocacy role in the area of equal opportunity; by extension HEIs constituents could be future advocates for new legal formulations at federal, state, and local levels to support more robust and inclusive data collection (Solanke, 2005). As Klein (2016) has noted, “Whereas the legal framework for gender equality is well developed and clear-cut and poses a concrete task and obligation for women's equality officers, the legal framework with respect to diversity is still not precise” (p. 151).

Bureaucratization of equal opportunity

There is a highly formalized approach to equal opportunity across the universities and *fachhochschulen* surveyed. Defined committees, advisory councils, and centralized and decentralized roles are elaborated to the extent that they may be unwieldy in responding to new

university developments. Further, the role of the equal opportunity officer (and staff supporting that individual) seems to be largely defined by participation in a range of committees and leadership groups; these include the faculty senate, hiring committees, entities advising a vice-rector or rector on equal opportunity measures, and so forth. One equal opportunity plan refers to the equal opportunity officer as supporting all “organs and committees” as well as “all women constituents” of the institution.

The bureaucratization of equal opportunity and diversity seems likely to inhibit a student-centered approach given the clear direction of resources (specifically staff time) to university service and compliance. In other words, it seems unlikely to respond directly to the needs and desires of minoritized populations, also subject to numerification rather than personification as previously noted (Tuck & Yang, 2014). Jungblut et al. (2020) have recently discussed German HEIs in the context of the refugee crisis, and especially the provision of pathway progress to facilitate access, arguing that “the institutions take up new tasks and respond to societal needs even in cases where the task actually demands them to go beyond their ‘business as usual’” (p. 336). I extend this argument in a consideration of enrolled migrant and refugee students, calling for a shift from bureaucratic business as usual in support of marginalized student groups.

Gaps in diversity framework expansiveness by region and institutional type.

As observed throughout this study, distinct histories, economies, and demographics shape contemporary distinctions between the new and old federal states, or the former East and West.

As Nachtwey (2018) has put it,

It is particularly in the states of former East Germany that people often experience
 ...having been sold short ... [which] turns into a devaluation of all those who are different,

and of supposedly unproductive 'free riders' in a social system under stress: refugees, immigrants and Muslims (p. 200).

As observed in chapter four, interview participants noted on several occasions that they perceived their work in the equal opportunity sphere to be particularly important given their institution's location in the former East, or because of the HEI's technical orientation. The 21 equal opportunity plans examined in depth also reflect distinct orientations by region (East/West as well as state) and by institutional type. Therefore, much more research on the construction and implementation of diversity and equal opportunity frameworks by state and urban/suburban/rural location is called for. The duty to provide quality education ("equal treatment") is no less pressing in any setting.

This call to action is particularly urgent in light of trends toward the support of extremist groups in the former East. How do, and how should, universities respond to perceived or actual threats to wellbeing among their student populations? How, specifically, should universities respond when some struggle with enrollment in light of concern regarding radical and violent anti-Muslim activity (this being of particular concern to migrants and refugees) (Neitzsch, 2019)? The University of Freiburg celebrates that its rector (president) "spoke up against nationalism, discrimination and hate, and for open-mindedness, equality, diversity and inclusion in front of 20,000 participants in an anti-Pegida demonstration in the city of Freiburg" (Buitendijk et al., 2019, p. 46). What more systematic measures can be taken through existing mechanisms such as equal opportunity plans and programs?

Lack of consistent and robust student-centered support initiatives

While outreach, funding, and support programs for women at German universities do exist, they are not consistent or robust. That is to say, while support programs for women generally include mentorship programs, child care provision, research funding, and targeted

initiatives for women in STEM, programs are fragmented across the higher education landscape, with some HEIs offering much more expansive offerings. Nor does this fragmentation indicate an obvious tailoring of programs suitable to students' needs in a given institutional context. As previously noted, the student voice was almost entirely absent from the equal opportunity plans surveyed. Student feedback on program development and iteration is urgently needed at the institutional level, and both state and federal convenings of students, staff, and faculty engaged in student support work are called for to define appropriate measures of success.

In no case examined is there mention of an officer for ethnicity, race, migration, or refugees. One of the most pressing questions to emerge from this research on a postcolonial, primarily public higher education system is why equal opportunity offices and their staff support only one group of marginalized students. Is gender easier to address than race (or related migration status) in the German tertiary context, as has been suggested in other national settings (Bhopal, 2018)? Certainly an absence of student feedback – again with approximately 25 percent of enrolled university students identifying a migration background – reifies a “top-down” system of selective student support.

Expanding equal opportunity structures to support migrants and refugees

The multi-faceted legal framework that grounds German HEI equal opportunity and diversity work indicates expansive protections for marginalized groups but in the context of the HEIs studied here is operationalized as almost exclusively gender-focused. Many of the gender-specific innovations discussed in the plans surveyed could be productively expanded to support migrant and refugee groups. One HEI outlines that in its hiring procedures, job candidates may present “alternative qualifications” including “family work,” “social engagement,” and “volunteer work,” which seems to have been developed with women in mind but could easily

support migrants and refugees as well. In another plan, a “fantasy grandma” is described for enrolled students currently engaged with the *Gleichstellungsbüro*: surely this opportunity for community connection and network building might be considered as a useful tool for other students. While some interventions will be more resource intensive, others may be developed at relatively little cost through the utilization of community assets (Unangst, 2019).

What is required here is creative program development in conjunction with increased resources and an awareness of the exclusive hierarchies present in German higher education that impact minoritized groups. Broadly, the critical approach to higher education must move beyond its current, narrow construction. As suggested by Teranishi & Bezbatchenko (2015):

A critical lens begs the questions: Where are students attending college? In which programs are they enrolling? Who is lost along the way? Attention must be paid to the entire pipeline and the range and quality of higher education institutions that are accessible for students who vary by race, class, and gender (p. 246).

Indications for Policy and Practice

National report on university diversity initiatives

To my knowledge, there has been no nationally-scoped study on public university diversity frameworks and operations in the German context; in what ways they are assessed; and who is implementing them (as well as how those individuals are trained). Such a study and subsequent reporting is urgently called for. As demonstrated by the present research, equal opportunity operations vary dramatically by institutional and regional context, as do engagements with diversity. A much closer understanding of what initiatives are taking place is needed in order to evidence the gaps in student services and experience that seem almost inevitable.

The German Rector’s Conference (HRK) is perhaps best positioned to conduct this type of investigation, the results of which should be made publicly available and presented to state and federal policymakers, media outlets, key civil society stakeholders, and university senior leadership in tailored symposia that include a discussion of next steps. Indeed, in reaction to the terror attack in Halle on October 9, 2019, the HRK issued a public statement affirming that “German universities are centers of democratic culture, places of dialogue and places of diversity” (*Die deutschen Hochschulen sind Zentren der demokratischen Kultur, Orte des Dialogs und Stätten der Vielfalt*) and referring to the “historical responsibility” of German universities to respond to anti-Semitism (Hochschulrektorenkonferenz (HRK), 2019, p. 2). As places of diversity, surely related institutional operations ought to be evaluated in consideration of student experience and historical context. The recent report of Universities Canada titled *Equity, diversity and inclusion at Canadian universities* may offer initial indications as to key areas of inquiry guiding the relevant study (Universities Canada, 2019).

State based review of equal opportunity work in consultation with international experts

The vast range of equal opportunity plans and programs reflected by the present study posits a lack of cohesion with respect to student equity and intervention in the midst of persistent coloniality. In light of the decentralized, state based higher education governance structure present in the German ecosystem, a state based review of said work is indicated. Moreover, given the fundamentally international and intercultural nature of diversity and equal opportunity work, the engagement of international experts and consultants is called for. Key references include the recent publications *Policy analysis of equity, diversity and inclusion strategies in Canadian universities – How far have we come?* (Tamtik & Guenter, 2019) and *All are equal*,

but some are more equal than others: Managerialism and gender equality in higher education in comparative perspective (Teelken & Deem, 2013).

Funding for migration officers

While a result of the aforementioned national study may be that funding for existing equal opportunity offices is expanded, an alternative route moving forward would be to establish a parallel, legally mandated migration officer at each public HEI under whose purview migrant and refugees would fall. This seems most likely to reflect a state based initiative (for reasons offered in the previous paragraph), though a national infrastructure of professional development and peer networks similar to those serving equal opportunity workers would follow, as would customized campus programs serving self-identified constituents among students, staff, and faculty at any given HEI. Further, migration officers would be in a position to coordinate with municipal and state level migration officers (*Migrations- und Integrationsbeauftragte der Stadt Worms*, 2020), drawing together university and community initiatives. Therefore, this proposal would span federal, state, local, and institutional levels.

I suggest a migration officer rather than a diversity officer given the likelihood that university equal opportunity work continues largely in its present form, with some relevant HEI units serving as *de facto* diversity offices. A migration officer would have a complementary and clearly delineated scope of work to augment the initiatives of the various *Gleichstellungsbüro*.

Reconsideration of data privacy, student demographics, and intersectionality

As noted previously, I strongly urge a reconsideration of data privacy practices as related to student enrollment at the federal and institutional levels. While I have problematized a numerification of diversity in the German case with respect to gender, it is equally true that a profound lack of data on the backgrounds of prospective and enrolled students inhibits the

development and iteration of supportive, participatory programming. What is called for here is “the examination of local [migrant and refugee support] activities in the present but with a deliberate consideration of underlying cultural and historical influences” (Artiles, 2019, p. 1).

An evolving spectrum of programming for university stakeholders ought to consider identity as hybrid rather than essentialist, or as spectrum rather than fixed. With respect to student support programs, those programs ought to be “fundamentally participatory and value and engage the dynamic lived experiences of program participants (Adams, 2016; Bartman, 2015; Mitchell Jr. et al., 2017) ... [contesting] identity as singular and HEI programs as unidirectional and monothematic (Unangst & Crea, 2020, p. 3). But how to ensure that the relevant initiatives are indeed inclusive of all student groups? Indeed data on who students are in terms of essentialist identity markers, used provisionally as a starting point for a menu or suite of participatory programmatic supports, is required (McCall, 2005). To put it another way, data on the contemporary range of student linguistic preferences, religious affiliations, etc. facilitate an awareness of possible programmatic needs to be defined, iterated, or co-constructed by the relevant self-identified student group members (Thurston, 2016). In this way, programming for minoritized groups moved beyond “one size fits all” in acknowledgment of existing and emergent student diversity, and cognizant that every “self-identified affinity group itself comprises a multitude of lived experiences and intersectional identities” that informs student success and, ultimately, community wellbeing (Unangst & Crea, 2020, p. 4).

University-based affinity centers and student councils

International offices at German universities offer not only a range of programs for constituents (Kelo et al., 2010), but also frequently serve as more and less formal affinity centers for that same population. That is to say, they offer a physical space for students to gather. This

privilege – a named space on campus – could be extended to migrant and refugee students across the higher education landscape at very little cost. It might be as simple as renaming an existing office space and inviting student leaders to decorate and program as called for.

This indicates the possibility of developing a more formally supported group of student leaders of migrant and refugee background. Relevant groups could mimic existing student council (*Studentenrat*) groups and might take on “legislative and executive” functions (*Studentenrat der TU Bergakademie Freiberg*, 2020). Alternatively, groups could be more casual, though resourced in some way by the home institution. In any case, some form of student government group representing these marginalized students is called for in the German, postcolonial context: such groups would “represent political institutions through which collective student interests are aggregated and intermediated to other actors within the higher education or wider political context” (Klemenčič, 2014, p. 396), also serving as a training ground for future civic leaders.

Annual colloquium for migrant and refugee student leaders

As I have argued elsewhere, refugee [and migrant] students should be resourced to establish and maintain ties with others across their respective federal states and Germany as a whole. Even as numbers of degree seeking students increase, these individuals will continue to represent a fraction of the student body at their respective institutions, which itself is a reason to find common ground with others experiencing like challenges (Unangst, 2019, p. 157). At a minimum, an annual convening of these students – or perhaps a subset of student leaders – would facilitate discussion of issues of concern that could be raised with university senior leadership. These might include, for example, the range of university codes of conduct on

religious expression as well as the presence of prayer rooms on campus (Unangst, 2019). It also seems likely that such gatherings would promote discussion of distinct institutional silos across HEIs that differently impact minoritized student experience (Briggs & Ammigan, 2017). Indeed, networks of mutual support position agentic students to contest deficit narratives, as reflected by the cross-national literature (Lambrechts, 2020; Mwangi & English, 2017).

Calls for research proposals

Given that gender and identity studies programs are not ubiquitous in the German tertiary sector, and given the lack of data on migrant and refugee student experience noted previously, it seems reasonable for individual HEIs to make relatively small line-item budget allocations to support student research proposals on the topics of diversity, equal opportunity, and migrant and refugee student experience. These calls for applications ought to specify that all research products will be made publicly available, should be assessed on the basis of contribution to social justice aims and use of participatory approaches (among other criteria), and give preference to proposals from students (or collaboratives of students) who self-identify minoritized backgrounds.

Why participatory methods? As Martin et al. (2019) have put it, the “voices [of marginalized populations] have been historically absent in traditional social science research or the studies have been about them (Groundwater-Smith and Downes, 1999)” (p. 297). The emphasis must be placed on theorizing with and theorizing as, rather than theorizing about (Tuck & Yang, 2014, p. 242-243), as well as the interrogation of power structures.

HEIs may also wish to encourage cooperation with civil society actors through solicited student research, privileging applications that propose collaborations with specific groups (perhaps those closely involved in migrant or refugee support in the region) or civil society more

generally (Bock, 2018). Such engagement might well extend across borders and take place virtually, a reflection of both the current global health crisis as well as rich opportunities for student learning (García-Gutierrez et al., 2017; Guthrie & McCracken, 2010; M. M. Helms et al., 2015; R. M. Helms & Griffin, 2017). Indeed, engagement with civil society has been noted as a supportive factor in adult education cross-nationally (UNESCO, 2019). It has also been highlighted by refugee studies researchers as an area for future scholarship and practice; Naidoo (2015) has referred to the potentialities of “investigating intercultural understandings through university–school–community partnership programmes” in the Australian setting (p. 216).

The impact of student research in this area is at least two-fold. First, it is likely that distinct methodologies, research questions, and epistemologies will be explored by students at different stages of their own educational trajectories, thereby contesting “White hegemony in structural, pedagogical, and knowledge generation practices” (Asher, 2009; Cross, 1999 as cited by Lykes et al., 2018, p. 3). It also reflects recommendations by tertiary sector actors in other postcolonial contexts, including U.K.-based Advance HE’s urging that universities:

Develop skills and capacity for institutional research on issues of student equity, specifically around access and participation (both quantitative data analysis and qualitative understanding of student and staff experience). This might include funding streams for internal research relating to access and success; training on conducting research for ‘non-researchers’; increasing transparency and usability of national datasets (Moody & Thomas, 2020, p. 4).

Second, it will either initiate or contribute to an existing living archive of diversity-focused research conducted within a single institutional context and in collaboration with community members; the Kennesaw State University (2020) “Emerging from Within” project

may serve as a guiding model. This not only offers an opportunity to inform future student experience, research, and institutional operations, but also an opportunity to visualize the historicity of the given HEI, embedded in a postcolonial context.

Limitations

Not representative or generalizable

Given that the research outlined here comprises a Constructivist Grounded Theory as described by Charmaz (2014), the findings presented are neither representative nor generalizable. Instead, the researcher acknowledges that she is a part of the analysis conducted, and that the theory generated reflects one of many multiple realities informed by one particular set of experiences and knowledge (Mills et al., 2006). There are other ways to interpret the current landscape of equal opportunity work in connection with migrants and refugees. However, through thick description this study does seek to elucidate for researchers and practitioners to what extent the research at hand may be transferable to other settings.

14/16 states represented

Though this study originally envisioned comparing HEI equal opportunity offices across all 16 states, a number of cases were excluded given that equal opportunity plans were either not publicly available or were not up to date. In the end, 21 institutions were studied spanning 14 states. Therefore, difference in the construction and operationalization of equal opportunity across the former East and West, as well as by state context, cannot be displayed fully across the federal landscape. Future work might well probe equal opportunity all public German HEIs, or identify a larger sample including all state contexts.

Fewer interviews than originally projected

Most grounded theory studies use a number of interviews, focus groups, or observations in order to construct their theoretical model. This dissertation originally envisioned 32 interviews at 32 German HEIs. Given lack of response over the course of several months, three interviews

with equal opportunity officers were held instead. These conversations helped to develop the sensitizing concepts of power, hierarchy, and hybridity more fully. Further, they served as a first point of initial coding, which was useful in that these were somewhat distinct from the codes generated via equal opportunity plans. However, the small number of interviews conducted must also be seen as a limitation in the sense that the perspectives of three individuals, though they indeed represent a variety of HEIs and roles, cannot be seen as achieving “theoretical saturation.” In the present study, theoretical saturation is instead achieved through the combination of interviews and document analysis. Future studies might well produce a distinctly different grounded theory based on a more extensive series of interviews.

I speculate that reasons for this lack of response may include that as public employees, and despite the promise that HEIs would not be named, equal opportunity officers may have been reluctant to speak about their work out of concern for their future employment and conditions of employment at their respective institutions. Moreover, given the evidence provided by the three interview participants profiled in this study, it is possible that the equal opportunity officers I contacted simply thought that their role was either so contested or so challenging that they preferred not to discuss it, or that their role in practice did not relate to migration at all. Finally, it is possible that the rate of change within the German tertiary sector (and specifically, to borrow a phrase from Landes’ (1959) work, its “traditional institutions and value systems”) may have dissuaded officers from participating (p. 91). Simply put, they may have considered that they did not know what changes would come next.

Drawbacks of a single coder

Constructivist Grounded Theory allows for individuals or teams to apply the constant comparative method to the various sources of data selected for a given study (Charmaz, 2006,

2014). In the research at hand, I chose to code data from interview transcripts and equal opportunity plans independently given that plans themselves were in German, transcripts in English, and I worked in both languages in moving towards the identification of themes and development of theory. This approach made it difficult to consider asking a peer or shadow coder to develop codes independently. However, a drawback of having a single coder analyze data is that findings are not confirmed or challenged at an early stage of iterative analysis (De Angelo et al., 2016). I addressed this limitation by pursuing member checking of an initial theoretical model as indicated by Vanner (2015), among others.

Enabling constraint of outsider status

In applying the work of Erin Manning, my status as a graduate student and as an American both marks me as an outsider to the German higher education sector *Gleichstellungsbüro*, and simultaneously enables a somewhat removed perspective; it is an enabling constraint (Manning, 2007). As an outsider, it is certainly the case that I interpret facets of German society, German universities, and migration and refugee histories differently than Germans themselves. Again, future work conducted by a German researcher or practitioner would like develop a distinct grounded theory on the topic of equal opportunity work and its potential for supporting students of migrant and refugee background.

Indications for Future Research

Quantitative Textual Analysis

Given the wealth of information produced through coding and theory generation based (in part) on the 21 equal opportunity plans surveyed here, analysis of a larger pool of equal opportunity documents seems indicated. One approach to analysis of that potentially unwieldy grouping of documents might involve the use of quantitative textual analysis or text mining. One tool for quantitative textual analysis, Voyant, is open access and has been used recently by

education scholars to parse HEI mission statements and internationalization plans (Cortés-Sánchez, 2018; Rockwell & Sinclair, 2016; Unangst & Barone, 2019). It could well be applied to equal opportunity plans moving forward, and might result in interesting positive and negative correlations between “diversity,” “*vielfalt*” and co-occurring terms across all public HEIs in the national landscape.

Methodology/Function of *Gleichstellung* Rankings

Critique of university rankings as wasteful, inefficient, inaccurate, and as a colonial project is widespread in contemporary higher education literature (Altbach et al., 2009; Hazelkorn & Ryan, 2013; Shahjahan et al., 2017). In the German setting, the Centers of Excellence Women and Science or CEWS operates annual “equal opportunity” rankings of universities and federal states, based almost entirely on the percentage of women enrolled and employed as staff and faculty (Löther, 2017). I am not aware of a robust literature critiquing this approach, which seems indicated given the finding of this study that “diversity as statistic” is problematic for marginalized groups. Future work in this area might well move towards equity for migrants and refugees, centering the educational trajectories of women who identify migrant and refugee backgrounds and are subsumed in the current rankings.

Cross-national Comparison of Gender Equality and Diversity Offices

Though this dissertation focuses on the German case, it is clear that the *Gleichstellungsbüro* discussed exist in parallel with women’s offices, gender equality offices, and diversity offices in other national settings. These may encompass admissions outreach, supports for enrolled students, alumni-student mentorship programs, as well as advocacy, research, and policy creation more broadly construed. These functions are situated in “specific histories” that may indicate the use of distinct sets of “statistical categories” (Goastellec &

Välilmaa, 2019, p. 3). Further, these offices may or may not integrate programs that are participatory and engage multiple aspects of constituent identity such as migrant or refugee status, sexual orientation, religious affiliation, linguistic preference, and so forth (I acknowledge that these categories are essentialist but use them here provisionally as indicated by McCall (2005) to interrogate systems of exclusion). Detailed, comparative, and transnational examination of these offices and their staff, faculty, programs, and feedback and assessment tools seems urgently called for to inform best practice in the area of migrant and refugee support services. The use of the intersectional lens may be an important and defining element of such studies (Harris & Patton, 2019; Soberón et al., 2017; Stebleton et al., 2014; Unangst & Crea, 2020).

Institutional or Comparative Case Study

The institutional case study is a familiar method in the higher education literature, and a tool for close understanding of institutional context (Yin, 2009). Similarly, comparative case study has been found to be useful in areas ranging from the political economy of higher education (Fisher et al., 2009) to the intersection of caste, social exclusion, and educational opportunity in Punjab (Tamim & Tariq, 2015).

In refugee and migration studies, comparative analysis has been called for by anthropologists, sociologists, and others in an effort to expose faulty “national models” and methodological nationalism (Brettell & Hollifield, 2014; Wimmer & Schiller, 2006). It seems likely that a comparative case study of German HEIs, as well as a comparison of public HEIs in tuition-free contexts, might well produce informative results that could guide future iteration of student-centered programming serving the population in question.

Conclusion

In its assessment of the continental landscape for refugees, the European Commission in 2019 wrote that

Germany stands out among all European countries as having the most comprehensive policy approach, with a strategy developed in 2015 (KMK, 2015) outlining national measures for the integration of asylum seekers and refugees into the German higher education system. The main focus of the strategy is to facilitate the path into higher education for those asylum seekers and refugees who are motivated and with the aptitude to study, or who were previously studying in higher education before coming to Germany (European Commission, EACEA, & Eurydice, 2019, p. 13).

In parallel, German policies on diversity are seen in international context as less inclusive or progressive: the country's 2010 results on the multiculturalism policy index assessing various policies "intended to recognize, support or accommodate diversity, is 2.5 out of a maximum of 8" (Wasmer, 2013, p. 163). Further, German colonial history has indicated power imbalances across society, including a body of literature that has frequently featured white German protagonists and black or brown objects of ridicule and violence (Göttsche, 2012; Layne, 2018; May, n.d.).

It seems, then, that German higher education is in a paradox, or perhaps multiple paradoxes. It is uniquely well-resourced (compared to other European receiving contexts) to support refugees, and hosts the highest number of immigrants in Europe (OECD/EU, 2018), which might be seen as an existing strength. However, enrollment numbers in HEIs remained low for refugees in 2018 (3,000) and students from countries associated with the 20th century guest worker program remain underrepresented in higher education. While Germany has invested 100 million Euro in higher education access programs for refugees, supports for enrolled degree-seeking students from refugee background are largely unavailable and poorly resourced.

There is, however, a bright spot: a staffed unit at all German HEIs supporting a single minoritized group: cis-gendered women. The present study outlines expansive diversity frameworks associated with those equal opportunity offices and their respective HEIs, that can reasonably be expanded to support migrants and refugees (given appropriate funds to do so).

In parsing Germany's colonial history and present-day coloniality, it is clear that power imbalances and systemic oppressors persist just as they do in other settings worldwide. As observed in the UNHCR Durban Declaration, "colonialism has led to racism, racial discrimination, xenophobia and related intolerance" and minoritized groups "continue to be victims of its consequences" (UNHCR, 2001, art. 14 p. 17). Migrants and refugees under the terms of international human rights discourse are entitled to equal access to and equal treatment in education. To that end, German higher education actors and stakeholders spanning the public and private sectors are called to create change, supporting the implementation of human rights in this area and, in the process, transforming colonial relics.

Appendix I: Consent Form (English)



CONSENT TO PARTICIPATE IN A RESEARCH STUDY

Introduction: The Center for International Higher Education is conducting a study exploring *Gleichstellungsbüro* at *Fachhochschulen* and Universities in Germany.

If you take part in this study, you will be one of about 32 people to do so. Your participation is completely voluntary. Should you participate, you can end the interview at any time and retain the right to skip any questions that you do not want to answer. Note that no personal identifiers (name, address, etc.) will be collected during the interview. **Further, the University itself will not be identified by name in any subsequent research reports.** Please ask questions if there is anything you do not understand.

The person doing this study is Lisa Unangst, a graduate student in higher education at Boston College. She is being guided in this research by Prof. Hans de Wit in the Higher Education Department of the Lynch School of Education at Boston College. Neither Lisa nor Prof. de Wit expects to receive any extra compensation because of the results of this study.

Purpose: The purpose of this survey is to assess the plans and/or programs in place at *Gleichstellungsbüro* at thirty-two German higher education institutions. The aim is to provide data for Lisa Unangst's doctoral dissertation.

Procedures: The research will be conducted online, using the Zoom meeting platform. The total amount of time you will be asked to volunteer for this study is expected to be 60 minutes. During the interview, you will first be asked some questions about your background such as your early work at the University. Then you will be asked questions concerning your experiences at the *Gleichstellungsbüro*, and your engagement with students from different backgrounds. If you give permission, the interview will be recorded.

Risks: To the best of our knowledge, the things you will be doing in this study have no more risk of harm to you than what you would experience in everyday life. However, there may be unknown risks.

Benefits: You will not receive any direct benefit from being in this research study, but we hope to gather information that will help us to develop a more extensive comparative case study of German Universities, which might inform future policy or program development.

Costs: You do not have to pay to participate in this research study.

Compensation: You will not be compensated for participating in this study.

Withdrawal from the study: you may choose to stop your participation in this study at any time.

Confidentiality: Your name will not be used in the data collected during the interview, and any other identifying information provided during the student will be anonymized. Please note that your signature – provided by you should you agree to participate in this study – will remain confidential as the consent form will be stored in locked cabinet in Lisa Unangst’s office at Boston College, and no one but she and Prof. de Wit will have access to the cabinet. The informed consent documents will be destroyed by shredding immediately after scanned copies have been unloaded to a secure CIHE drive and the electronic copy of the consent form will be destroyed three years after the study concludes. The anonymous interview feedback will be kept for use in future research and might be shared with other researchers. Although it happens very rarely, we may be required to show information that identifies you, like this informed consent document, to people who need to be sure we have done the research correctly. These would be people from a group such as the Boston College Institutional Review Board that oversees research involving human participants. The information you give will be entered into an electronic database and analyzed. In this process, your information will be combined with information from other people taking part in the study. When we write up the study to share it with other researchers in meetings or in journals, we will write about this combined information. You will not be identified in these written materials.

If you are a resident of Europe, you may have additional privacy rights with respect to this research study. As described above, by agreeing to participate in this research and provide written consent, you are providing consent for researchers at Boston College (the “controller”) to gather personal information from and about you that you may provide (including your demographic and contact information and other information you provide in your interview, which may include age, race, ethnicity, cultural background, language, religion and political orientation) for research purposes, to transfer it outside of Europe. The following describes the additional rights you may have if and to the extent that the General Data Protection Regulation (“GDPR”) is deemed to apply to the processing of your information in connection with this study:

- the right to see the information collected about you in the study.
- the right to correct or update your personal information if it is inaccurate.
- the right to limit the collection and use of your personal information under certain circumstances (for example, if you think that the information is inaccurate).
- the right to receive your personal information.
- the right to request the deletion of your personal Information if you are no longer participating in the study. However, there may be limits on your ability to request deletion of your personal information once the study is complete.
- the right to file a complaint with a data protection authority.

If you have a question about any of the above rights, it is best to contact the Boston College Office of Research Protections (617-552-4778 or irb@bc.edu).

Questions: You are encouraged to ask questions now, and at any time during the study. You can reach Lisa Unangst at (001) (786)-546-3102 or Prof. de Wit at (001) (617) 552-4236. If you have any questions about your rights as a participant in a research study, please contact the

Boston College Office for Human Research Participant Protection, (001) (617) 552-4778.

Certification: I have read and I believe I understand this Informed Consent document. I believe I understand the purpose of the research project and what I will be asked to do. I have been given the opportunity to ask questions and they have been answered satisfactorily. I understand that I may stop my participation in this research study at any time and that I can refuse to answer any question(s). I understand that my name will not appear in the data collected during the interview, and that I will not be identified in reports on this research. I have received a signed copy of this Informed Consent document for my personal reference. In acknowledging all of these conditions, I hereby give my informed and free consent to be a participant in this study by checking the box below.

I give my consent to participate in this study.

Signatures:

Date of Consent _____

Signature of Participant _____

Appendix II: Recruitment email (English)

Dear X,

Greetings from the Boston College Center for International Higher Education in the United States. I hope that this finds you well!

We are writing to request your participation in an interview for a study we are conducting on the unique activities of university Gleichstellungsbüro. The goals of the project are to better understand what kinds of programs and plans are being used by universities, how students are being served, and what future directions such programs may take.

Because of the work of University X in this area, we would be grateful if you would be willing to speak with us about the university's activities. Lisa would like to arrange a 45 to 60-minute online video call using the Zoom platform (which is free to download on this site) at your convenience. The attached Informed Consent Form provides important details about the project, should you choose to participate.

Thank you for your willingness to consider this invitation. We look forward to hearing back from you at your earliest convenience.

Kind regards,

Lisa Unangst

PhD candidate, Higher Education

Appendix III: Interview Protocol (English)

Opening statement: Today we are going to talk about your experience as an **administrator/faculty member** at **X University**. We'll be focusing specifically on your work with the *Gleichstellungsbüro*. I'm interviewing people who are familiar with the university's programs and policies supporting equal opportunity to better understand how you feel that the university's equal opportunity plan and programs support diversity among students, faculty, staff, and other community members. Of course, throughout the interview if you do not feel comfortable responding to a question, do not feel that you have to answer. Also, your anonymity will be ensured throughout the process, so feel free to answer honestly and openly.

Background: Initial work experience

Let's begin our conversation by talking about what brought you here to **X University**.

1. Describe your experience in applying to work for **X University**, and in your first few months of work? What surprised you?

Institutional experience

2. How has the *Gleichstellungsbüro* collaborated with other offices, clubs, or units at the university to support its programming goals? How has this changed over time?

Probe: Has the collaboration come about through personal connections? Through mandates from senior administrators or faculty?

3. How many staff and faculty members support the *Gleichstellungsbüro*, whether they are full-time, part-time, or temporary?

Probe: How has this staff support changed over time? Are there plans to change staffing levels in the future?

4. How have programs supported different groups of students, for instance refugee students, students from a migrant background, etc.? Are these students ever grouped together? Has this changed over time?

Probe: Are informational materials (including resources on the website and paper handouts) targeted at one or more of these student groups? Are different materials provided to different groups?

Framework of understanding

5. What does equal opportunity or *gleichstellung* mean to you? Has that changed over time?

6. What does "diversity" or *vielfalt* or *unterschiedlichkeit* mean to you? Has that changed over time?

7. As you think about universities and societies at large, what do you believe is/are the role(s) of the university in supporting "equal opportunity"? In supporting students of diverse backgrounds?

Probe: Think of a university you are closely familiar with. Are there things you admired about this university's support of diversity? Things you would like to have changed?

Probe: From your perspective, what are the top two or three challenges that German universities face today with respect to equal opportunity?

Prompted recall

8. We both have a copy of **X University's** equal opportunity plan in front of us. As you consider how this document guides your work, what would you say is the most important phrase, concept, or goal? How have you translated that phrase, concept or goal?
9. As you consider this equal opportunity plan, what have been the major changes to the document over time? What changes do you anticipate in the future?
10. What would you say is the role of the plan?
11. How do you see this plan as applying to migrant and refugee students?

Open response

12. Is there anything else you'd like to share on this topic that we didn't discuss today?

Demographics

13. In conclusion, I'd like to get some information about your background, especially your demographics, to the extent that you are comfortable providing this information. (Note: Make references to prior responses to pull pieces together)
Probe: For example: your age, race, ethnicity, cultural background, language, religion and political orientation?

Closing Remarks

Thank you!

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