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Understanding Mobilities: Some Theoretical Reflections on Jochen Oltmer's Concept of »Negotiating Migration«

Abstract

This article contextualizes Oltmer's concepts of »negotiation of migration« and »migration regime« in social science theoretical debates. It shows the extent to which Oltmer's understanding of »regime«, »agency«, and »power«, borrowed from political science, can be integrated into theoretical debates and where it opens up new perspectives, particularly in the analysis of the complexity of migration. It further argues for placing greater emphasis on the interrelationships between migrants and regimes, and for adopting a pluralistic approach to theory. This would enable different theoretical repertoires to coexist as viable ways of interpreting social reality.

Keywords

Migration studies, negotiation of migration, migration regimes, structure and agency

Mobilitäten verstehen: Theoretische Überlegungen zu Jochen Oltmers Konzept des »Aushandelns von Migration«

Zusammenfassung

Der Beitrag nimmt eine Einordnung von Oltmers Konzepten der »Aushandlung von Migration« und des »Migrationsregimes« in sozialwissenschaftliche theoretische Debatten vor. Dabei zeigt er, inwiefern sich Oltmers aus der Politikwissenschaft entliehenes Verständnis von »Regime«, »Agency«, »Macht« in bestehende theoretische Debatten einordnen lässt und wo es neue Perspektiven eröffnet: insbesondere bei der Analyse und dem Verständnis

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Discussion Forum: Negotiating Migration / Zeitschrift für Migrationsforschung – Journal of Migration Studies (ZMF) 2025 5 (1): 41–46, <https://doi.org/10.48439/380>

der Komplexität von Migration. Zugleich plädiert der Artikel dafür, den Wechselbeziehungen zwischen Migrant:innen und Regimen mehr Gewicht zu verleihen und einen pluralistischen Ansatz zu verfolgen. Dieser Ansatz würde die Koexistenz verschiedener theoretischer Repertoires als jeweils zu plausibilisierende Optionen der Deutung von Migrationsverhältnissen zulassen.

Schlagwörter

Migrationsforschung, Aushandlung von Migration, Migrationsregime, Struktur und Handlungsmacht

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The institutionalization of migration studies in Germany since the 1990s has been closely connected to the IMIS in Osnabrück, and to Jochen Oltmer in particular. As an author, lecturer, researcher and manager, Oltmer is one of the field's key figures. To mark his 60th birthday, this contribution explores his work, particularly his concept of the »negotiation of migration«.

From Jochen Oltmer's perspective, the concept of »negotiating migration« is closely tied to a specific notion of structure; namely, the concept of »regime«, which he borrows from political science approaches in international relations (Hasenclever et al. 1997). This resonates with critical border regime studies (Hess and Tsianos 2010; de Genova 2010) and reflexive migration studies (Nieswand and Drotbohm 2014; Dahinden et al. 2021; Stielike et al. 2025), both of which partly shift the focus of migration research away from migrants and their life trajectories toward social fields and apparatuses in which and through which »migration« as an epistemic object and »migrant« as a person-related status come into being.

However, Jochen Oltmer distinguishes his own understanding of regime from the usage found in these fields. He argues: »A concept of regime that does not exclusively refer to institutionalized, formalized, and relatively stable forms of power relations and domination remains too broad and too vague« (Oltmer 2018, pp. 244f.). This narrowing of the regime concept becomes possible by pairing it with the counter-concept of »negotiation«. Here we find an implicit reference to Anselm Strauss' notion of »negotiated order« (Strauss 1978) that was developed as a micro-sociological alternative to macro-sociological and psychological approaches to social order (Day and Day 1977). In the tradition of symbolic interactionism and the Chicago School, the theoretical accent is put on situated interactions as the theoretically identified location where the contingencies and possibilities opened by social structures are interpreted and transformed into specific practical solutions. The meta-

phor of »negotiated order« is influenced by economic sociology, where prices are seen as co-produced by interactive processes involving various actors, each with different resources. It stresses the navigational and improvisational skills of actors to find collaborative solutions with others even under complicated structural circumstances.

Nevertheless, unlike more radical micro-sociological approaches that advocate a flat ontology¹ (Schatzki 2016), Jochen Oltmer does not give up on the idea of structure as a semi-autonomous layer of reality that exists beyond and outside situated doings and sayings. His understanding of the structure-agency problem is close to that of Margaret Archer (1996), who offers an alternative to Anthony Giddens' influential theory of structuration. Giddens (1984, pp. 25–28) views the relationship between structure and agency as a continuous cycle: Structures are the sedimented outcomes of past actions that, in turn, condition new actions, thereby reproducing or transforming pre-existing structures. For Giddens structures and actions can be analytically distinguished at a given point in time but are generally made of the same social »substance«. Archer (1996, pp. 85–94), however, argues that the link between structure and agency should be understood more loosely. She contends that the functionality and stability of systems—such as language and its grammar—often does not depend significantly on individual actions. Therefore, structures are better conceptualized as a distinct domain of reality, rather than being conflated with the actions of individuals operating within them. This does not mean structures do not change (Oltmer 2016, pp. 334), but that actions aiming to transform systems are often differently situated and address structures in different ways compared to actions that operate within a given structure or regime. Applied to migration, it means, for example, that government policies or constitutional court rulings likely exert greater influence on migration regimes than do the actions of migrants seeking to mitigate risk under specific circumstances.

Following this pathway, Jochen Oltmer conceptualizes regimes and negotiations as two relatively distinct aspects of social reality, which should not be conflated too quickly in order to preserve their respective explanatory value. It resonates with his understanding of history as an academic discipline uniquely equipped to analyze the meaning of large temporal arcs and slowly changing deep structures of society. Historians miss this aim, according to Oltmer, when they lack the ability to grasp relatively stable, wide-

1 A flat ontology is a theoretical construct that assumes there is no distinction between different scales or layers of the social—such as micro and macro levels, interactions, organizations, systems, or practice and structure. Instead, it posits that all social entities are produced and reproduced solely at the »ground level« of doings, sayings, and objects.

reaching structures and instead present »isolated individual perspectives that do not refer to one another« (Oltmer 2018, p. 250).

Thus far, I have treated the concepts of structure and regime synonymously. But why did Jochen Oltmer chose the term regime instead of structure? I think that it echoes his understanding of migration as a field that is constituted by state regulations and authority. Following Max Weber, Oltmer understands authority as »institutionalized and formalized exercise of power that is intended to be permanent on the part of an individual or a collective over another collective« (Oltmer 2018, p. 245). Regimes, in this sense, are relatively stable structures of authority, governance, and power that constitute the framework in which migration occurs (Oltmer 2016, p. 347). »Negotiation« by contrast, encompasses pragmatic and cooperative properties of actors and interactions, and is influenced but not determined by these regimes.

By distinguishing the sphere of negotiation from the structures of authority/regimes, Oltmer gains the analytical freedom not to interpret every asymmetry within interactions as an exercise of domination or resistance. This, in turn, leads him to critique a trend within migration studies that, in his view, »tends—often from an activist position—to demonize state actors and romanticize migrants« (Oltmer 2018, p. 246). It becomes clear: Oltmer's stance is not critical in the conventional sense but analytical. That is, regimes and negotiations should be understood with intellectual distance and low normative judgment. In this way, Oltmer distinguishes his own approach from critical border regime studies, where migrants are often seen as an unruly class of actors who are conceived as a constitutive part of the migration regime. Rooted in Marxist social theory, this perspective tends to understand social order as being constituted by antagonistic group conflicts of oppressors against the oppressed. Oltmer does not follow this theoretical pathway.

If the purpose of theory is to provide, develop, and systematize options for thinking about empirical phenomena, Oltmer's idea of migration as negotiated order can be seen as such a theoretical option. It allows for reflection about entangled temporalities as a relationship between larger historical dis/continuities (regimes) and situational variations (negotiations). It locates migration between the poles of oblivion to power and total domination. It offers an analytical framework to grasp the historical complexity of migration phenomena in terms of specificity and typicality, stability and fluidity, domination and freedom. It holds in check identificatory attachments, whether with migrants or state institutions, for the sake of an independent scholarly assessment.

While I agree with Jochen Oltmer in several of these respects, there is one noteworthy difference regarding how the relationship between migrants and

regimes should be conceptualized. While Oltmer emphasizes the difference between regimes as an institutional framework of governance and migrants who act within these frameworks, I accentuate the entanglements, opaqueness and ambivalences that blur this distinction (Nieswand 2018). These ambivalences often make it difficult to determine what is structure and what is agency, where to look for causes and effects, and how to draw boundaries between the regime and actors, like migrants, street level administrators, or activists. Consequently, I advocate a concept of regime that privileges the ambivalences of the »in-between« as a theoretical starting point for the analysis of migration processes. Purifying reality and translating it into a world of clear distinctions, such as structure and agency, regimes and migrants, appears to be necessary to actors, because the regime includes so much conflation, hybridity, contradictoriness, and blurriness. A sociological analysis should not imitate these actors' move towards disambiguation, but start from the ambiguities of the in-between and approach purification practices as an object of study. Jochen Oltmer would probably not dispute that ambiguities exist. Nevertheless, he would object that my understanding of the regime »throws the baby out with the bathwater« and expands the concept to a size that seems to cover everything but loses any specific epistemic object.

What are we to make of this dissent? From a reflexive standpoint, I would take a step back and avoid rushing to judge these approaches as right or wrong. It seems more productive to view them as different analytical options that can be used to sharpen the analyses of different empirical cases. In this sense, migration research can gain more if the options are considered each as suitable for analyzing different groups of cases. Of course, there may still be an overlap where the selection of the analytical repertoire remains controversial. In this case, however, it seems more helpful to look for strong, empirically based arguments as to why one theoretical imaginary should be favored over another, rather than attempting to resolve this question theoretically once and for all.

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