

9 Two Regimes of Orders of Difference

Following an examination of the fundamental theoretical approaches to human differentiation and their interrelationships, this chapter presents an analysis of the two principal regimes of orders of difference from an intersectional perspective. The conceptualization of regimes of orders of difference that operate simultaneously, based on different codings and historical contexts, allows for a deeper understanding of discrimination. This analysis sheds light on the various inter-related dimensions of the social order and its power dynamics. Although these dimensions operate concurrently, they have their origins in disparate historical and politico-economic backgrounds and logics. The ability to distinguish between these concepts allows for the precise identification and treatment of the specific mechanisms and causes of discrimination and marginalization. This is achieved by revealing the complex yet interconnected ways in which social worlds are shaped. The elements of human differentiation discussed under the heading of “regime of orders of difference” represent the central focus of our historical-anthropological analysis. The primary events that have shaped our contemporary reality and lifeworlds, and thus also influenced the structuring and orientation of historical-anthropological human differentiations, have their roots in the atrocities of the Second World War and the systematic extermination of countless people across various regions worldwide. The Porrajmos and the Holocaust represent the tragic culmination of imperial endeavors on European soil over the last few centuries. The systematic crimes that resulted in the loss of millions of lives, including those of Roma, Jews, people with disabilities, political prisoners, homosexuals, and Jehovah’s Witnesses, demonstrate the catastrophic consequences of an ideology that categorizes and dehumanizes people based on characteristics that are perceived to be immutable and essential. It would be a grave omission not to contextualize these mass murders within the historical backdrop in which practices such as concentration camps, internment, and forced labor were already established in colonial contexts and deeply intertwined with the practice of human differentiation. It is noteworthy to mention the transatlantic slave trade, which resulted in the deaths of over 12 million people. Furthermore, millions more perished during the arduous journey to the Western Hemisphere or as a consequence of enslavement upon

reaching their destination. These figures demonstrate the enduring prevalence of inhumane practices throughout human history. The mechanisms of oppression and dehumanization perfected during the Holocaust should not be regarded as isolated incidents; rather, they should be viewed as continuations and culminations of historically established patterns of violence. These patterns, deeply embedded in the structures of global power and colonial exploitation, reached an unprecedentedly intense level with the systematic extermination actions of the Nazis on European soil. Similar methods were employed by the Spanish during the Ten-Year War in Cuba (1868–1878), as were used by the Germans on the Shark Islands off the coast of Lüderitz Bay (1905–1907), and by the British during the Second Boer War (1899–1902) in South Africa. Furthermore, historical documentation reveals that the French employed concentration camp techniques during their colonial governance, notably in Moramanga, Madagascar, during the 1947 Malagasy uprising and in the Con Dao camp in Vietnam. These initial instances of internment camps and forced labor are characterized by a disturbing degree of systematicity and brutality, which subsequently gave rise to medical experiments and the enslavement of prisoners. These practices were not solely aimed at oppressing and controlling colonized populations; they also facilitated scientific research that perpetrated grave violations of human dignity and ethical principles under the pretext of progress and civilization. The experiences and techniques developed in these colonial contexts later formed the foundation for the systematic and industrialized methods employed by the Nazi regime. The “Madagascar Plan,” devised at the end of the 19th century with the intention of deporting Jews, “vagabonds,” and individuals deemed to be “work-shy” to German colonies in East Africa, stands as a clear precursor to the policies and legislation enacted by the Nazi regime. This connection highlights the manner in which colonial ideologies and practices influenced global imperial politics prior to the Nazi era, thereby foreshadowing the dehumanizing aspects of the Nazi agenda. The deliberate removal of unwanted population groups from the European context and their subsequent deportation to African colonies exemplifies the perilous convergence of colonialism and racist ideology, which reached its zenith in the Holocaust. From the perspective of the regions and populations subjected to exploitation, enslavement, mass murder, and rape, the atrocities that led to the establishment of the Nazi Reich appear as a grim yet unsurprising continuation of a pattern of behavior. This is why portraying the Porrajmos and the Holocaust as a “singular breach with civilization” (Diner and Benhabib 1988; Diner 2010) risks being seen as reductionist and misleading. Nevertheless, any attempt to relativize these atrocities or to disassociate them from their inhuman, anti-Romani, and anti-Semitic motives would be a grave error. The debate surrounding the singularity of these crimes does not seek to diminish their distinctiveness; rather, it aims to identify and examine the specific characteristics that differentiate them from other forms of criminality. Indeed, the systematic attempts to exterminate the Roma,

Sinti, and Jews represent unparalleled instances of mass murder *on European soil*. These exterminations were carried out with a clear genocidal intent, which was far beyond mere geostrategic calculations. They reflect a profound human abyss and a form of hatred of rare intensity in human history. The act of relativizing the Porrajmos and the Holocaust is particularly problematic as it risks equating current forms of hegemonic and power politics with these historical crimes. This can result in the inadvertent “Hitlerization” and subsequently diminishing of the gravity of Nazi atrocities. Those who hold such misconceptions fail to grasp the full extent of colonialism and imperialism that paved the way for the Nazi regime. From a systemic-anthropological perspective, this view is rejected, along with the singularity thesis, in light of the historical precursors and prototypes of enslavement, internment, and mass murder. The Porrajmos and the Holocaust thus represent the most extreme manifestations of imperial ambitions and conflicts, exemplifying the profound impacts of primordial coding. The endeavor to quantify and categorize the extent of human suffering in the context of these crimes reveals a certain ignorance as well as an ideologically motivated inclination to impose an ethnically coded ranking on suffering and misery. This approach undermines the credibility of those who do not adhere to it and offers no new analytical insights. It is imperative that the recognition of the genocidal mass murders of the Holocaust not be misused to justify current and future forms of abuse of power and policies of annihilation. In media and political discourses, the Holocaust is often invoked as a historical reference point, which erroneously fuels the expectation that any criticism of current political measures is invalid or flawed from the outset. This often pertains to decisions in areas such as national security, migration, or geopolitical conflicts, where the Holocaust is invoked as a moral argument to delegitimize opposing positions. This one-dimensional view carries the risk of suppressing necessary critical discussions about ongoing abuses of power and injustices, and of preventing a comprehensive examination of these issues.

The perception of wars and conflicts whose actors are associated with the “primal trauma of Germany” is often characterized by a one-sidedness that is difficult to comprehend. An isolated consideration of these phenomena is insufficient, as they must always be interpreted in the context of the historical background and the regimes of the order of difference that emerged in the Great Power Game. These regimes are distinguished by autopoietic dynamics that preclude an abrupt reinterpretation within the context of larger social systems. It is therefore essential to reflect on and refer to the regimes of the order of difference conceptualized in this chapter from a logic-theoretical perspective, as they facilitate the contextualization of current schemata and practices of human differentiation in a more substantiated manner, thereby enabling a more comprehensive understanding. These regimes function according to specific internal logics, which seek to consolidate and reproduce existing power relations and social hierarchies. In order to fully comprehend

the intricate dynamics of contemporary mechanisms of exclusion and inclusion, it is essential to examine the structural and ideological foundations of these orders of difference. These logics are not arbitrary; rather, they are systemically anchored patterns that stabilize social realities and exert a significant influence on the construction of identities and social categories. The selective one-sidedness that manifests itself in the emphasis on the suffering of one's own context and the marginalization of the suffering of others illustrates an essential mechanism of human differentiation practices, which is subjected to detailed examination in this book. One's own suffering is given precedence, while the suffering of other groups, perceived as alien, is either overlooked or relativized. This tendency, which manifests as selective empathy and specific moral evaluations, is deeply rooted in social and cultural structures. From a systemic-anthropological perspective, such hierarchizations are regarded as unavoidable human tendencies that nevertheless require critical reflection and deconstruction. Selective empathy and the attribution of emotions, as evidenced, for example, in media coverage of wars, must always be viewed in the context of the self-reproduction and self-legitimization of social systems. As previously discussed, there is no sudden alteration to culturally coded patterns of meaning with the intention of fundamentally questioning or revising established narratives. In the preceding chapters, the interaction of human differentiation schemes at the levels of systems theory, biology, evolutionary psychology, and the process of cultural coding was examined. The following section of the study introduces the role of geopolitical and historical factors in order to develop a more nuanced understanding of the intricate dynamics that shape and influence the aforementioned schemes. The proposed concept of two regimes of difference after World War II enables a more nuanced comprehension of the intricate processes of social, economic, and political differentiation by elucidating and interconnecting the pivotal dimensions of human differentiation. The regimes presented here offer insight into how the structures and power relations that emerged in the post-war period continue to influence global interactions and internal dynamics within states to this day. Furthermore, it provides an explanation for why certain social groups, as well as their narratives and identities, are systematically marginalized, while others remain privileged.

In the aforementioned atrocities perpetrated by the Nazis, a totalitarian regime employed primordial semantics in a calculated manner to construct ideological justifications for the systematic annihilation of individuals deemed "inferior" or "enemies" of the propagated social order. This exploitation of deeply ingrained societal codes allowed for a pernicious rationalization of atrocities under the guise of maintaining or restoring a perceived natural hierarchy. The deportations to concentration camps and other crimes were possible only with the knowledge and often the consent of many people, even if this was often suppressed or denied in post-war Germany until the 1990s in a spirit of defending guilt. The decisive factor is that

the schemata based on primordial coding did not dissolve immediately after 1945. On the contrary, they persist, as the resurgence of radical right-wing groups and parties—not only in Germany—impressively demonstrates. The transformation of political systems since the Second World War, particularly from the 1970s onwards, has led to a pronounced shift from primordially coded regimes to neoliberal coded regimes across the global political landscape. Primordial codings are grounded in seemingly immutable characteristics such as deep-seated affiliations and identities, while neoliberal codings champion a meritocratic order that paradoxically introduces new mechanisms of exclusion and inequality. Both coding systems profoundly shape societal structures and present complex challenges. Despite the global shift in governance models, the persistence of primordially coded regimes is unmistakable. In many regions, ethnic, religious, and cultural identities continue to be central to social and political organization, underscoring their enduring significance. This is especially pivotal in contexts where national or ethnic identities bolster political legitimacy and authority or play critical roles in conflict dynamics. These themes will be further dissected in subsequent chapters to elucidate the dynamic interplays and their consequential social and political ramifications. The historical changes in the different coding practices and logics illuminate the complexity and persistence of differentiation processes. They show how profound historical events influence and modify cultural coding mechanisms without completely eliminating them. This perspective enables an examination of the complex overlaps and interactions between different structures of normative orders. Despite their differing coding logics and the resulting normative structures, there is often a significant overlap in practices of differentiation, hierarchy, and control. As previously mentioned, *these regimes are based on entirely different logics of coding specific content*, which generate confirmatory feedback loops within their respective social systems. These dynamics contribute to the maintenance and legitimization of the systems but exist in a tense relationship with increasing diversification and plurality. Intersectionality ultimately represents the intertwining of power relations, identification processes, and social categories, simultaneously reflecting the blind spots and the damaging effects of anti-democratic and anti-heterogeneous discourses in liberal democracies. It becomes evident that the amalgamation of specific affects and attitudes characterizing broad sections of the population necessitates a critical understanding of the functioning and impacts of these orders of difference.

9.1 Intersectional Analysis within the Framework of Regimes of Orders of Difference

The conceptualization of regimes of orders of difference, particularly the distinction between primordial and neoliberal coded systems, establishes a comprehensive an-

analytical framework for examining practices of human differentiation. This approach augments existing intersectional theories, which already elucidate the multi-layered and interacting nature of social inequalities, by incorporating systemic and anthropological dimensions discussed in previous chapters of this book. For the analytical framework of regimes of orders of difference, it is crucial to recognize that social categories of difference stand in a non-linear relationship to each other and therefore *articulate* and *co-form*, as discussed below. This non-linearity is evident in how change is influenced by a variety of factors that interact in complex and often unpredictable patterns. Specifically, non-linearity implies that axes of social differentiation never operate additively or independently of each other. Therefore, the metaphor of the intersection, which is often portrayed as the junction of social category axes, is misleading, as it suggests precisely this additive and static-spatial logic of social power relations (Yuval-Davis 2013, 2016). The systemic understanding of orders of difference, which regards *cultural codings as structural coupling of semantics and recognizes the specific inclusions and exclusions of social systems associated with these semantics as unavoidable* (see chapters 2 and 8), allows us to overcome terminological pitfalls that imply linearity and additivity. It is of paramount importance to recognize the inevitability of inclusions and exclusions in order to consider intersectional orders of difference in a non-linear manner. The acknowledgment of the inevitability of differentiation processes gives rise to the understanding that these do not operate in isolation or in a simple additive manner, but rather interact in intricate, networked patterns. The inclusions and exclusions in one social system simultaneously influence other orders of differentiation, which can result in non-linear effects and mutual reinforcement. This approach allows for a more appropriate grasp of the complexity of social processes. The analytical framework of “regimes of difference” within intersectional reflection emphasizes how different categories of identity and power relations not only interact, but actually mutually constitute and *co-form* (Collins 2019, 241) each other. This perspective recognizes that social categories interact with each other, forming complex new social identities. These identities are not merely the sum of their individual parts but emergent properties that result from the specific configuration and interaction of the categories involved. *Co-formation* can therefore be understood as a dynamic process in which categories of difference and corresponding power structures continuously shape one another. This process entails an inseparable linkage and interdependence of these categories, indicating that the relationship between them is always reciprocal and context-dependent, with each category influencing the interpretation and effect of the other. The concept of co-formation manifests within the framework of the order of difference, suggesting that this reciprocal influence leads to traditional power structures being continuously renegotiated and redefined depending on historical and regional contexts. The flexibility of these relationships is particularly evident in their adaptability to different social and cultural contexts, necessitating a context-sensi-

tive analysis. Today's increasingly differentiated social formations and the resulting diversity of functional systems amplify the complexity of the relationships between these social categories and the resulting individual and collective identities. These developments complicate the definition of identity through individual social roles or affiliations and present individuals with the challenge of locating themselves within an increasingly complex world (Nassehi 2021, 12).

In response to the blurred social positioning within today's highly differentiated social structures, *strategic essentialization* is employed as an analytical tool. This method entails a deliberate partitioning of the order of difference into distinct coding logics and categories. It is not intended to establish inflexible concepts of identity; rather, it is designed to serve as an analytical instrument for elucidating the intricate dynamics of social systems that facilitate identifications and elicit particular affects. By focusing on particular coding logics, this approach examines the evocation of affects such as threat, resentment, and disgust, and their role in narratives of human differentiation. In certain social systems, these evoked affects play a pivotal role in simplifying complex situations by triggering feedback loops that either reinforce or challenge the legitimacy of existing structures. The term "articulation" is used to describe the way meanings are constructed and renegotiated through the connection and interaction of different social categories. An examination of the reciprocal construction of dominating categories of difference facilitates a more profound comprehension of their articulation and elucidates the concept of structural coupling. The concept of structural coupling refers to the specific ways in which social systems and identity categories are interconnected and mutually influential. Cultural coding manifests as a process of meaning attribution, whereby it facilitates the elicitation of emotional responses within social systems. This process entails the mechanisms through which social systems and their structural elements shape and project particular emotional dynamics. The concept of articulation describes the manner in which specific categories of difference and power relations are connected within the framework of structural coupling and expressed in a given context. This allows for the coexistence and interaction of different categories in various configurations without requiring their merger into a single, homogeneous entity. This process enhances flexibility and openness in the structuring of social realities and contributes to the continuous redefinition of relationships between different social elements, reflecting the core function of structural coupling in the dynamic interplay of social systems. Cultural codes function as vehicles of articulation, facilitating the construction and communication of social and cultural realities concerning differences. This concept diverges from the original formulation proposed by Stuart Hall, which emphasized the interpretive frameworks influencing how individuals comprehend and negotiate their social realities (Hall 2018a). Further developed by Collins, who focuses primarily on race, class, nation, and gender (Collins 2019, 232), the present approach expands upon these bases by integrating *sociocyber-*

netic and anthropological dimensions. This integration enables an in-depth analysis of the structures of identity formation and power relations, which are structurally connected by cultural codes. The respective coding logics are autopoietic in nature and function as catalysts for affective-cognitive-bodily schemata, which are in a recursive relationship with the processes of conditioning and internalization. This integration not only enhances our comprehension of identity and power but also contextualizes it within a broader interdisciplinary framework that permits a comprehensive examination of the intricate interrelationships between individual experiences and social structures. In contrast to established systems theory approaches, this framework recognizes the role of individual agency, albeit within the context of constraints that necessitate significant effort to disrupt established recursive dynamics and initiate new coupling loops within social systems. In this sense, co-formation and articulation are mechanisms through which social systems and identity categories are not only interconnected but also continuously reconfigured through cultural codes. In practice, this understanding of regimes of ordering difference allows for the development of more precise and comprehensive strategies to address social inequalities. By acknowledging and addressing the intricate nuances of individual experiences, this approach enables a more profound and nuanced understanding of the multifaceted dimensions of human diversity. The integration of all these dimensions, along with the *hegemonic-geopolitical matrix* (see Chapter 10), is of paramount importance. An exclusive focus on cultural aspects, without sufficient attention to other dimensions, can result in an essentialization of cultural identities as fixed and unchanging. This approach may overlook the fluidity of human experiences. Such culturalizing approaches may inadvertently reinforce stereotypes and legitimize discrimination by perceiving cultural differences as natural, thereby contributing to the homogenization and normalization of social groups (McCall 2005, 1777). Such views fail to take into account the strategic essentialization that is crucial in this context. It is of the utmost importance to subject these essentializations to rigorous scrutiny and to critically examine their role in perpetuating social inequalities. The prevalence of reductionist methodologies that concentrate on cultural and identity-based examinations frequently results in the formation of moralizing attitudes that oversimplify intricate social issues into individual behaviors, thereby disregarding the structural foundations of social inequalities (for further details, please refer to Chapter 11). This simplification tends to accentuate personal culpability and individual accountability while neglecting the necessity for structural reforms and collective solutions. Such a focus can lead discussions about social justice to focus on personal virtue, which detracts from necessary structural reforms and maintains the status quo. Therefore, it is significant to adopt a balanced approach that integrates individual and collective dimensions of social realities, without reducing complex structural challenges to matters of individual character. In discussions about social categories, culture is often conceptualized in a way that homog-

enizes groups and views cultures as static and deterministic, which is akin to the concept of “races” (Balibar 2018). People are depicted as mere products of their culture, while cultures are elevated to quasi-natural entities (Leiprecht 2001, 31). This can result in a moralizing approach that employs totalizing concepts of social categories. Such perspectives tend to limit the scope of understanding regarding the multifaceted dimensions of difference. Furthermore, they often portray discriminatory relations as unidirectional (linear) problems, ascribing specific attributes to the category of the white majority or men in a manner that is exclusive and reductionist. Consequently, moralizing attitudes, which are particularly prevalent in academic contexts, often treat “anti-ideologies” (such as anti-racism, anti-sexism, etc.) as prematurely legitimate without thorough examination, thereby elevating them to a normative status. This frequently leads to an overemphasis on political correctness, which can obscure the complexity of social issues and impede a more nuanced understanding and effective addressing of discrimination (Hall 1996). It is ironic that this results in the avoidance of crucial discourse on actual discrimination. This becomes evident in the tendency to circumvent behaviors, practices, issues, terminology, and phrases that may or may not be discriminatory. Apart from satisfying an image-centric desire to feel morally superior, moralizing attitudes of political correctness offer no tangible emancipatory or social benefit. Moralizing obscures the fact that genuine social transformation necessitates profound changes that extend well beyond the mere adaptation of language and superficial gestures of inclusivity. Such tactics are, in fact, ultimately counterproductive, resulting in a stalemate where neither side gains. They impede open and honest discourse, leading to a flattening of the debate on social inequality. Those who identify as humanists and proponents of human rights often prioritize moralizing, functioning as autopoietic elements within social systems that prioritize self-reproduction (see Chapter 10.4). It is observed that these ideologies can, on occasion, albeit not universally, unwittingly facilitate the obfuscation of geopolitical power structures and resource exploitation, without conferring substantial emancipatory benefits.

9.2 Primordially Coded Regimes of Orders of Difference

The analytical framework of primordially coded regimes of orders of difference allows for an examination of the schemata and practices of human differentiation in Western social systems that are characterized by high educational standards, significant technological advancements, wealth, and democratic values, particularly within the context of Germany. In these societies, techniques of human differentiation, firmly embedded in primordial coding, are clearly discernible. The analysis of practices of human differentiation is conducted through the lens of a spectrum of theoretical perspectives, as discussed in earlier chapters. These per-

spectives include systems-theoretical and anthropological considerations (Chapter 2), evolutionary-psychological approaches (Chapter 3), social-psychological and systems-justification perspectives (Chapter 4), neurobiological findings (Chapter 5), schema-related theories (Chapter 6), macrosocial-anthropological perspectives (Chapter 7), and cultural-theoretical dimensions (Chapter 8). The aforementioned theoretical approaches demonstrate that orders of difference, whether primordially or neoliberally coded, do not function in isolation but rather engage in a dynamic and intricate interplay.

9.2.1 Primordialism and Essentialism

Primordialism postulates that specific social categories—such as gender, ethnicity, nationality, or religion—are regarded as “natural” or intrinsic attributes of individuals or groups. These characteristics are deemed to be the immutable foundations of social identity and belonging, exerting a considerable influence on social bonding and group cohesion. The traits that are considered to be primordial within schemata and practices of human differentiation include:

- Sex/Gender
- Age
- Physical characteristics and appearance
- Skin color
- Ethnicity
- Culture
- Nationality
- Language and dialects
- Religion
- Social status (e. g., castes and classes)
- Educational background
- Profession and working environment
- Sexual orientation and behaviors
- Clothing styles
- Eating habits
- Place of birth
- Family lineage
- Consanguinity
- Personality traits
- Cognitive abilities
- Emotional intelligence
- Place of residence and geographical origin
- Physical and mental health conditions

These characteristics, which are embedded in the concept of an unchanging “essence,” are fundamental to the normative structures within social systems and significantly influence interpersonal relationships. In consideration of the role these characteristics play in the formation of power relations and the shaping of social justice, this perspective offers insights into the mechanisms of intersectional discrimination from a novel systemic-anthropological perspective. The primordial order of difference not only captures the essence of core individual and collective identification and affiliation processes but also elucidates the way social hierarchies and inequalities are sustained and validated through the ascription of these characteristics. Primordial identities are based on the concept of an unchanging “essence,” which gives rise to a profound and often unquestioning sense of belonging. However, this approach fails to take into account the intricate social realities. The concept of primordialism, which is rooted in beliefs that originated during the colonial era and interprets cultural and social differences as manifestations of a “natural order,” remains a deeply entrenched aspect of Western democracies. This is evidenced by the tendency to categorize in binary terms, with colonial and biologicistic assumptions informing the positioning of the white, Western, heterosexual male at the apex of the social hierarchy, with whiteness regarded as the dominant attribute. In this framework, narratives that justify exploitation and sustain social structures are of paramount importance. Such narratives glorify the notion of a sacralized and immutable natural order, which is presumed to serve as the ideal for social order. In this context, the concept of purity is not limited to its physical dimensions but also encompasses social and cultural integrity, which is manifested and pursued through societal relationships. The imperative for society to actualize itself within the confines of what is deemed a natural order is a pervasive phenomenon that can be observed across a range of social contexts. This leads to the formation of communities based on these “natural” orders and boundaries, which are further reinforced by the concept of purity.

9.2.2 Fallacious Causality and Reduction of Complexity

As previously stated, the concept of primordial codings is predicated on the assumption that specific characteristics are immutable and “original.” The preceding discussion provides a comprehensive illustration of this premise. The rationale behind these codings is based on flawed logic that stems from an artificially constructed and critically indefensible conception of nature and physicality. The logical-theoretical fallacy inherent in this coding is the essentialization of characteristics such as gender, skin color, ethnicity, or cultural affiliation as unchangeable and central to individual and/or collective identity. However, these primordial characteristics of an individual are not directly related to social or psychological attributes. In contrast, negative behaviors are the consequence of a complex interplay between social, eco-

nomie, and personal factors. The establishment of a direct correlation between socio-psychological behavioral patterns and primordial characteristics in the absence of valid evidence or cogent reasoning represents a logical fallacy. This error of false causality occurs when a cause-and-effect relationship between two elements (e.g., negative behaviors and membership in a specific group) is erroneously assumed in the absence of logical or evidence-based support. Moreover, the fallacy of overgeneralization may occur when broad characteristics of a group are hastily deduced from a limited number of specific instances, leading to distorted and unjustified stereotypes. From this perspective, the tendency to persistently repeat specific cognitive missteps can be understood through the lenses of complexity reduction and the self-referential nature inherent to social systems. Social systems, which encompass the perception and assessment of social groups, must simplify the immense complexity of their environment in order to remain manageable. Stereotypes and hasty categorizations act as mechanisms for reducing complex phenomena to a simplified, albeit distorted, representation of reality. The concept of *self-referentiality*, which plays a pivotal role in social systems (for further details, please refer to Chapter 2.2.3), signifies that these systems function in accordance with their intrinsic structures and historical actions. In the context of social perception, this signifies that individuals apply preexisting beliefs and stereotypes as a filter and interpretative lens to information. This self-referential process amplifies existing biases and stereotypes, whereby new information is interpreted in a manner that aligns with and justifies these preconceptions (for further details, please refer to Chapter 4.5). Furthermore, the dynamic interplay between social systems and their surrounding environments upholds these cognitive errors. In functionally differentiated societies, individuals are engaged in constant interaction across a range of social systems, each of which is characterized by a distinct logic and rationality. This differentiation frequently results in individuals adopting simplistic explanatory models to navigate the complexities and uncertainties of their social environments. Furthermore, contemporary media and communicative structures, particularly in the digital age, facilitate the dissemination and reinforcement of stereotypes and simplistic portrayals of social groups. The accelerated dissemination of information through social media and other digital platforms can result in the pervasive acceptance of inadequate substantiation or simplistic portrayals of social realities as factual, particularly given the ease with which such information can be conveyed without the necessary corroboration.

9.2.3 Self-Referentiality and the Preservation of “Natural Orders”

The recurrent association of social and psychological behaviors with primordial traits, a pervasive cognitive bias, can be further illuminated through the lens of schemata (for further elaboration, see Chapter 6). Affective-cognitive-bodily

schemata are deeply embedded in the self-referential processes of social systems, fostering a tendency to filter and interpret information in a manner that confirms pre-existing assumptions. The continued prevalence of these cognitive errors can be attributed to the stabilizing function of schemas for the identity of the social system and its members. By offering a recognizable and consistent interpretation of social phenomena, schemas facilitate the processing of complex information and foster a sense of security and coherence. The demand for consistency and predictability in social perception means that once established, schemas are retained, even when new information or experiences challenge them. The recurrence of cognitive errors and the difficulty in rectifying them can thus be explained by the deep integration of schemata within the cognitive and communicative structures of social systems. The alteration of such schemata necessitates a comprehensive examination of one's own assumptions and an acknowledgment of the complexity and multifaceted nature of social identities. This significant challenge must be addressed not only at the individual level but also at the collective level, as transforming schemata necessitates alterations in the communicative practices and social structures that sustain and propagate these schemas. Primordially coded lines of difference can be traced back to the so-called "natural orders," which are characterized by culturally coded memes that function as naturalistic reductions of complex social realities. Such memes, when reinforced by various ideologies, frequently connect with fantasies and ideals of purity that evoke an imagined essence, depreciating the spectrum that exists between the typically dichotomous poles of categories. This process enhances the self-referentiality of the system, thus stabilizing its internal structures and justifying the legitimacy of the prevailing order. The pursuit of maintaining the "purity" of these constructed social orders frames any deviation or change as a threat, thereby fostering resistance to social change and perpetuating existing power dynamics. The naturalization of social relations results in the perception of social issues as immutable, excluding them from the domain of social negotiation and influence. From a primordial perspective, for example, an assumed "innate stupidity" would not be mitigated by improvements in the education system. This underlying assumption is also evident in discourses that posit Germany will experience demographic decline due to the "inappropriate" reproduction of certain demographic groups. This argument finds resonance in historical justifications for eugenics and slavery that were predicated on biological determinism. It was long held that slaves were biologically predisposed to forced labor, thus rendering the distinction between free and enslaved a natural phenomenon. This perspective, which links intelligence to ethnic origin and posits genetic determinism, was notably presented in *The Bell Curve* (1994), a book by Richard J. Herrnstein and Charles Murray. The authors advanced the thesis that intelligence is largely genetically determined and demonstrated significant disparities in IQ scores among different ethnic groups in the United States, including white Americans, African Americans,

and others. Notwithstanding the substantial criticism it has received, the inclination towards primordial coding persists, albeit in more subtle and concealed forms. The reinforcement of social inequalities and prejudices is masked by the pretense of scientific legitimacy. The cultural coding of such identities helps delineate the boundaries between the social “inside” and “outside,” creating a clear distinction between those who are perceived as belonging to a particular privileged group and those who are not. Furthermore, it functions as a means to uphold the existence of subtle hierarchies and class distinctions within communities. These schemata of establishing structural orders through class and class-specific differentiations are not universally applicable. However, they are nevertheless pervasive and act as a fundamental basis for maintaining and institutionalizing power structures.

9.2.4 Gender as a Primordially Coded Principle of Order of Difference

A major area of such communicated codes encompasses topics, ideas, and practices pertaining to the characteristic of sex or gender. In this context, the term “gender” is defined as a complex structure of social relations that is primarily organized around the reproductive sphere. This structure is constituted through the translation of biological differences into social contexts, which are in turn shaped by a range of social practices (Connell 2013, 29–30). In the specific context of this study, the concept of *gender is understood to refer to the schemata and practices through which physical bodies and reproductive functions are integrated into cultural and political structures at the level of the social system as a whole*; as a result of this integration, there are far-reaching implications for both individual and collective existences. In the context of primordial orders of difference, gender is not only socially constructed but also deeply embedded in the normative and ideological structures of society. This coding is based on traditional and erroneous assumptions about biological and social roles. These assumptions are shaped and propagated by historically established power relations and cultural norms. The binary gender concept solidifies heteronormative foundational assumptions and corresponding role distributions, which are frequently the subject of criticism. Such approaches serve to entrench gender inequalities and reinforce discriminatory practices by reducing the diversity of human experiences and marginalizing alternative constructions of identity. These deeply embedded codings of gender, which are increasingly being challenged in academic discourse, reflect the persistence of and resistance to the transformation of social structures. They represent a significant challenge for emancipatory gender policies. In primordial semantics, gender is not merely an isolated or exclusively biologically constructed and determined category; rather, it is a fundamental organizing principle (Connell 2013, 101) that permeates and structures social systems. From a systemic anthropological viewpoint, primordially coded semantics concerning gender roles and norms are embedded in the autopoeitic self-production and maintenance of social systems.

These systems reproduce and legitimize gender differences by assigning specific roles and expectations to individuals, which contribute to the stability and continuity of the respective social systems. Gender differences thus also operate as mechanisms for reducing complexity by pre-structuring and limiting the diversity of possible social interactions and identities. In this manner, existing gender relations are not only reproduced within the system but are also presented as legitimate and natural. This occurs through the continuous communication and dissemination of norms and values that justify and reinforce gender-specific inequalities. Such justification mechanisms are crucial for maintaining power asymmetries within social systems and contribute to the persistent marginalization and discrimination of certain groups. The systematic establishment of the principle of organization and categorization regarding gender illustrates the *conditioning and subjectivizing* qualities of primordially coded regimes of the order of difference. The concept of “invocation,” as developed by Louis Althusser in his theoretical approach to interpellation, explicitly addresses individuals. This normative attribution bestows upon individuals their social existence within the respective social system’s hierarchy. This circular phenomenon, which is referred to in post-structuralist theory as the discursive production of subjectivity, is discussed in detail in Chapter 8. The crucial point is that this production of identity and difference occurs across society as a whole and structurally integrates both individual and social systems. These attributions, which are often violent in nature, manifest not only in individual perception but also serve to anchor structural elements within society. The process of structural coupling binds individuals and their social systems to existing power structures and social orders, exerting a profound and long-lasting influence on their social existence and interactions. Those seeking to achieve gender equality often rely on a binary conception of gender to reinforce existing social hierarchies. Feminist approaches that espouse egalitarianism and challenge traditional gender roles encounter significant obstacles when operating within a white-dominated, patriarchal structure that is deeply entrenched in social and political systems. A significant shortcoming of these approaches is the insufficient consideration of intersectionality, which is essential for a comprehensive understanding of the multifaceted experiences of women. Such approaches frequently assume a universal female experience, thereby failing to take into account the realities and needs of women who do not belong to the dominant social group. Another significant shortcoming is the neglect of non-binary and other gender identities that do not conform to the traditional binary gender schema. These diverse and complex gender positions are frequently disregarded in approaches that prioritize gender equality between men and women. This results in the failure to acknowledge the unique challenges faced by individuals within these categories. This illustrates the constraints of a perspective that is firmly anchored in the outmoded categories of gender binarity and that fails to consider the reality of gender diversity. From the perspective of systems theory,

the reduction of social reality to a simplistic level results in the trivialization of social dynamics and the processes of individual identity formation. Social systems are inherently complex and self-referential, exhibiting internal dynamics and a constant renegotiation of meanings and relationships. The findings of biological and anthropological studies on human differentiation demonstrate that biological differences extend far beyond the traditional binary gender model, uncovering considerable diversity. However, this diversity is seldom integrated into traditional egalitarian feminist approaches, which results in distortions in the perception and treatment of gender issues. Furthermore, rigid heteronormativity represents a fundamental tenet of familist ideology, which reached its apogee during the Victorian era and was subsequently reinforced by fascist and Nazi regimes. In these contexts, the reproduction of male offspring, perceived as potential military personnel, is particularly encouraged. This objective is instrumental in bolstering the social system of a war economy by primarily designating women with domestic and reproductive roles, which nurture those who align with the system. This proclivity towards unification and external determination of gender relations and identities is frequently a strategic manipulation by political orders to consolidate existing power structures. The familist ideology, which is deeply embedded in primordially coded principles of human differentiation in the context of gender, developed across various Western contexts. This ideology is largely derived from the historical perspective that, until the early 20th century and in some regions even until the end of the 20th century, women were considered to have no rights. In order to effect a transformation of patriarchally structured societies, women were compelled to engage in a struggle for the attainment of fundamental rights, including the right to vote (Notz 2015, 88). The inflexible gender order and the associated forms of life, especially the nuclear family, have since been promoted primarily by the Church and the state. In the context of post-war Germany, conservative governments advanced the nuclear family as the archetypal familial structure, while other forms of family, such as those headed by single mothers, were marginalized and deemed “semi-families.” These categorizations reflected and reinforced the prevailing social norms, thereby contributing to the marginalization of alternative lifestyles (Notz 2015, 89). In this context, it is of paramount importance to acknowledge the significant correlation between patriarchal gender role assignments and the Western model of the welfare state. The majority of welfare programs in Germany and other Western countries are based on the male breadwinner model, which historically has required women to assume primary responsibility for childcare and caregiving. This gender-specific role distribution is deeply entrenched in the structures of social systems, perpetuating patriarchal norms that restrict women’s professional opportunities and reinforce their socio-economic dependency. The orientation of infrastructural and legal frameworks exclusively towards the “normal family” has resulted in the rigid enforcement of processes of differentiation and stratification, which bear resemblance to those ob-

served in a regime. Although there are differences in the specific forms of welfare states that exist in the West, they all ultimately rely on the nuclear family norm and assume that individuals will engage in unspoken forms of “voluntary work” related to household and caregiving duties (Esping-Andersen 1999, 35). Schemata and practices of differentiation in the context of gender serve a number of significant functions. They vary depending on the context, including wartime and welfare-state contexts, as well as between neoliberal and socialist regimes. These gender-specific role models and task distributions contribute to the stabilization and maintenance of existing social orders by cementing the unequal distribution of rights and duties and limiting the opportunities for women to assume equal roles in society. From a socio-cybernetic standpoint, familism may be regarded as a social function that mitigates the complexity of social systems by conferring upon individuals clearly delineated roles and expectations. These operate to stabilize social structures by maintaining order and predictability in interactions between individuals. The associated practices of differentiation facilitate autopoiesis, or self-preservation, by ensuring the fulfillment of fundamental social tasks, such as the care and education of the next generation, in an efficient manner. However, these structures are also susceptible to rigidity, which can impede the system’s capacity to adapt to changing environmental conditions. This is achieved by marginalizing alternative ways of life and identities, thereby limiting the potential for development within the system.

Primordially coded differences establish tangible hierarchical structures and power relations in everyday life by linking constructed models with persuasive power that suggests naturalness and self-evidence. The binary gender order is deeply entrenched in a heteronormative matrix of heterosexual desire, which is continuously reproduced in schools and other institutions. Similarly, these mechanisms naturalize gender-related relationships in a manner analogous to the coding of other socially constructed categories, such as skin color, religion, and ethnicity. The act of questioning these deeply rooted structures is often perceived as a threat to social order and personal identity, as it challenges the foundations of individual and collective self-image. The exaggerated and sometimes infantile reactions of conservative and right-wing groups to gender-related emancipation efforts are integral manifestations of this underlying insecurity. Such reactions indicate a fear of losing control, which is triggered by progressive changes in gender politics. Such reactions manifest as vehemently defensive responses that are less indicative of strength than of an inability to adapt to a changing social reality. Integrating evolutionary anthropological and psychological perspectives into the discourse on gender, with a particular emphasis on the view of gender as a primordial, culturally encoded principle of social differentiation, illuminates the profound historical roots of gender-specific roles and behaviors. The evolutionary adaptations that provided survival advantages in prehistoric societies are evident in the present-day manifestation of deeply entrenched gender norms. These norms are reinforced within groups by

collective intentionality, which can be defined as the ability to share and act on common intentions and beliefs (for further details, please refer to Chapter 3.5). These deeply entrenched beliefs are transmitted from one generation to the next through cultural mechanisms, thereby establishing a persistent system of gender roles that is often perceived as natural or taken for granted. Such gender expectations are reinforced by group dynamics, wherein conformity to norms is socially rewarded and deviation is punished. This results in a considerable degree of behavioral regulation within the group, which contributes to the maintenance of a rigid gender order (for further details, please refer to Chapters 3, 4, and 5). The tenacious and often fervid defense of the two-gender model and heteronormative structure by conservative and right-wing groups can be attributed, in part, to the insecurity that arises in the face of challenges directed at these deeply embedded, perceived natural orders. The challenge to these established norms posed by progressive gender discourses and emancipatory aspirations is often perceived as an assault on the bedrock of social and individual identity, inciting vehement defensive reactions. The cognitive dissonance that arises from the confrontation with alternative gender models and the fear of losing control and influence within socially prescribed structures result in a strengthening of the defensive attitude, which manifests in disproportionate reactions. This profound apprehension and subsequent opposition to alterations in gender politics exemplify the significant challenge of dismantling conventional gender roles and identities. From the perspective of systems theory, which examines the intrinsic complexity and self-referential nature of social systems, it is evident that these systems possess their own momentum, resisting simplistic top-down control and categorical assignments. The growing recognition of the diversity of biological and social gender realities, and the subsequent necessity of rethinking rigid binary models, is increasingly viewed as a logical and necessary next step in the context of functionally differentiated contemporary societies. It is similarly crucial to refrain from simplistic, externally influenced, and frequently ideologically motivated or moralizing reinterpretations of this order, as outlined in Chapter 11. In this context, “ideological” refers to inflexible belief sets or ideas that influence perspectives, typically by oversimplifying social realities and reducing complexity excessively. In the case of gender complexities, such approaches are frequently driven by emotional accusations, blame, and guilt. To foster a nuanced understanding and treatment of these issues, it is crucial to avoid these ideological frameworks, which can narrow the scope of interpretation and prevent meaningful engagement with the diverse and intricate dimensions of gender.

9.2.5 Racialization of Sexism and Criminality

Another area of significant primordial coding is the violent imposition of identities and the *racialization of sexism and criminality*. In Germany, individuals with darker

skin tones who conform to the stereotype of a “Muslim refugee” are frequently ascribed a primordial identity code. The identities and cultures thus targeted are reduced to static and unchangeable categories. Primordial coding effectively delineates lines of difference, wherein expectations of desirable and undesirable behaviors are reinforced through subjectification or conditioning (see Chapter 8.3). For example, individuals of non-white ethnicities are frequently associated with security risks which systematically racializes violence and sexism while activating scapegoat mechanisms. This phenomenon is also evident in penal populism (see Chapter 9.4.1), whereby the dominant white majority consolidates its status by ascribing criminal acts and culpability to marginalized groups. This dynamic is particularly evident in the racialization of sexual or violent assaults. A notable example of the challenges associated with addressing crimes related to sexual harassment and their cultural interpretations can be observed in the context of the New Year’s Eve celebrations in Cologne in 2015/16. A considerable number of women have made allegations that they were sexually assaulted and robbed by groups of individuals in and around Cologne’s main train station. The perpetrators were reportedly groups of men whose appearance was described in media reports as being of North African or Middle Eastern descent. In the aftermath of the incidents, the Federal Criminal Police Office of Germany made an erroneous classification, labeling them as “*taharrush jama’i*.” The term “*taharrush jama’i*,” which originates from Arabic, is used to describe a form of collective sexual assault that has been reported in some Arab countries, particularly in large crowds (Kulaçatan 2016, 112). However, this classification was erroneous and problematic in that it falsely implied that such assaults were predominantly a cultural phenomenon, specifically associated with men of Arab origin. This misclassification contributed to a decontextualized understanding of the events, whereby sexual harassment and criminal behavior were perceived as imported by immigrants, rather than as part of a broader societal issue. Such interpretations distort the reality of sexual violence as a global issue that transcends cultural boundaries and fail to consider the complex socio-political factors that contribute to such crimes. The designation of the attacks in Cologne as “*taharrush jama’i*” not only stigmatized a specific group but also diverted attention from the necessity of implementing comprehensive measures to address public safety and integration challenges (ibid.). The phenomenon of racialization of crime and sexism, whereby criminal or sexist behavior is attributed to ethnic origins, exemplifies the dynamics of primordial coding and in-group favoritism. In Germany, as in numerous other liberal democracies within the Western context, individuals with a migration background are frequently and expeditiously designated as perpetrators of criminal acts (Wa Baile et al. 2019; Espin Grau and Klaus 2022; Textor 2023; Atali-Timmer, Fereidooni, and Schroth 2022). It is frequently observed that social phenomena of significance are initially encoded in a manner that is conducive to the perpetuation of certain stereotypes. This phenomenon can be observed in the portrayal of young people from

the Middle East and Africa as inherently frustrated and prone to criminality within the dominant discourse. The interconnection of disparate content elements gives rise to the perception that the group in question is inherently predisposed to engage in sexist and criminal conduct. Such associations permit the attribution of deviant behaviors to these “others,” thereby reinforcing stereotypes and perpetuating a biased narrative that influences societal perceptions and interactions (Haarhoff 2020). These aspects are discussed in more detail below in connection with penal populism and racial profiling.

The presence of *multicultural concepts* within a white hegemonic structure serves to exacerbate the issue. Despite ostensibly promoting diversity and cultural diversity, they effectively entrench existing power relations and inequalities. These concepts frequently manifest at a mere superficial level of cultural representation, failing to address the more profound structures of racism, discrimination, and social inequality. By situating themselves within a white hegemonic framework, they are able to project an image of tolerance and openness while continuing to perpetuate mechanisms of exclusion and marginalization. The concept of hegemonic domination is further facilitated through an epistemological conflation of “nature” and “culture.” This conflation presents politically constructed differences as “natural,” a point previously discussed. In the aftermath of the Second World War, the concept of “racism without races” emerged as a prominent phenomenon. The logic of a “racial hierarchy” has persisted in various forms, often presented as a cultural phenomenon. This has resulted in the continuation of primordialized divisions and exclusions, which are now often justified by reference to culturalist differentiations. The apparent naturalness of the mental-affective association and the activation of specific schemata (see Chapter 6) create the impression that cultural differences are insurmountable and unchangeable through so-called chains of equivalence. As is the case with culture, the term “ethnicity” is frequently utilized by right-wing extremist and conservative groups to disseminate ideas of “purity” as part of their primordial ideology. These groups prioritize the preservation of what they perceive to be “German” culture, while concurrently advocating against external influences, such as Islamization. Identitarian, “ethnopluralist,” and similar movements adhere to a “völkisch” ideology, which is predicated on a primordial program of differentiation. The term “völkisch” has its etymological roots in the German word “Volk,” which signifies “people” or “nation.” However, it has acquired a more ethnically charged connotation. Historically, “völkisch” ideologies have placed emphasis on racial purity and the superiority of the German people, which has frequently resulted in the implementation of xenophobic and exclusionary policies. The contemporary right-wing groups which espouse “völkisch” sentiments promote a sense of ethnic homogeneity and cultural purity. Such groups stoke feelings of threat against external influences and promote the preservation of a culture that is perceived as originally and exclusively belonging to the ethnic group.

By advocating the preservation of these cultural codes, which are perceived as fixed and immutable, these groups often promote a narrative of existential threat from those they define as “the other.” This narrative is often accompanied by a rhetoric of exclusion and aggression directed towards those who are perceived as threatening the cultural identity of the group. This narrative is frequently accompanied by rhetoric that excludes and is aggressive towards those who are perceived as threatening the cultural identity of the group. This narrative act to justify the exclusionary and often aggressive stance of these groups. Such a narrative is not only misleading but also a source of considerable danger, as it provides the foundation for many of the divisive tactics employed by these groups to garner support and to legitimate their agendas. In this context, ostensibly positive terms such as “ethnopluralism” and “multiculturalism” prove to be deceptive camouflage for primordial regimes of differentiation. These groups categorize and differentiate individuals based on perceived ethnic, cultural, and national characteristics, which they regard as unchangeable. Such groups typically assert the superiority of their own “culture,” which is often synonymous with an equally coded in-group. Consequently, the underlying issues of injustice and inequality are rendered normalized and consequently perpetuated, rather than being subjected to challenge and transformation. It is a verifiable scientific fact that 99.9 percent of all genes are shared by all humans (L.L. Cavalli-Sforza 2001; L.L. Cavalli-Sforza and Cavalli-Sforza 1995; L.L. Cavalli-Sforza, Menozzi, and Piazza 1994). However, this does not preclude the persistence of primordial codings and ideologies. In light of these observations, it becomes evident that the concept of Whiteness confers distinctive advantages, whereas the categorization of individuals as “brown” or “black” often results in their exclusion from the mainstream societal structures and the marginalization of their positions within the dominant normative orders and power structures. This phenomenon leads to the entrenchment of social exclusion, which in turn restricts opportunities for participation based on racial lines and serves to reproduce the deep-seated inequalities inherent within the societal framework (Tißberger 2017, 28). The phenomenon of primordial coding can be observed across a wide range of cultural and historical contexts. Indeed, a considerable number of prehistoric identities were subjected to primordial coding (Geertz and Darnton 1973). Nevertheless, even during these initial stages, they were consistently shaped and sustained through the operation of positive feedback loops (Giesen and Lüter 2000, 33). The mechanisms of positive feedback loops facilitate the consolidation of established primary codings, thereby ensuring their reproduction in a self-reinforcing manner. Once embedded in the cultural, social or political fabric of a society, such identity attributions develop a dynamic that is maintained through continuous affirmation within various social spheres, such as educational systems, the media and legal structures. The reinforcement of these codings through positive feedback loops results in them becoming firmly established in social consciousness and perceived

as unquestionable truths. Cultural norms and social practices that reflect and disseminate these codings not only reinforce their legitimacy but also exert a formative influence on the social fabric. It is frequently overlooked that the Western concept of kinship is also fundamentally encoded, yet not inherently innate; rather, it is socially constructed. The nuclear family, comprising a man, a woman, and their children, represents an example of a primordial kinship system. Furthermore, educational programs and interventions, along with the theoretical assumptions that ground them, are also implicitly based on these codes (Röttger-Rössler 2022). The primary coding of family structures represents a form of complexity reduction, enabling individuals and societies to organize and understand social relationships and affiliations in a seemingly simple and natural manner. Nevertheless, these codes exert a profound influence on social expectations, norms, and practices. They shape the distribution and perception of roles and responsibilities within families and beyond in society. Concurrently, this gives rise to alternative family models and kinship relationships that diverge from this primordial coding and are marginalized or even regarded as deviant.

9.3 Neoliberal Regimes of Orders of Difference

The concept of a neoliberal regime of orders of difference provides an analytical lens through which to examine differentiation practices that are influenced by neoliberal agendas and intersect with various social dimensions. This analytical framework is designed to elucidate the ways in which neoliberal policies and ideologies shape social practices of differentiation, impacting individual spaces and possibilities for identification. This analytical framework allows for the examination of the intricate ways in which economic and political doctrines shape personal and collective identities, as well as the subtle ways in which neoliberalism influences societal norms and values. This, in turn, contributes to the formation of schemata and practices of human differentiation through a distinct logic that both diverges from and intersects with many aspects of primordial orders of difference.

9.3.1 Neoliberalism

This book conceptualizes neoliberalism as a specific form of social governance, delineated by distinctive ideological tenets and political practices. It functions as a superior system, distinguished by a pronounced emphasis on capital accumulation, the privatization of critical infrastructures, and the weakening of state institutions. These elements collectively reshape the foundations of social interactions and institutional structures. By influencing the preferences, decisions, and actions of individuals and institutions as a political-economic paradigm, it directs

social processes towards market-oriented logics. The context for neoliberalism is set against the backdrop of European imperialist ambitions, which ultimately gave rise to fascism, the Holocaust, and World War II, as well as the unrelenting East-West conflict during the Cold War. In the context of a historical moment when the dominance of financial and economic practices was subjected to rigorous contestation, the question of whether neoliberalism can be morally evaluated as a positive or negative force does not arise. Instead, as a meta-program for controlling complex social systems, it superimposes existing functionally differentiated systems, thereby dominating their self-organization, communication processes, and interactions with their environments. The deliberate implementation of neoliberal policies was a pivotal strategy in winning the Cold War and averting greater threats. The confrontation with Russia and the emergence of China as a geopolitical rival exemplify the assertion that the promotion of neoliberal strategies is driven by the core motive of “great power competition” (Ibrahimov 2020). Therefore, these strategies must be viewed as part of a comprehensive geopolitical strategy that extends beyond mere economic considerations and reflects the complex dynamics of global power configurations. The diverse manifestations of neoliberalism are the result of ideologically shaped outcomes of historical power conflicts. A critical examination of neoliberal conditions and their classification systems resists simplistic categorization within the political spectrum as “left” or “right” and defies straightforward moral evaluation. Therefore, domination and control are neither inherently positive nor negative; rather, they are inherent to the competition between hegemonies. They are a macro-social and anthropological constant throughout human history (see Chapter 7). This systemic-anthropological approach, which explores systems theory and the group-based processes of thinking, feeling, and identification since the origins of *Homo sapiens*, lends support to this perspective. Inequalities and social stratification are enduring phenomena in human societies. What sets the neoliberal regime of the order of difference apart is its establishment of an extensive system that acknowledges ethnic, religious, cultural, gender, and other differences. The distinctive quality of the neoliberal regime of the order of difference lies in its establishment of a comprehensive system that not only recognizes ethnic, religious, cultural, and gender differences (see the characteristics of primordial coding in Chapter 9.2), but also accentuates them within the rhetoric of democratic freedom and equality in order to exploit the benefits of cultural mixing. This method of categorizing individuals is characterized by a pragmatic brutality that erodes the distinctions between “outside” and “inside” as long as there is potential for profit within the “market liberal logic.” In this system, individuals can be organized and controlled according to a hierarchical structure. In this context, a strategy of variable inclusion is employed, contingent upon the potential profit margins involved. The formerly inflexible boundaries of the primordial regime are now adaptable and responsive. In this process, the neoliberal regime of difference employs the

language of human rights and democracy to disguise its true intentions. The constant reiteration of terms associated with democracy creates an illusion of “power neutrality” (Hardt and Negri 2001, 207).

The term neoliberalism encompasses a range of approaches and ideas found across various theories, originating from principles articulated during the Mont Pèlerin Society conference in 1947, led by Friedrich August von Hayek and Wilhelm Röpke. Both were also participants at the Lippmann Colloquium in Paris in 1938. This meeting was significantly shaped by the experience of the failure of classical liberalism against the backdrop of the rise and fall of the Nazi regime, totalitarian Stalinism, and the onset of the Cold War (Cahill and Konings 2017, 25). The common thread among these disparate approaches and ideas regarding neoliberalism is the emphasis on a state apparatus that ensures the viability of a free market economy and social competition. This ensures that every socio-economic entity and every institution—including the state—is managed according to the criteria of efficiency. The primary measures for maximizing profit include the strategic elimination of tariffs and taxes on specific property and income, supply-side monetarist strategies, and the elimination of subsidies and social services (Saidel 2023, 7). Contrary to its own proclamations, the conception of humanity within classic neoliberalism actually deviates from the principles of human rights and posits that human behavior is primarily driven by the search for personal (economic) advantages (*homo oeconomicus*). This perspective necessitates a reorganization of society towards a competitive market platform, aiming to transform the myriad impulses of self-interest into a stable equilibrium (Binkley 2011, 389). It even postulates the need to shift away from humanistic and progressive values towards an emphasis on competitiveness, entrepreneurship, and the maximization of individual capital (Braedley and Luxton 2010, 10). In the neoliberal framework, human rights and equality are primarily interpreted as the freedom to participate in competition. However, this interpretation does not encompass creating a level playing field or ensuring entitlements to certain quality of life standards, such as health or education (Leyva 2020, 7). Competition is presented as a neutral decision-making situation, which is purported to be a fairer method of distributing social goods compared to direct state intervention. This view favors a market logic that prioritizes individual responsibility over collective welfare and social justice, emphasizing the principles of self-interest and market dominance. In the second half of the 20th century, neoliberal perspectives were entrenched in major scientific theories, including public choice theory, rational choice theory, and game theory. Based on the underlying conception of human nature, it was argued that human behavior is primarily driven by perceived self-interest (Cahill and Konings 2017, 32). To successfully disseminate neoliberal views globally and over the long term, numerous position papers were produced on a broad array of topics, including welfare and education reform, environmental standards, and labor practices. These papers explicitly positioned

themselves against welfare state ideologies and feminist approaches, favoring solutions that were touted as market-friendly. The research findings were presented as scientifically objective and free from ideology, which helped them gain a high level of prestige and influence in disciplines such as sociology, political science, international relations, and especially economics (Leyva 2020, 8). In addition, academic centers at prestigious institutions like the London School of Economics and the University of Chicago were established with the support and funding of influential business lobby and policy groups, including the US Chamber of Commerce and the Trilateral Commission. Numerous national and international think tanks were also created, such as the Institute of Economic Affairs, the Heritage Foundation, and the Fraser Institute (*ibid.*). These think tanks, although not entirely homogeneous, largely share a common policy approach focused on accelerating economic growth and enhancing market competitiveness. Among other objectives, they advocate for maximizing comparative advantages, achieving fiscal solvency, and attracting foreign direct investment through the implementation of appropriate policies.

The neoliberal paradigm advocates for corporate governance largely free from state interference; it calls for the minimization of regulations such as health and safety standards, environmental protections, and minimum wage laws, arguing that these only lead to excessive bureaucracy. The underlying logic is that the market mechanism will naturally sanction companies that act unethically or provide inferior products and services (Leyva 2020, 10). In addition, the implementation of uniform customs tariffs and the deregulation of markets aim to enable freer economic trade at both national and international levels—the buzzword here is “liberalization of markets.” “Deregulation” refers to the reduction or abolition of state regulations to give companies more freedom in their business operations. This includes a variety of sectors such as finance, retail, production, and telecommunications; the goal is purportedly to make the market freer and to stimulate economic activity. The rationale behind this approach is that reducing government intervention and regulations, which are perceived as hindering profitability, will allow companies to operate more efficiently and competitively. However, not all regulation is rejected. Instead, selective application is favored: regulations that enhance business profits—for example, stricter copyright regulations—are supported.

A key component of the neoliberal agenda is the privatization of natural resources and public services, including education, healthcare, law enforcement, and transportation. The prevailing thesis is that the private sector is also more efficient at managing these areas than public institutions. However, it would be reductive to characterize the neoliberal model merely as a risky venture with potentially detrimental consequences; rather, it operates as a mechanism for the expropriation of structures essential to society. The privatization of railroads, roads, internet and fiber optic infrastructure, state-owned industries, and the facilitation of the exploitation of natural resources exemplify processes of primordial accumulation

that focus primarily on the redistribution of wealth, rather than its creation (Hardt and Negri 2018, 208). The neoliberal agenda also proposes reducing state social security institutions in favor of private charities (Crouch 2023, 384). Similarly, it advocates a comprehensive reduction or abolition of taxes, including those on income, corporate earnings, and capital gains. The transformation of the welfare state into a neoliberal state is particularly relevant to this study on human differentiation. Key measures include the disciplining of public budgets, the control of inflation, and the protection of legal contracts. Additionally, the opening of internal and international markets is crucial, which may be enforced by military intervention if necessary. These measures are vital because, from a macro-social anthropological perspective, the effective control and protection of resources is the fundamental strategy for maintaining power within hegemonies. The restructuring of public institutions according to neoliberal principles aims to enhance the efficiency of public services. Furthermore, key decisions in economic policy are to be left to technocratic elites who operate outside traditional democratic processes, thereby facilitating business operations and maximizing profits.

The ideological and political strategies of neoliberalism aim to extend the logic and practices of the market and entrepreneurial thinking to all levels of governance, civic engagement, public sector operations, and even private life. As such, neoliberalism impacts all dimensions of human decision-making and organizational structures. It unfolds as a complex construct that involves more than just the deregulation of markets and the privatization of state services and system-critical infrastructures; it represents a fundamental transformation process reshaping political and economic systems globally. This process is characterized by the growing dominance of the financial economy, which is increasingly distancing itself from democratic oversight bodies and instead, taking political systems hostage. The fragmentation of formerly centralized structures and the promotion of networks at both the state and private sector levels are reconfiguring global power relations. These changes subject democratic institutions and populations to market mechanisms. The restructuring of political systems and their integration into global networks lead to unstable power structures and dependencies. Additionally, the precarization of working conditions and monetary violence emerge, facilitating the domination of individuals and communities. These dynamics accentuate the profound impacts of neoliberalism on the fabric of society and its governance structures. Overall, neoliberalism represents a profound shift in the manner in which political and economic power is exercised, deconstructing traditional structures and replacing them with a network of market-oriented logics that undermine the foundations of democratic governance and social cohesion. The diverse practices and agendas encapsulated by the term neoliberalism have forged a regime that deeply stratifies and classifies individuals, appropriating their potential under the guise of democratic principles, human rights, and freedoms. This heterogeneous, territorially unbound

regime ironically reinforces practices of differentiation and hierarchization based on a seemingly overarching consensus, thus differing significantly from the primordially coded regime of the order of difference shaped by colonialism, patriarchy, and racism. This understanding of neoliberalism does not gloss over the significant discrepancy between the often-propagated democratic values—so-called “Western values”—and the reality of a market-oriented appropriation of the institutions and populations of liberal democracies.

9.3.2 Historical Foundations of Neoliberal Coded Differences in Germany

Germany’s social order underwent a significant realignment after 1945 as part of a profound transformation of traditional power structures (Geissler 2014, 60), within a regime encoded by neoliberal principles. This transformation was closely linked to the role of US hegemony, which initiated a gradual shift in global strategies concerning resource security and financial-economic dominance. These developments are crucial for understanding the orders of difference in the German context. The transition from the Bretton Woods system, characterized by nation-states and their sovereign regulatory and supervisory powers (for more details, see Section 10.2 below), to the post-Bretton Woods era, which began in the early 1970s when the US dollar was decoupled from the gold standard, marked a significant upheaval (Willke 2014a, 13; Graeber 2012, 380). This period of unrestrained demarcation laid the foundation for our post-democratic era, in which market and policy failures catalyzed the emergence of neoliberally coded social orders of difference (Willke, Becker, and Rostásy 2013). This development led to a system of demarcations in which the traditional boundaries between states, markets, and social spheres became increasingly blurred. At the heart of this process was neoliberalization, which promoted a reorganization of social and power relations according to the principles of the market economy and the logic of the free market (see Chapter 9.3.1). The consequences of these shifts are profound and have permanently altered the way in which social differentiations and stratifications are constructed and experienced. Previously, traditional structures were based on firmly anchored hierarchical and often primordially coded differentiations, which were conditioned and maintained by direct power relations and physical violence. In the German context, the period before the Second World War was characterized by a blend of primordial coding and the beginnings of functional differentiation, similar to other parts of Europe (Wiede 2015, 33). Germany had a complex social structure influenced by both traditional and modernizing forces (Geissler 2014, 22). The Weimar Republic (1918–1933) was a time of political and social upheaval, during which democratic principles and the concept of functional differentiation were bolstered by the new republican constitution (Kluge 2006, 293). However, strong primordial ties, such as nationalism and regional identities, persisted. The situation changed dramatically when the National Socialists

came to power in 1933. Nazi ideology heavily emphasized racist and ethnocentric primordial codes, particularly focusing on race and the national community, which became the foundation of its social order. National Socialist rule marked a radical return to these primordial codes, enforced with extreme violence.

After the Second World War and the defeat of the Nazi regime, Germany was tasked with establishing a new social order. In the West, this led to the founding of the Federal Republic of Germany (FRG), which strongly emphasized democratic principles, a market economy, and integration into the international community. This shift meant a departure from primordial codes toward functional differentiation and neoliberal principles. In contrast, the German Democratic Republic (GDR) in the East adopted socialist and communist ideologies, pursuing a different form of functional differentiation, yet also moving away from the primordial codes of National Socialism. However, the cultural codes of the GDR, shaped by socialist ideals such as equality, solidarity, and centralized control of society, did not align with the inherent complexity and self-organization of social systems. Attempts to create a homogeneous social order through centralized planning and strict control contradicted the self-referential nature and operational closedness of social systems. In light of these phenomena, a central question arises: To what extent do the two cultural coding practices—neoliberal and primordial logics—intersect, overlap, or even assume novel forms in contemporary Germany? Following the country's reunification, it became clear that "old" collective identities and resentments—such as regional affiliations, ethnic prejudices, and nostalgic attachments—were far from entirely displaced by the dynamics of a market-driven and globalized society. Instead, a tension emerged in which neoliberal principles—competition, individualization, and the logic of economic competitiveness—increasingly shaped societal consensus. At the same time, a resurgence of primordial codings became evident in right-wing populist and neo-nationalist movements. The simultaneity and interaction of these coding logics are pivotal to understanding the current lines of social differentiation and conflict in Germany. These two strands do not simply coexist; rather, they engage in complex and reciprocal interplay. Neoliberal deregulation often exacerbates societal insecurity and economic precariousness, fostering a retreat into identitarian or separatist movements. Conversely, market-oriented actors frequently invoke traditional or national discourses to legitimize their actions, such as framing the protection of so-called domestic resources as a matter of national interest. A crucial aspect of these cultural codings is their inherent complexity, which renders them difficult to empirically isolate. This very intricacy lends significant weight to the argument that these cultural codings are central to the "regimes of difference orders" thesis. The practices and discourses tied to these codings do not function in isolation; instead, they operate through dynamic interactions with existing social structures, continually adapting to and evolving in response to shifting geopolitical and economic contexts.

9.3.3 Corruption as a Modus Operandi

In critiques of capitalism, it is a commonly held view that money exacerbates social inequalities. This perspective is prevalent among numerous theorists and critics of capitalism. Given this context, this study will not attempt a comprehensive analysis or critique of the role of money per se. From a systemic anthropological perspective, money is regarded as a control medium that significantly impacts differentiation practices and sorting processes in neoliberally coded regimes. Money not only sustains inequalities but also shapes social relations, value systems, and identities within these frameworks. Additionally, it reveals how practices of corruption are systematically embedded as essential components of the neoliberal agenda, profoundly reshaping patterns of communication and interaction within social systems. Neoliberally coded orders of difference rely on economic logics that are fundamentally dependent on the medium of money and facilitate a far-reaching restructuring of social interactions. Instead of relying on rigid governance mechanisms supported by physical force, economic conditioning enables more flexible and efficient coordination based on market dynamics and the lure of potential benefits (Willke 2014b, 161). In neoliberally coded contexts, money initially serves as a powerful tool for controlling individual and collective behavior. By establishing incentives and sanctions tied to monetary conditions, social and economic systems can direct individuals and groups toward specific behaviors. This monetary power (Vogl 2021, 29 f.) is evident in policies that frame unemployment, poverty, and social inequality as individual failures and advocate for solutions based on individual responsibility and market-compliant adaptation. The shift toward money-based governance mechanisms, which themselves constitute a fundamental form of power, leads to a profound redefinition of social systems, fundamentally altering the principles of human differentiation and the structures of social inequality.

Thus, money functions not only as a universal medium of exchange but also as an instrument of power that shapes the conditions and possibilities of social participation as well as the distribution of resources and opportunities. Neoliberalism, characterized by the social dimension of the control medium of money, leads to a shift in traditional orders towards a state of fluctuating indifference (Willke 2014b, 160), in which money plays a seemingly characterless, criterion-less, and differentiation-less role in relation to historical differentiation criteria. This development is described as a de-differentiation of choice opportunities, which, contrary to initial assumptions, generates new forms of differentiation and hierarchy. These choice opportunities refer to the possibilities now available to individuals and groups within social, economic, and political structures to make decisions that influence their lives and societal positions. This trend towards fluctuating indifference, where money appears neutral and historical, cultural, or social differentiation criteria become less significant, is identified as the de-differentiation of choice. Georg Simmel described

money as “indifference itself” (Simmel 1987, 485) and brought forth its capacity to bring order to the dynamic fluctuations of social relationships. Although this de-differentiation seems to undermine traditional hierarchies, the increasing relevance of networks and social capital paradoxically points out the reinforcement of social inequalities. Against this backdrop, the idea that money not only functions as a mechanism of inclusion and exclusion, but also induces profound transformations in social relations, becomes prominent. Through the mobilization of contingencies, money alters the foundations upon which social interactions and bonds are formed, thus contributing to a redefinition of belonging and exclusion. As networks and social capital gain prominence, the mechanisms through which social classes are reproduced and reinforced are increasingly determined by economic resources and the capacity to accumulate capital.

A critical examination of these dynamics reveals an essential ambivalence: while on one hand, money appears to neutralize historically significant differentiations, on the other, it reinforces inequalities by introducing new criteria for differentiation primarily based on economic power. This evolution calls into question the purported neutrality of money and elucidates how it, functioning as a medium of control, actively perpetuates and intensifies profound social divisions. Money has now become a pivotal factor regulating access to social goods, services, and positions. It favors specific forms of consumption as well as access to education and healthcare, thus contributing to the establishment and reinforcement of social hierarchies. Individuals or groups with sufficient financial resources secure advantages and enhance their social positions, while those with fewer resources are marginalized or excluded. Individuals from privileged backgrounds often have access to influential networks and accumulate extensive social capital that helps secure and enhance their social and economic situations. These advantages are frequently passed down through generations, cementing existing class structures. The phenomenon of classism is deeply interwoven with the dynamics of networks and social capital, as both uphold social inequalities. This development harbors an ambivalent, potentially anti-democratic tendency: individual success increasingly depends on personal relationships and access to informal networks, undermining formal qualifications and the principle of meritocracy. Such a social order, in which membership in certain networks determines social and economic advancement, can undermine democratic values such as equality, justice, and equal opportunities and lead to a hardening of power structures that are difficult to dismantle. The role of money as a dominant factor in the creation and reinforcement of social hierarchies and inequalities, particularly through privileged access to social goods and networks, substantiates the issue of corruption as a *modus operandi* in contemporary society (Hardt and Negri 2001, 213; Crouch 2023). The power structures shaped by financial resources and the increasing influence of informal networks indicate a more comprehensive system where corruption is not merely an exceptional occur-

rence but a fundamental mechanism of system maintenance and control. Since the 1990s, the issue of corruption has garnered growing international attention, recognized as a cross-border problem that necessitates global responses. The discourse on corruption reached an institutional milestone between 1994 and 1997, during which time it was formally integrated into the programs of regional organizations such as the Organization of American States (OAS), the Council of Europe (CoE), and the European Union (EU). As a result, corruption is recognized as a systemic issue, integral to understanding power dynamics and governance on a global scale (Katzarova 2019, 3). This phase marked the beginning of a critical engagement in academic research that identified a crisis of legitimacy in anti-corruption initiatives. This led to a shift in focus from merely studying corruption to analyzing anti-corruption efforts within fields such as political science, sociology, and social anthropology. This broader academic inquiry helped to deepen the understanding of the mechanisms and impacts of corruption, as well as the effectiveness and challenges of measures aimed at combating it (Perumal 2023; Terry 2009; E. Brown and Cloke 2011; Holmes 2006; Reinsberg, Kentikelenis, and Stubbs 2021; B. Davis 2016). This development triggered a reassessment of the definition, scope, and strategies to combat corruption at the international level. Paradoxically, it brought back issues that had been intensively debated before being institutionally anchored in international organizations (Cuadrado-Ballesteros and García Sánchez 2017; Kaufmann and Vicente 2011; Campos and Giovannoni 2007; B. Davis 2016). The cyclical return to foundational discussions stems from the extensive stakeholding and lobbying practices that effectively normalize corruption as the status quo. The current form of neoliberalism significantly deviates from the theoretical ideal of market-compliant liberalism, which postulates a clear division between the political and economic spheres. In practice, however, these spheres are becoming increasingly intertwined through close links between corporations and state decision-makers who directly influence policy-making. These interdependencies, often described as lobbying, result in privileges for small groups of influential economic players, contradicting the theoretical principles of a “free market economy.” The practice of leaders frequently transitioning between business and politics, known as the “revolving door effect,” undermines the integrity of both spheres and promotes a conflation of interests that challenges democratic principles. This blending of the corporate and political worlds not only blurs the lines intended to keep these domains separate but also raises questions about accountability and the equitable distribution of power within a society (Crouch 2023, 385). The boundaries and notions of “soft,” benevolent, or malign influence within public policy naturally vary widely and encompass a broad range of channels and methods of influence (Perumal 2023; Kusiak 2019; Dincer and Johnston 2020). Legal lobbying and corruption represent different facets and terminologies of the same phenomenon, which Hardt and Negri succinctly describe as the *modus operandi* of hegemonic neoliberalism (Hardt and Negri 2001, 213).

From a systemic-anthropological perspective, corruption should not be interpreted and evaluated morally but rather seen as an indicator of processes of decomposition and change. Consequently, there is no real escape from corruption, as many anti-corruption campaigns might suggest. Instead, there are only more subtle and clever methods of “soft” influence. The use of the term “corruption” in this context merely indicates the structural and procedural characteristics inherent in social systems. Understood as a fundamental mechanism of a neoliberal society, corruption illustrates how systemic crises and the continuous decomposition of social structures are not only inevitable but also constitutive elements of the imperial condition. In functionally differentiated societies, various social subsystems are defined by unique functions and communication codes. In this context, corruption can be understood as a form of communication that transcends the clearly defined boundaries between these subsystems, thereby impairing their functional autonomy. It enables both individual and collective actors to circumvent sharp system boundaries to direct influence, power, and resources according to their own interests. The self-referentiality of systems—their ability to reflect on themselves and control operations using their own codes and programs—can also facilitate the consolidation of corrupt mechanisms. Thus, corrupt practices are not seen as an external problem but as an integral part of the system’s internal functional logic. This leads to the normalization of corruption, which is particularly challenging to dismantle as systems are primarily geared towards their own self-preservation. The challenge lies in viewing corruption not exclusively as deviant behavior within a system but as a phenomenon that is enabled and maintained by the structures and processes of the system itself. This perspective necessitates a profound reflection on the actual nature and interaction of systems to develop effective, non-trivial strategies against corruption. These strategies should go beyond symptomatic solutions and address the fundamental structural conditions. The role of shadow banks, characterized by their lack of transparency and regulatory oversight, also merits attention in this context (Wullweber 2021). They provide a fertile terrain for corrupt behavior or “soft influence operations” ranging from money laundering to tax evasion by enabling actors to hide assets and income from state control authorities. These practices, although not always explicitly illegal, contribute to the erosion of the rule of law and the reinforcement of financial inequalities by giving disproportionate advantages to the wealthy and powerful segments of society.

9.3.4 Neoliberally Coded Orders of Difference

The normalization of the neoliberal agenda is central to this investigation, particularly in light of the thesis that currently two dominant regimes of orders of difference—and thus of human differentiation—classify, hierarchize, and control people. Special attention is paid to the subjectivizing power of neoliberal characteristics and

their cultural codings. The notion that neoliberal currents subjectivize and condition individuals through their dominant principles has been explored from a variety of theoretical perspectives. Significant contributions have been made by Michel Foucault, Gilles Deleuze and Félix Guattari, Jean Baudrillard, Immanuel Wallerstein, Étienne Balibar, Joseph Vogl, Achille Mbembe, Michael Hardt, and Antonio Negri, among others. These and other critical approaches to capitalism illuminate the profound influence of neoliberal ideologies on the construction of subjectivities. The global spread of the neoliberal agenda is increasingly influencing the cultural coding of everyday life in the West according to neoliberal standards. This influence manifests as national governments adhere to the principles of this regime, thereby imposing neoliberal ideas and practices upon their societies. In subsequent sections, the complex entanglements between neoliberal policies, military conflicts, and the mechanisms of state control such as the police and judicial systems will be discussed in greater detail. However, the initial focus is on the consequences of this ideological penetration for ideas of norms and values, which are increasingly shaped by corporate logic.

9.3.4.1 The Deceptive Rhetoric of Universal Inclusion

The economic evaluation of social categories and identities leads to a re-evaluation of social differences, with individuals and groups being differentiated according to economic performance and their “market value.” This transforms social differentiation processes under the influence of the neoliberal agenda. Neoliberal ideologies that present a variety of social categories such as ethnic, cultural, gender, and religious as neutral and promise universal inclusion reveal an uncomfortable truth about the practice of human differentiation—but only on the condition that the individuals concerned conform to the norms set by financial regimes (Hardt and Negri 2001, 210). This ostensible openness and tolerance are deeply embedded in the debt economy, which defines the true conditions for social participation and recognition. The refusal to recognize this reality and the tendency to repress it are rooted in the tacit agreement that has underpinned the West’s extraordinary prosperity since the Second World War. This dynamic is not solely rooted in historical exploitation but is sustained by an implicit social contract known as “Europe’s concession.” The latter entails Europe’s acquiescence to the neoliberal agenda and US military hegemony in exchange for ongoing financial benefits (see Chapter 10.2). The consequences of this agreement between Europe and the USA, and the resulting comprehensive structures of control, hierarchization, and command to which people are subjected whose governments have joined the prevailing financial regime, are of great relevance in order to understand the subjugation to financial norms. The entire system of hegemonic power and domination should be understood as a neoliberal regime of orders of difference, characterized by a multi-layered network. It combines military and technological dominance with the exploitation of resources and labor under the

deceptive banner of human rights and democracy; it exploits the illusion of diversity and pluralism by reducing them to economic standards, thus subordinating the profound social and cultural dimensions of human differentiation to a logic of exploitation. Individuals and groups are defined primarily by their ability to operate within a debt system, i.e., as human capital in terms of borrowing and consumption. It can be stated that the neoliberal regime profits through the externalization of costs (Lessenich 2018, 61) onto “others”, whereby these “others” are no longer categorized according to primordial criteria. This marks a significant departure from the imperial regimes of inequality of past eras and contexts. However, even with this transition to a seemingly more neutral system of social differentiation under the neoliberal regime, the practice of externalizing costs onto *others* remains a profoundly racist endeavor. The old divisions of the world, shaped by racist structures, continue to manifest themselves in economic realities: migrants and refugees find themselves disproportionately in the low-wage sector, and the costs of neoliberal economic practices are often passed on to those least able to resist, frequently in parts of the world that were historically under colonial rule. These practices reflect a continuation of racist differentiation, even if the underlying criteria differ from the explicitly imperial regimes of the past. This makes it clear that the supposed blindness to differences is not based on a genuine recognition of diversity, but on an instrumentalization of this diversity for economic purposes. Neoliberal doctrine promotes a world in which cultural, ethnic, and religious identities become secondary as long as they are subordinated to the overarching goals of the debt economy. This has led to a paradigm shift away from the logic of colonial dominance towards the recognition and pragmatic integration of diversity and plurality.

9.3.4.2 Socio-Technical Differentiation and Control Mechanisms: The Debt Economy

The shift from external disciplinary measures to the internalization of market principles marks a significant change in the mechanisms of exercising power and control within neoliberal agendas (Deleuze 2014, 349). This transition leads to the shaping of an image of humanity that views the individual primarily as a market participant and a *subject of debt*—a condition that some refer to as “second nature” (Bauman 2010, 104). This perspective fundamentally alters how individuals perceive themselves and their roles within society. It emphasizes economic activity and financial obligations as core elements of human identity under neoliberalism. The implementation of these mechanisms is designed to achieve flexibility and increased efficiency, but it adapts methods from earlier forms of governance and aligns them with market logic. In this context, a variety of socio-technical practices emerge, which are shaped by the neoliberal regime and significantly influence the lives of entire populations. A key aspect of this socio-technical practice is the principle of the debt economy, which not only enables new forms of exploitation,

control, and subjugation but also prefigures and implements them. These practices reflect how the neoliberal regime shapes and imposes cultural codes of life on respective governments (Lazzarato 2012, 35). The financialization of recent decades has significantly contributed to the transformation of subjectivity in favor of a neoliberal hegemony, utilizing culturally coded socio-techniques, as Deleuze stated early on with the sharp distinction between the “enclosed human being” and the “indebted human being” (Deleuze 2014, 350). Deleuze draws attention to the precarious situation in which a large part of humanity finds itself—too numerous for physical confinement and too impoverished to “live” within a debt regime. The expansion of the debt economy through mechanisms such as mortgages, consumer credit, microcredit, and public debt has facilitated broader inclusion in the logic of debt, promoting an entrepreneurial subjective norm. This norm is rooted in the asymmetry of power relations and prescribes modes of future exploitation, thus reshaping individual and collective identities through financial obligations (Macho 2014, 388). Michel Foucault also turned his attention to the transformations within social power relations during the increasingly dominant global neoliberal agenda of the 1970s. He identified a shift towards forms of power in which consumption emerges as the dominant way of life, and consumer credit becomes the central economic instrument (Foucault 2014, 367). Foucault presents a compelling argument that new forms of subjectivation and techniques of governance are founded upon a comprehensive theoretical discourse (Foucault 2001, 2014). The advent of neoliberal tenets such as human capital, the pervasive market, and the necessity of flexibility has given rise to sophisticated modes of exercising power. These concepts are fundamental to an examination of the relationships between time regimes, subjectivation processes, and economic behaviors. In contrast to the disciplinary society, the corporate society—as Foucault refers to it—is based on a handling of time characterized by flexibility and constant adaptation, with the aim of promoting individual initiative. While neoliberal time regimes build upon the tradition of the productivity-oriented disciplinary society, they significantly intensify the pressure on individuals to comply with the expectations placed upon them (Foucault 2014, 308). In his analysis of the characteristics of contemporary corporate society, Foucault identifies a management of time that is characterized by flexibility and constant adaptation, as well as the promotion of individual initiative. This transition entails a shift away from inflexible structures and toward greater autonomy and individual accountability. Conversely, although the neoliberal time regimes within the corporate society are rooted in the tradition of the productivity-oriented disciplinary society, thus demonstrating historical continuity, they paradoxically result in a notable increase in pressure on the subjective willingness to perform. This represents the inherent contradiction: while the disciplinary society is characterized by external control mechanisms and fixed time structures, the corporate society promotes the idea of self-regulation and self-optimization, which results in

an internal pressure that is often perceived as more intense. This internal pressure arises from the constant demand for flexibility, adaptability, and an increase in individual performance, which essentially means an intensification of requirements. However, despite the apparent freedom and self-determination afforded by the framework conditions, the reality is that they are, in fact, more controlling and restrictive than they initially appear. The relationship between the neoliberal time regime and the debt economy can be defined as follows: the demands for constant flexibility, adaptability, and enhanced performance in the corporate society increasingly drive individuals into dependencies, which often manifest as financial obligations. The debt economy fosters a system in which access to resources, education, and social advancement is often achieved through the incurring of debt, thereby placing individuals in a state of perpetual economic obligation. The debt economy is predicated on the concept of “bought time.” By continually issuing new loans that must be repaid in the future, current distributional conflicts are defused amidst escalating inequalities, effectively acting as potential leverage (Szewsz 2022, 213). In the context of debt-economic time regimes, money is regarded as a medium that buttresses the distribution and exercise of power through its capacity to span temporal boundaries, thus creating avenues for action over extended periods. This capacity of money enables individuals and institutions to exert influence and make strategic decisions that can have long-term impacts on economic and social structures. The function of money in extending influence over time demonstrates its indispensable role in shaping and maintaining the dynamics within these regimes (Foucault 2005, 197). Money facilitates the operation of productive power across temporal boundaries, whereby it expands and structures the space of future action. This, in turn, exerts an influence upon social and economic relations within society. The temporal aspect of productive power is frequently disregarded, as it is typically examined in the context of immediate occurrences and interpersonal dynamics. However, Foucault’s perspective offers a more nuanced understanding of the ways in which power operates, not only by controlling or influencing present action but also by shaping the future (*ibid.*, 198). This notion of power as a force that shapes future landscapes of action broadens our comprehension of social governance, demonstrating how social orders reproduce and transform themselves by establishing the conditions for future action. This insight is crucial for an understanding of neoliberal regimes of difference for a number of reasons. Firstly, money is regarded not merely as a medium of exchange or a store of value, but also as a key instrument for influencing future economic and social realities. Moreover, in a debt economy, money and debt act as instruments of preventive power that shape the future actions of individuals and entire societies. Debts are contingent upon future payments, thereby defining predetermined courses of action. They establish the actions that individuals or states are permitted or required to take in the future in order to fulfill their financial obligations. If these insights, which resonate with

Nietzsche's reflections on the indebted man, are considered, it becomes evident that debt functions as both an economic mechanism and a broad societal strategy for governing behavior and ensuring compliance with specific economic and ideological norms. This dual function of debt constitutes a key element in neoliberal economic systems, as Nietzsche already indicated, where financial obligations not only influence immediate economic conditions but also shape long-term social and political landscapes (Sigridur and Helmut 2016). The principle of debt enables the acquisition of resources in the present, with the subsequent deferment of payment to a future date. This financial strategy not only facilitates the acquisition of resources but also structures future actions and lifestyles, in many instances, in advance. In a neoliberal context, where access to credit and the capacity to service debt are increasingly regarded as indicators of economic and social competence, an individual's capacity to act in the future becomes inextricably linked to their financial assessments and creditworthiness. These financial evaluations and the associated credit ratings operate as crucial indicators, delineating individual possibilities for action and driving the restructuring of state control and governance in alignment with principles of neoliberal debt management.

The shift from a welfare-oriented to a debt-oriented state model systematically privileges the wealthy, a transition supported by governmental practices of utilizing tax revenues to service debts to major creditors rather than for funding public welfare. This prioritization benefits creditors who frequently invest their capital in tax havens, further burdening wage earners by reducing the fiscal space available for social service (Saidel 2023, 29). Concurrently, state structures are undergoing a transformation towards an entrepreneurial logic, as evidenced by alterations to the governance rules. These regulations promote the transfer of decision-making authority to decentralized and horizontally structured consultative bodies. The solutions proposed by these bodies—which are often dominated by technocrats—are therefore accorded greater legitimacy than those that arise from democratically elected representatives and their staff. This shift represents a significant transformation in the dynamics of state decision-making. This represents a shift towards governance models that prioritize efficiency and expertise over traditional democratic processes. Such a shift has the potential to alter the relationship between citizens and their government, with technocratic insights becoming more highly valued than popular will. This reconfiguration of authority challenges the foundational principles of democratic governance and reshapes the processes of policy formulation and implementation (Dardot and Laval 2019, 219). However, the processes of financialization do not lead to a reduction in government activities or administrative practices. Instead, there is an erosion of state structures characterized by a reorientation of government objectives, principles, and procedures that increasingly diverge from the traditional foundations of representative democracy

(Vogl 2021, 27). In this context, socio-technical differentiation and control measures assume a pivotal role, as they not only facilitate the implementation of these novel governance models but also enable the monitoring and control of the population in accordance with neoliberal debt management principles. These developments represent a significant departure from the foundational principles of representative democracy and human rights-oriented legislative institutions. These developments exemplify the profound impact of neoliberal logic on state governance and its associated control mechanisms. Neoliberalism has effectively prioritized financial logics over democratic processes and human rights considerations, reshaping the very nature of state governance.

In light of the enduring financial crises that have emerged since 2008, it is imperative to extend the scope of discourse beyond Foucault to conduct a comprehensive crisis-theoretical analysis of neoliberal social structures. The collapse of Lehman Brothers Bank in September 2008 marked the onset of one of the most severe global economic crises since the Second World War. This was further exacerbated by subsequent crises and the advent of the global pandemic, which collectively posed significant additional challenges on a global scale. In the United States, the inability of many individuals to meet their mortgage payments resulted in significant losses of income, while the lack of sufficient health insurance led to an increase in debt due to unexpected medical expenses. In Europe, the financial crisis evolved into a sovereign debt crisis as government funds were redirected towards the bailout of private banks. In lieu of providing assistance to those affected, Western countries provided support to financial institutions and implemented austerity policies that favored creditors, which led to the coining of the term “punitive neoliberalism.” This term reflects a shift in policy orientation that not only fails to protect the vulnerable but actively imposes further hardships. This demonstrates a stark alignment with neoliberal priorities that emphasize fiscal austerity over social welfare (Davies 2017; A. Gupta 2018; Wacquant, Steinmetz, and Wacquant 2009). In this phase, neoliberal governance does not seek to gain legitimacy through consensus; rather, it punishes those who are already suffering as a result of social cuts, privatization, the dismantling of healthcare and education systems, and rising unemployment. Rather than subjecting the policies that precipitated these crises to rigorous scrutiny, the general population is often held culpable for excessive spending, a portrayal that is misleadingly disseminated by financial institutions as a rationale for the implementation of austerity measures. This shift in narrative serves to deflect responsibility from policy failures and places the burden of economic downturns on the very individuals most affected by them. This strategy not only undermines the accountability of financial and governmental bodies but also exacerbates the vulnerabilities of those least equipped to bear them, thereby deepening social and economic disparities (Lazzarato 2015, 122).

The integration of these considerations into the principles of modern systems theory requires a reflection on their crucial role in governing societies and managing social complexity. It is imperative to prioritize the principle of non-linearity. Complex social systems are distinguished by their dynamic, multi-layered interactions, which transcend the boundaries of conventional cause-and-effect relationships. In the context of the debt economy, it is not merely quantitative variables such as the amounts of money that are of consequence; social and temporal dimensions also exert an influence on future possibilities for action and the distribution of social inequalities. As the complexity and dynamics of the world increase, the probability of stable social structures becomes increasingly improbable. This scenario thus requires the implementation of enhanced and targeted control measures to ensure social order and to counteract the effects of entropy. The tendency of neoliberalism to dissolve established structures renders this task even more pressing. The neoliberal agenda deliberately exploits the increasing entropy, or instability, in social and economic systems to consolidate power relations. Instead of minimizing entropy, the debt economy exacerbates systemic dependencies by rendering states and individuals who find themselves in a debt trap increasingly reliant on the conditions of financially robust actors. The resulting destabilization of social and economic structures creates an environment conducive to the continuous realignment of influential actors' positions, enabling them to exploit the weakness and instability of others for profit. In this context, the concept of entropy is not reduced but rather utilized as a means of control. The resulting volatility and the constant need for adjustment and reorganization form the foundation for the maintenance and exacerbation of power relations. The deliberate design of financial markets and economic incentives within the context of neoliberal coded regimes illustrates that human action markedly increases the complexity of social systems. This effect cannot be attributed to natural evolutionary processes. In contrast to evolutionary processes, which are characterized by long-term, gradual adaptations, deliberate interventions in social and economic structures result in rapid and often unpredictable changes. Such a situation thus requires careful management and regulation. It is evident that the endeavor to simplify or trivialize intricate social systems by exerting control through external mechanisms is a flawed approach. This approach fails to take into account the intrinsic dynamics of social systems, which are defined by internal processes, historical developments, and diverse interactions. The endeavor to reduce these systems in terms of their complexity and to make their reactions predictable can, paradoxically, result in increased complexity and unpredictability. It is therefore imperative to acknowledge the intrinsic complexities of social systems and to be mindful of the potential consequences of external intervention on their intrinsic dynamics. Such actions may result in unforeseen outcomes. Rather than denying the complexity of social systems, it would be more prudent to encourage their acceptance. Subsequently, control approaches should be developed that are able to react flexibly and

adaptively to the multitude of influencing factors. Socio-technical practices of debt economics divide society into those deemed creditworthy, who thus have access to certain resources and privileges, and those who are marginalized and excluded by debt. The sociocybernetic perspective—and thus a second-order observation—reveals that this division is not merely a reaction to individual financial decisions but a form of social order formation that is actively produced by the financial system and its interlocking socio-technical practices. This formation of order is autopoietic: it reproduces itself through the constant application of its own distinctions, whereby individuals are repeatedly inscribed into the system and repositioned according to its rules. The socio-technical practices of financialization are therefore not neutral or merely functional; rather, they are deeply involved in the construction of power relations and the production of social human differentiation. In light of the economic and social turmoil caused by financial crises, these practices also offer a means of reshaping and consolidating power relations. They achieve this by introducing new forms of control and surveillance made possible by the digitalization and automation of financial services.

Viewing punitive neoliberalism through the lens of recent and complex systems theory reveals paradoxes that emphasize the system-stabilizing consequences of punitive mechanisms, even if this might be perceived as cynical given the real suffering and despair of countless people. These measures, which at first glance appear destructive or at least counterproductive, actually contribute to maintaining and strengthening the system as a whole on several levels. They promote systemic resilience by creating adaptive control and social homogeneity that facilitate the enforcement of neoliberal policies. Selective punishment further strengthens the system by maintaining a meritocratic illusion that emphasizes individual responsibility for economic success or failure. This helps legitimize the existing social order and reduces the pressure for reform. Fear and insecurity operate as additional cohesive forces that promote conformity to neoliberal norms and establish a culture of self-monitoring. The illusion of choice conveyed by the system reinforces the ideology of individual freedom while obscuring the actual extent of real scope for action. Finally, the punitive neoliberalism approach enables effective crisis management, further reinforcing the neoliberal logic by managing crises through austerity policies and demonstrating the adaptability of the system. This development reinforces the asymmetrical power relations between lenders and borrowers and consolidates the position of financial institutions as central actors within the neoliberal order. Through the use of credit scores, the tracking of financial transactions, and automated decision-making, individuals are locked into a web of surveillance and evaluation that shapes their social and economic opportunities. These practices constitute subtle forms of social control that deepen and reinforce the neoliberal logic of self-responsibility and entrepreneurial subjectivity.

Resistance to punitive, neoliberally coded socio-techniques is understood from the perspective adopted here as an expression of systemic dynamics and mechanisms essential for understanding the interaction between different social systems and their environments. These resistances reflect not only the limits of system integration and stability but also the potential for transformation and change within complex social structures. Through organized protest movements, strikes, civil disobedience, and the creation of alternative economic structures based on solidarity, resistance takes many forms that challenge the homogeneity and conformity sought through mechanisms of punishment. This was particularly evident worldwide during and after the COVID pandemic. Such resistance demonstrates the limits of the system's adaptability and often leads to increased solidarity among the marginalized as well as a broader recognition and denunciation of structural injustices. This compels the system to reconsider its own strategies, revealing that social homogeneity and conformity are not readily enforceable. In the context of autopoiesis and self-organization, resistance to punitive socio-techniques reflects the ability of social systems to reproduce and organize themselves independently. The diverse forms of resistance illustrate how individual and collective actors develop their own structures and communication channels within their systems to respond to perceived injustices and dysfunctions. This self-initiative and self-organization in resistance can lead to the emergence of new social movements and networks that promote alternative models of social order and economic practices. Resistance can also be understood as irritations that generate resonance within a social system, thus initiating processes of change. The articulation of dissatisfaction and the demand for change through resistance movements represent irritations that cannot be ignored, prompting self-reflection and potentially leading to an adaptation of system operations when a critical threshold is crossed. These processes are crucial for the evolution of social systems, as they identify where adjustments are necessary to maintain system integration and ensure the acceptance of systemic logic within society. However, resistance is not only intrinsic to the system in the sense described but also acts as a catalyst for social change by emphasizing the need for structural reforms and presenting alternative visions of a fairer society. These dynamics challenge the legitimacy of the social system and promote critical reflection on neoliberal policies. Furthermore, resistance compels the system to confront its own contradictions, potentially generating new discourses and practices and possibly leading to an opening towards more inclusive policies. This interplay of the dynamic and responsive nature of social systems encompasses resistance not merely as opposition, but as a crucial force that propels systemic evolution.

9.4 Intersecting Codes of Differentiation

This subchapter examines the integration of two distinct patterns of differentiation: the primordial and the neoliberally coded orders, along with their associated control and selection mechanisms that contribute to the reinforcement and expansion of hegemonic power structures. To further illustrate the hybridity of these orders of difference, punitive socio-techniques and penal populism are explored in detail. These aspects of human differentiation vividly demonstrate how the interplay between primordial and neoliberal logics not only shapes social orders and individual identities but also manifests itself in the realms of social control, legal regulation, and media communication. This blending reveals the complex ways in which historical and contemporary forms of governance intertwine and evolve to maintain and extend their influence in society.

9.4.1 Punitive Socio-Techniques: Criminalization of Poverty

Neoliberally coded socio-techniques for the punishment and criminalization of poverty serve functions that extend beyond those discussed in the previous section, thus representing a highly effective set of tools for systemic maintenance. These punitive policies are characterized by a *systematic conflation of criminality, poverty, and immigration*, marked by the confusion—reproduced and constantly reinforced in the media—between actual insecurity and the suggested “feeling of insecurity” (Wacquant, Steinmetz, and Wacquant 2009, 3). The expansion of punitive socio-techniques now permeates the entire societies of liberal democracies and has been the subject of research across various disciplines since the 2000s. The broad implementation of these techniques not only enforces specific norms but also shapes societal perceptions and interactions, merging socio-economic challenges with security threats. This fusion facilitates the justification of stringent control measures in the name of public safety (Garland 2010, 2008; Schuilenburg, Hall, and Garland 2015; Garland 1990; Fassin 2017).

Particularly striking is the broad, cross-party political consensus and the widespread approval from various social classes, achieved through the same populist maneuvers. This can be seen as a *skillful instrumentalization of schemas* that initially overwhelm people without their conscious reflection. In these schemas, specific emotional evocation practices are linked to narratives without any direct causal relationship—an aspect already discussed (e.g., in Chapter 5 or 9.2). Alongside neurobiological and purely physiological mechanisms that trigger a chain of biochemical processes beyond conscious control, the *exploitation of existential fears* (see Chapter 4) is employed. This deliberate construction of confusion aims to redirect diffuse fears—sparked by the increasing complexity of social changes such as the disintegration of wage labor, the crisis of patriarchally structured families,

and the erosion of traditional authority relationships—specifically toward the figure of the non-white delinquent. The appropriation of time from people who are marginalized and stigmatized on various levels, including many young people experiencing racialization in suburban areas or homeless refugees, is not aimed at converting their time into productive activities or work. Instead, it supports broader strategies of control and exclusion, reinforcing existing social hierarchies and power imbalances (V.E. Thompson 2020, 65). Instead, the control of their time reflects a systematic devaluation of these individuals, perceived as expendable and worthless within the economic system. The control over one's own time is stripped away from those affected through lengthy, often meaningless or degrading processes. These include bureaucratic obstacles, waiting for asylum decisions, and coercive measures. Such circumstances result in a state of powerlessness that prevents active participation in society and the improvement of individual living conditions. The expropriation of time further marginalizes those affected and functions as a tool for maintaining social inequality. According to Davis (M. Davis 2004, 11), these people have become “waste,” redundant to the mechanisms of global capital accumulation or entrepreneurial systems. This “waste” exists outside the regular boundaries of labor exploitation, and its positioning varies along intersectional lines, where primordial and neoliberal codings intermingle. This blend not only enhances the effectiveness of punitive socio-techniques as instruments of systemic maintenance but also embeds them more deeply within the social and cultural matrix of society. The confiscation of time, particularly evident among marginalized and stigmatized groups, manifests in an unequal and often coercive allocation of their time by external conditions that severely restrict their autonomy over how they spend their time (Behnam Shad 2021, 181). Marginalized groups, including many refugees, spend a disproportionate amount of time navigating bureaucratic processes, whether it's asylum procedures, social welfare, or searching for accommodation. This time could be utilized more productively, but instead, it is consumed by systems that offer little benefit to those affected. The ongoing uncertainty and prolonged waits for decisions monopolize the time of these individuals, often hindering their ability to improve their situations independently. Furthermore, these marginalized groups frequently have limited access to education and the labor market, which compels them to engage in less productive or precarious activities that contribute minimally to their personal development or to the improvement of their living conditions (ibid., 247). Spatial isolation from social and economic centers, common in peri-urban areas, results in lengthy commutes and further alienates these groups from opportunities for participation. This systemic allocation of time not only perpetuates their marginalization but also reinforces the socio-economic barriers that keep them isolated from mainstream society (ibid.). In this context, the supposed “superfluousness” of these individuals is not only made visible by the socio-techniques described but actively brought into being.

Practices aimed at the appropriation of time and energy vividly illustrate how the system labels those affected as expendable and cements their ongoing exclusion. Ironically, it is precisely the majority of these people who are actively seeking work and striving to find regular employment. The systematic use and control of their time effectively declares these individuals as the “superfluous” of the system, whose exclusion and supposed worthlessness are continually dramatized and reinforced by such approaches. This paradoxical situation, where those most eager to participate in society are hindered by structural barriers and labeled as expendable, embodies the deep-rooted injustice and the paradox of “inclusion.” These dynamics reveal a harsh reality where the rhetoric of inclusion and opportunities contrasts sharply with the systemic mechanisms that perpetuate exclusion and marginalization. This contradiction lays bare the critical flaws in societal structures that claim to promote integration and equality while systematically disenfranchising certain groups, further entrenching social and economic divides (Behnam Shad 2021, 262). Access to language and education has been evidenced to be the most sustainable method for ensuring the long-term integration of marginalized individuals and groups (Cerna, Brussino, and Mezzanotte 2021; Antoninis et al. 2020; Pablo López 2014). This approach does not necessitate the implementation of intricate measures; rather, it hinges on the political will to pursue this course of action in a consistent and unwavering manner.

A comparative analysis of the development of punitive practices in Western countries over recent decades reveals a close link between the rise of neoliberalism, which prescribes submission to the “free market” in all areas, and the introduction of punitive and proactive law enforcement policies. This correlation suggests that as neoliberal policies have increasingly dictated economic and social frameworks, there has been a parallel increase in the use of punitive measures as a means of social control. Neoliberalism’s emphasis on individual responsibility and market governance has extended into the realm of social behavior and law enforcement, promoting policies that are more aggressive and less tolerant of deviation from societal norms (Wacquant, Steinmetz, and Wacquant 2009, 1). These policies are directed not only against street crime but also against individuals affected by socio-technical measures of differentiation and control, who now find themselves within a new matrix of normative order that intertwines both social and criminal policy in both fact and rhetoric. Regardless of national characteristics and institutional variations, these policies exhibit common features that, with the rise of neoliberalism, indicate a shift in the state’s focus from welfare provisions to criminal justice measures. This shift has been particularly noticeable in the USA and the United Kingdom for decades but is also becoming increasingly apparent in France, Germany, and other European countries. In Germany, the prevailing self-image of legitimately acquired prosperity is increasingly leading to suspicion and defamation of immi-

grants who seek to partake in this prosperity through work and social security contributions. The bourgeois establishment is accompanied by fears of losing much, reflected in populist-racist rhetoric. The competition for prosperity (see Chapter 4.2) and the public devaluation of migrants characterize the social debate on migration: immigrants and refugees are portrayed as economic and cultural threats. This combination of economic concern and cultural demarcation leads to the articulation of derogatory stereotypes, evident in populist movements against refugee homes, mosque constructions, and the entry of Sinti and Roma from southeastern Europe. Patterns of poverty defamation and anti-Roma differentiation are becoming more recognizable. While support from the welfare state is decreasing, criminal policy is intensifying, and the criminalization of immigration and poverty is on the rise. Even left-liberal parties are increasingly veering towards this populist entanglement and are advocating more restrictive socio-techniques toward the most vulnerable in society. These include noticeably harsher deportation policies and social policy measures, such as the introduction of payment cards for refugees, accompanied by simultaneous emphasis on and demands for their “integration.” Such measures illustrate how major political parties align themselves with the rhetoric and demands of far-right groups. This intricate interplay of socio-economic pressures, cultural fears, and policy responses underpins the broader dynamics influencing public attitudes and governmental strategies toward marginalized groups, vividly illustrating the profound impact of human differentiation in shaping contemporary societal norms and practices.

9.4.2 Penal Populism

In many Western nations, there has been a marked shift in criminal policy towards a retribution-oriented approach in recent decades (Alexander 2012; Sykes and Western 2021; J. Simon 2007; Jennings et al. 2017; Pratt and Clark 2005; Pratt 2023). This shift manifests in a majority-based collective identity that increasingly emphasizes retribution and punishment rather than rehabilitation and resocialization (Garland 2016, 358). This paradigm shift reflects a deeper identification with what is considered the primordially coded “ingroup”, accompanied by an intensification of the associated *prosocial* collective affects (see Chapter 4). Concurrently, there is a merging with neoliberally coded differentiation strategies. Central to this development are escalated demands for harsher punitive measures, motivated by a growing desire for revenge and retribution. This alignment reflects a societal shift towards viewing punishment as a primary mechanism of control, merging established norms with contemporary neoliberal governance to shape responses to crime and social behavior (Reitz 2018). Once dominated by expert opinions and professional standards, the *affects of revenge and the desire to punish* have now become central themes in political and public discourse on the criminal justice system (Sykes and Western 2021; Re-

itz 2018). Criminal justice decisions are increasingly influenced by populist tendencies and public opinion, leading to the marginalization of professional expertise and scientific knowledge. This trend reflects a significant shift in the dynamics of legal systems, where emotional and reactionary responses are prioritized over measured, evidence-based approaches (Nixon and Atkinson 2020). Political measures in criminal justice are increasingly geared towards election campaign themes and bold slogans such as “prison works” or “zero tolerance,” signaling a shift from well-founded analyses to popular opinions (Western 2006; J. Simon 2007). Today’s criminal policy is dominated by populist voices that leverage the “suffering people” and their fears to garner votes in a populist manner. This shift demonstrates how research and criminological knowledge are becoming less important, while subjective experience and “common sense” are increasingly preferred (Garland 2016). The empirically observable focus on retribution and punishment (see cited studies in this section), alongside the simultaneous neglect of rehabilitation and resocialization, reflects an increased identification with a culture constructed as an in-group and the associated collective affects. Criminal justice measures are increasingly viewed not as means of social improvement but as expressions of “penal populism” (Pratt 2023), characterized by an emphasis on collective outrage and a desire for retribution. Penal populism gains momentum from a collectively formed identity centered on retribution and punishment, reinforced by the ongoing invocation of narratives and values that favor punitive measures over rehabilitative approaches. The clamor for harsher punishments stems from a deeply ingrained logic justified by constructed group membership and collective emotional drives, such as the desire for revenge. The repetition and dissemination of content shaped by specific, culturally coded semantics (see Chapters 2 and 8) serve to affirm and reinforce the constructed collective identity and its associated values. This shift marks a significant change in public perception regarding crime and punishment, where punishment and imprisonment are increasingly viewed as direct and suitable responses to perceived threats and criminal acts. The prioritization of emotionally charged rhetoric over empirical evidence not only molds public perceptions but also sways policy-making, frequently at the expense of informed decision-making and effective crime prevention strategies. This broader societal shift toward a more punitive approach is driven by emotional and populist currents, rather than by evidence-based criminal justice practices (Jennings et al. 2017).

In this way, complex social problems are reduced to emotional, simplified reaction patterns, which has far-reaching consequences for the design of criminal policy and the way society addresses delinquency. The term “penal populism” encompasses more than just a superficial tendency among politicians to support popular punitive measures. It concerns the structural embedding and comprehensive transformation of power within the penal system of neoliberal social orders, extending beyond

the actions of individual politicians. The sociological dimension of populism is essential for identifying the specific characteristics of penal populism and for thoroughly examining its far-reaching implications (Pratt 2023, 8). Understanding these dynamics is crucial to grasp the mechanisms of human differentiation and the role of subjectivation processes in contemporary society. The historical evolution of the criminal justice system, particularly in the German context, reflects a profound shift from a phase of rigid and public punishment, as described by Michel Foucault for the 18th century (Foucault 1977, 9), to more modern forms of punishment. These contemporary approaches favor fines and resocialization measures and align with Norbert Elias' theory of the civilizing process, which posits the suppression of aggressive punitive effects and the need for revenge as characteristics of a civilized penal system. This evolution suggests a move toward more nuanced and rehabilitative approaches, although the rise of penal populism presents a counter-trend that emphasizes punitive measures, often in response to public emotions rather than empirical evidence. This tension between historical trends toward civilization and contemporary populist movements reflects the ongoing complexities and challenges within the criminal justice system (Garland 2008, 103). More recently, however, there has been a noticeable return to a harsher penal system, particularly evident in the treatment of drug offenses. This trend is bolstered by neoliberal and neoconservative movements. The "decline of the rehabilitative ideal," described by Francis Allen in 1981 (F.A. Allen 1981), signifies a shift away from the welfare state and correctionalist principles that have historically guided criminal justice interventions. Currently, retribution, harm reduction, and risk management are prioritized over resocialization goals. This pivot away from resocialization as the core objective of criminal justice represents a fundamental paradigm shift. The once-central ideal of resocialization is now regarded as unattainable, illusory, and even politically dangerous, seen as a source of counterproductive outcomes. This erosion of faith in the rehabilitative potential of the penal system marks the end of a long-established system founded on a set of assumptions, values, and practices that underpinned the modern penal framework, reflecting a significant transformation in societal and political attitudes towards punishment and rehabilitation. Penal populism is influenced by both regimes of the order of difference—the primordial and the neoliberally coded. The combination of neoliberal individualization with primordial exclusion fosters an atmosphere of fear and insecurity, intensifying calls for harsher punitive measures. In this context, criminal law becomes an instrument of social control that solidifies existing power structures and upholds social order by sanctioning deviant behavior and further marginalizing excluded groups. While the deluge of information and the pace of social change can overwhelm individuals, the simplistic narratives offered by the codes of penal populism provide seemingly straightforward solutions and scapegoats for complex problems.

Penal populism is largely driven by affects and emotions such as threat, anger, alienation, and disappointment towards the criminal justice system. It advocates for increased protection and security for law-abiding citizens and calls for more rigorous punishment of criminals. Evolutionary intuitions are pivotal in this context (see Chapters 3 and 5), and their strategic utilization through discursive means and media channels acts as a powerful mechanism of emotional evocation. This dynamic is instrumental in shaping public perception and behavior, mirroring broader trends seen in populist movements. Such emotional evocation leverages deep-seated intuitive responses to craft narratives that resonate on a fundamental psychological level, thereby influencing collective attitudes and actions. The automated processes of cognitive-affective-bodily schemata, fueled by primordially coded references in penal populism, mobilize emotions, thoughts, and the desire for retaliatory politics and stricter punitive measures. Primordial codes invoke notions of an ethno-nationally coded identity and belonging, promoting simplified and regressive concepts of security and order. These ideas resonate deeply with the targeted individuals and groups, who, driven by a desire for simplicity and clarity, expunge ambiguity from their consciousness. This cyclical self-reinforcement illustrates the autopoietic nature of penal populism: through continuous resonance and reproduction of its own structures and content, it sustains and regenerates itself repeatedly.

A central element in the primordial coding of penal populism is the appeal to the basic human need for security. Both individuals and groups possess a strong interest in protecting their own identity against all forms of threat. This affective reaction pattern falls into the realm of the homeostatic impulse, which operates automatically and unconsciously (Chapters 3 and 6.3.3). Similar to other basic human needs and functions, such as breathing and heartbeat, these impulses are not readily questioned or consciously controlled. One of the most critical protective mechanisms against attacks on the integrity of identity or the ability to identify with one's respective self-image is the *identification and establishment of suitable targets for externalization*. These targets often manifest in constructed groups, countries, institutions, or sometimes even individual enemies, serving as focal points for societal anxieties and fears (Shafir 2013; Köhler 2019; M.J. Butler 2019; Evrigenis 2007).

The principle of the necessity for existential security, as discussed in the context of group-based identification dynamics, terror management theory, and death awareness in Chapter 4, pertains to the fundamental desire for the protection of life and identity. This need is not exclusive to the context of war; it also manifests in the domain of penal populism. The deep-seated desire for existential security, along with the desire for simplicity and the excessive demands of ambiguity, is used as a rationale for the legitimization of retribution-oriented policies. This instrumentalization is particularly effective when narratives focus on crime, regardless of whether the associated associations with foreign groups are statistically significant or whether a causal link is even permissible. Instead, some particularly egregious

cases are deliberately brought to the forefront of public attention, leveraging the fallacy of false causality or post-hoc fallacy to strengthen the call for harsher punishments and stricter law enforcement measures. This approach amplifies public fears while simultaneously solidifying the socio-political agenda that favors punitive measures over rehabilitative or preventive strategies. The phenomenon of crime evokes profound anxieties pertaining to transience and vulnerability, underscoring perceived threats to personal security. The direct exposure to violent acts, such as murder and manslaughter, reminds us of the finite nature of life and dramatically heightens societal and individual awareness of mortality. In accordance with Terror Management Theory, cultural worldviews function as a means of mitigating the debilitating fear of death, offering a semblance of immortality through the continuation of enduring social structures and norms. However, when crime challenges these protective worldviews, it has the effect of undermining the very foundations of security and order, thus intensifying death-related anxieties. In the context of penal populism, the insecurity induced by crime has a greater impact than simply evoking fear; it also disrupts the typical coping mechanisms that help individuals manage their awareness of mortality. This disruption gives rise to an intensified search for safety and order, which frequently manifests in public support for stringent criminal laws, robust law enforcement, and other public safety measures designed to mitigate the perceived threat of crime. This dynamic is conveyed through a reductionist friend-foe schema, whereby harsher punishments are presented as the solution to eliminate crime and neutralize threats. This schema comprises a complex interplay of psychological needs for security and identity preservation, entwined with *realpolitik*, which is the study of the practical aspects of politics rather than moral or ideological considerations. In this context, basic human needs are not merely acknowledged; they are actively exploited in accordance with the strategies and interests of *realpolitik*. As a result, criminal populism frequently gives rise to societal fragmentation and conflict, rather than consensus-building, as it exploits and intensifies public anxieties to consolidate support for more punitive measures. This approach is ineffective in addressing the underlying causes of crime and, furthermore, helps exacerbate societal divisions and hinder the potential for rehabilitative justice. This leads to a discernible discrepancy between the expectations of the general public and the actual policies and practices of the criminal justice authorities. Of particular interest here are the “unfulfilled promises” of the nation-state (Jörke and Selk 2017, 95), which are also manifest in the context of criminal populism. One of the central promises of nation-states was to dismantle established hierarchical social orders. These promises entailed a transition to fairer and more egalitarian social structures, in which the distribution of power, privilege, and access to resources would not be predetermined by factors such as birth, social class, or membership in certain elites. Nevertheless, within the context of the debate surrounding the logics of differentiation, a tension emerges whereby the perspectives represented by

primordial coding shed light on post-democratic conditions, such as the rise in precarious working conditions and the escalating cost of living. These conditions are informed by archaic behavioral patterns shaped by evolutionary developments, such as the proclivity for revenge and a pronounced tendency to punish. This proclivity is frequently linked to discriminatory attitudes towards ethno-nationally defined “others,” particularly individuals with darker skin tones. An illustrative example of this phenomenon is the media focus on criminal asylum seekers, which frequently portrays them as a monolithic entity, representative of all refugees. Such portrayals not only intensify societal divisions but also indicate a failure of the criminal justice system to adapt to the evolving social landscape.

The police statistics published by the German police in 2024 (PKS 2024) indicate an increase in the crime rate, particularly among foreigners. This raises questions about the interpretation and analysis of social developments, particularly in regard to the methodology employed in the compilation of the statistics. Nevertheless, a more detailed analysis reveals several problematic aspects of this presentation. Firstly, it should be noted that the statistics in question are based on reports, which do not necessarily result in convictions. Furthermore, the Police Crime Statistics (PKS) serve primarily as a report on police activity, recording all suspicious situations that typically come to the attention of the police through private reports. Consequently, these figures primarily reflect the cases that the police have chosen to record and see, indicating an increase in the number of cases processed, possibly due to an increased willingness to report crime. It is imperative to examine which incidents are reported to the police and which are not. Research indicates that individuals who are perceived as not belonging to the in-group are more likely to be reported (see Chapter 4). A notable proportion of the documented cases pertain to collective accommodations where social and official control is more rigorous. It is frequently not the residents who contact the police, but rather the caretakers or facility managers. This heightened level of control is markedly different from that observed in ordinary residential homes. Such portrayals function as mechanisms to uphold a simplistic and negative image of “foreign people” that fails to accurately reflect reality. The tendency to emphasize ethnic origin in media reports on crime in Germany hinders rather than facilitates clarification, engendering unsuitable generalizations and stigmatization.

Furthermore, the media’s response, which frequently reiterates sentiments such as “Those who do not adhere to established norms must be removed” (Welt 2024), solidifies this stereotypical view and legitimize a simplistic and exclusionary attitude towards individuals with a migrant background. This, in turn, contributes to the exacerbation of social divisions. The primordial origin of an individual has no causal link to criminal behavior; rather, crime is the result of a complex interplay of social, economic, and personal factors. The post hoc fallacy, also known as the *fallacy of false causality*, occurs when causal links are drawn between crime and groups

constructed as foreign without a statistically significant or factually justified basis. *This logical fallacy occurs when a correlation between two variables* (in this case, criminality and membership in a primordial group, constructed as a “foreign ethnic group”) is *erroneously interpreted as a causal relationship without sufficient evidence to support such a conclusion*. Furthermore, there is the potential for the cognitive error of overgeneralization, which involves drawing inadmissible conclusions about entire groups based on individual cases that are particularly conspicuous and may not be representative of the group as a whole. This can result in the formation of distorted and unjustified stereotypes. In this context, the concept of overgeneralization suggests that even a supposed correlation between an individual’s primordially coded origin and criminal behavior is not necessarily present. A focus on primordially coded origin obscures the complexity of criminal behaviors and to cement prejudice by falsely suggesting that criminal behavior is inherent to or more prevalent among certain ethnic or national groups. This approach is inconsistent with the principles of equality before the law and individual justice, as it prejudices individuals based on primordially coded affiliation, thereby promoting discrimination and fostering social division. Consequently, there is a pressing need for a more sophisticated comprehension of criminality and its underlying causes. This points to the necessity of addressing the fundamental social and economic issues rather than resorting to punitive measures based on flawed assumptions. In cases of criminal activity perpetrated by nationals—that is to say, individuals who are considered to be part of the in-group—the indication of origin is often absent, and there is a discernible tendency to grant forgiveness. Specific schemas play a pivotal role in this context, as they facilitate mutual preference and loyalty among members of the primordially coded “own groups,” thereby evoking heightened empathy. This dynamic gives rise to a continuous, self-reinforcing feedback process whereby norm violations perpetrated by members outside the in-group are perceived as more serious than those committed by in-group members (Wildschut and Insko 2007; Chester A. Insko et al. 2005; C. A. Insko et al. 2001; Gaertner and Insko 2001, 2000; Böhm, Rothermund, and Kirchkamp 2013). Offences perpetrated by those considered to be part of the same social group are more likely to be excused through the use of rationalizations that attribute the behavior to exceptional circumstances. In contrast, the actions of those perceived to be outside of this social group are more likely to be interpreted as representative of the group as a whole. This differential treatment indicates a significant bias in societal responses to criminal behavior, which is influenced by underlying social and cultural affiliations. The inclination to empathize with and pardon members of the “own” group while harshly condemning and generalizing the actions of those outside the group not only upholds social divisions but also reinforces discriminatory practices within the criminal justice system (ibid.).

9.4.2.1 Racial profiling

Racial profiling is a police practice where individuals are singled out and treated differently based solely on primordially coded characteristics such as skin color, ethnicity, or perceived national origin. This practice involves selecting individuals for surveillance, control, harassment, and repressive measures based on these attributes rather than on evidence of actual wrongdoing. One of the primary criteria for such police selection, especially in the European context, is skin color, resulting in predominantly non-white individuals being disproportionately affected by racial profiling (Plümecke and Wilopo 2019, 151). For this reason, numerous studies on racist police practices specifically focus on discrimination based on skin color. Racial profiling not only imparts to police and security forces the impression that criminality is linked to ethnicity, but it also perpetuates this notion among the wider public. This cyclical reinforcement of biased perceptions creates a feedback loop where discriminatory practices are normalized and justified under the guise of crime prevention (Kollabor.-Forschungsgr.-Racial-Profiling 2019). Focusing solely on primordially coded, or “racialized,” characteristics is insufficient to fully grasp the complex phenomenon of racial profiling. To understand it comprehensively, it is crucial to consider a broader spectrum of factors, including socio-economic conditions, historical contexts, and the institutional frameworks within which these practices are embedded (Plümecke and Wilopo 2019). In recent decades, racial profiling has also adapted to changing conditions in Western societies, particularly with regard to the increasing sensitization of the majority population to issues of discrimination. This growing awareness has led to more public scrutiny and criticism of discriminatory practices, prompting some law enforcement agencies to review and revise their protocols. However, despite these changes, the underlying structures and biases that enable racial profiling often remain deeply embedded within the systems (Jones and Mendieta 2021; Harris 2020; Rutland 2020; Loick and Thompson 2022). Over the last twenty years, racial profiling has become significantly modernized and systematized in the USA, a development closely linked to the so-called “War on Drugs.” Initially launched nationally in 1971 under President Nixon, the War on Drugs quickly escalated into an overwhelming endeavor that surpassed all previous efforts in its scope and intensity (Foster 2023, 110). The “War on Drugs” campaign profoundly impacted law enforcement tactics, notably increasing stop-and-frisk practices, vehicle stops, and other surveillance forms disproportionately targeting minority communities. These measures, justified under the guise of combating drug trafficking and use, significantly affected African American and Hispanic communities, perpetuating racial disparities in the criminal justice system and reinforcing societal stereotypes linking these communities with criminal behavior.

Particularly hard-hit were the African American communities, where this policy led to a massive wave of incarceration. Many individuals, often in economically col-

lapsing inner cities, saw dealing as the only viable source of income (Crandall 2021, 140). The campaign primarily targeted small street dealers and poor consumers, with a significant focus on young men in impoverished inner cities. This approach not only failed to address the root causes of drug abuse and trafficking but also exacerbated the socio-economic challenges these communities faced (Farber 2022, 18). This policy was introduced despite a decline in drug use and primarily targeted areas with high unemployment and limited welfare state protection, where drug trafficking was often seen as one of the few viable sources of income (Foster 2023, 124). Its selective enforcement in socially and economically disadvantaged neighborhoods, particularly in ghettos predominantly inhabited by African Americans, led to a disproportionate incarceration rate among Black individuals. This situation was exacerbated by the high police presence and the residents' powerlessness in these areas (White 2020, 33). The African American community was in a period of consolidation following the gains of the Civil Rights Movement. However, instead of experiencing new freedoms, African American men, in particular, faced a new form of discrimination through increased incarceration rates, fueled largely by the implementation of stricter drug laws. Initiated by the Rockefeller drug laws in the 1970s, this trend had a profound impact on African American communities, particularly through job losses and the resultant involvement in the illegal drug economy. This enforcement approach not only undermined the social fabric of these communities but also perpetuated a cycle of poverty and incarceration that continues to have significant repercussions (White 2020, 72). This policy deeply affected the fabric of African American communities in the United States, particularly in urban centers, through mechanisms of human differentiation that disproportionately impacted these populations. Entire neighborhoods experienced a profound depletion of their male residents, as many either relocated to other cities in search of better opportunities or became entangled in the illicit drug economy. This demographic shift not only altered the social landscape of these communities but also perpetuated cycles of disadvantage and systemic exclusion, reinforcing barriers to social and economic mobility (Bradford et al. 2022, 18). The stark discrepancy in incarceration rates between African Americans and whites for similar drug offenses, despite comparable rates of drug use, vividly demonstrates the racially discriminatory implications of this policy (White 2020, 74). This disparity reveals a deep-seated bias within the enforcement and sentencing practices, where African Americans are disproportionately targeted and penalized more harshly (Farber 2022, 30). The modern "War on Drugs" evolved into a far-reaching phenomenon, surpassing previous measures in both scope and impact. As the illegal drug market expanded across the USA, authorities responded with increased severity, imprisoning a growing number of drug users and dealers. This aggressive enforcement approach not only failed to address the root causes of drug abuse but also led to prison overpopulation and worsened social inequalities, perpetuating a cycle of disadvantage among marginalized communities. This "war"

escalated into a kind of “second American Civil War” in the 1980s, becoming one of the most destructive conflicts in American history. Millions of drug users and their suppliers, both domestically and internationally, found themselves in opposition to an armed and exceptionally well-funded state power, with effects as devastating as those of any major conflict involving Americans. These developments were driven by a pronounced desire to punish. The US Drug Enforcement Administration played a significant role in the systematization of racial profiling during the 1980s, particularly through the introduction of the “Operation Pipeline” program (Hood 2016). This initiative aimed to train police officers nationwide in a modern and refined form of police profiling. The focus of the profiling was on non-classified characteristics such as vehicles with license plates from other states, rental cars, or behaviors deemed “conspicuous.” This approach not only standardized profiling practices but also inadvertently reinforced discriminatory practices based on subtle cues linked to race and socioeconomic status (Kops 2007). Despite official denials that racial stereotypes played a role in the training, empirical studies clearly show that individuals not classified as white were systematically deemed “conspicuous” (Harris 2020, 11). This trend has significantly contributed to the establishment and proliferation of modern racial profiling practices. The introduction and widespread adoption of ‘pipeline’ tactics in police training and operational strategies have solidified the systematic targeting of Black motorists across the country, reinforcing discriminatory practices that have deepened racial disparities within the criminal justice system (Textor 2023, 24).

In Europe, particularly in Germany, a phenomenon similar to the “War on Drugs” in the USA has emerged in recent decades, albeit with a different demographic focus. Unlike in the USA, where the primary targets are members of the African-American community, in Europe, and Germany especially, individuals from the Middle East and Africa are increasingly subjected to criminal prosecution. The police practice of suspecting and controlling people based on their presumed non-German origin is commonly justified in Central Europe under the pretext of monitoring illegal migration. This approach is often supported by discourses emphasizing efficiency or by marking specific individual cases, thereby rationalizing and normalizing the scrutiny and control of these demographic groups (Golian 2019, 179; Jain 2019, 44). This development can be partly attributed to the increase in migration movements from these regions, driven by wars, political instability, and economic crises. Consequently, individuals who are not perceived as white often face heightened police scrutiny and more stringent law enforcement measures. Racial profiling can be viewed as an expression of social systems that establish and perpetuate distinctions through communication and observation. The notion that criminality is an inherent trait of certain ethnic groups illustrates how the legal system and its enforcement agencies, such as the police, select and process information. Linking presumed origin with criminal propensities simplifies social

reality by categorizing individuals based on ethnicity and attributing specific behaviors to them. These attributions form part of the structural coupling between the legal system and other societal domains, such as politics and media, which amplify and legitimize racist narratives and stereotypes. Police controls function not solely to enforce the law but also function as mechanisms to reproduce and reinforce social disparities. As a core component of the legal framework, policing relies on state-sanctioned criteria that construct “otherness” as a threat. This perception permeates various systemic levels—migration, criminal law, and public order—and is manifested in the physical surveillance and regulation of public spaces. Within this framework, the police operate as a social system characterized by its distinct processes and communication methods, predicated on differentiating between primordially coded conformity and deviance. In this context, racial profiling emerges as a form of communication by which the system simplifies complexity. It identifies certain primordial characteristics as markers of potential non-conformity or threat.

The state-sanctioned portrayal of a threatening “otherness,” coupled with the subsequent surveillance and purported “liberation” (Wa Baile et al. 2019, 9) of public spaces constitutes essential elements of racial profiling. These practices contribute to the creation of social distinctions and the segregation of spaces, embedding systemic inequalities deeply within urban and communal landscapes. They reinforce existing social inequalities and actively shape the social perception and organization of space by delineating who is considered part of the “we” and who is marked as “other,” threatening, and excluded. This dynamic reveals that racial profiling plays a crucial role in the complex interplay of social differentiation and spatial organization, deeply rooted in the systemic operations and communications of the police. Furthermore, this practice initiates a process of meaning production through selection, whereby the police’s practice of categorization and differentiation significantly contributes to the construction of social realities. By systematically labeling certain groups as different, a social meaning is created that defines and reinforces the boundaries between belonging and exclusion. From the perspective of system justification theory, racial profiling can be seen as a form of justification for social inequalities. By criminalizing certain ethnic groups, the existing social order and the entrenched inequalities are presented as necessary and justified. Racist policing not only enforces this inequality but also stabilizes the social hierarchy by portraying the subordinate position of certain groups as a result of their supposed “natural” propensity for criminality. This reinforces the notion that racial profiling is deeply embedded in the structural and operational logics of contemporary societies. It serves as an instrument that contributes to the reproduction and legitimization of existing power relations and social inequalities, based on deeply rooted racist categorizations and differentiations. This situation is exacerbated by socio-economic challenges such as unemployment, social exclusion, and housing short-

ages in neighborhoods with high migrant populations. The marginalization of these groups and the resulting social tensions increase the likelihood of conflicts with the law, further entrenching the cycle of discrimination and inequality.

Racial Profiling manifests as an expression of multi-layered desires and projections, ranging from individual and structural racism to systemic justification. As an organ of state violence, the police use these practices not only to justify their actions but also to reinforce social prejudices and cement the structures that support them. In Europe, as in the US, law enforcement policies are often criticized for disproportionately criminalizing and stigmatizing certain groups. This disproportionate representation in the criminal justice system exacerbates their alienation and isolation, creating a vicious cycle of marginalization and criminalization that hampers social integration and seemingly confirms the assumptions of primordial coding. Moreover, the various manifestations of neoliberally coded elements of penal populism partly relate to the connections between primordial codes and the inappropriate links between fundamental fears and insecurities and primordially coded criminality. However, the emphasis in this context shifts towards narratives of supposed individualism and financial profit. In the neoliberal framework, crime is entirely perceived as a product of individual poor choices, while structural causes and social inequalities are overlooked. This perspective leads to a punitive approach that holds individual actors fully responsible for their actions without addressing the underlying social and economic conditions that contribute to these behaviors. The intersection of primordial and neoliberal codes in penal populism is vividly illustrated by the commercialization of prisons and the “war on drugs,” where the focus on profit and individual accountability overshadows broader social responsibilities and reformative approaches.

By portraying social grievances through the lens of neoliberally coded criminal populism, the media effectively incites emotions such as fear, outrage, and insecurity. This approach follows typical populist strategies, adeptly evoking specific emotional responses to shape public perception and reaction. In Germany, the term “penal populism” aptly describes phenomena observed across political rhetoric, legislation, and media coverage. This approach is marked by simplistic portrayals of crime and the criminal justice system designed to provoke emotional reactions, often with the aim of garnering public support for stricter punitive measures. In the realm of legislation, penal populism manifests in calls for harsher penalties and new laws in response to high-profile criminal cases or perceived public safety needs. These measures are frequently presented as direct solutions to criminal incidents, deliberately placing blame on individual offenders, providing the public with a convenient target for outrage and frustration, and fostering the illusion that harsher punishments will effectively address the root causes of crime. The promises made by politicians and parties to combat crime through the introduction of stricter laws and harsher penalties are strategically designed to be perceived by voters as determined and reli-

able guardians of public safety. Such campaign promises embody a competitive logic characteristic of neoliberal thought: political actors present themselves as efficient “providers” of security and order, competing for the favor of voters in a manner akin to companies in a market. This strategy not only simplifies complex social issues but also perpetuates a cycle of reactionary policy-making that prioritizes immediate responses over sustainable solutions. This scenario typifies the selective processing of information and issues within the political system according to the logic of supply and demand. It simplifies the complexity of social problems and restricts solutions to those that conform to market strategies. The focus on security and order, without addressing the social and structural causes of crime, aligns with the neoliberal logic that tends to individualize problems and move away from collective, societal solutions.

The deployment of penal populism in electoral campaigns, which infuses the political system with competitive and economic efficiencies, distances it from its fundamental role in regulating power distribution and promoting the common good. This blending of logics not only solidifies existing power structures and legitimizes exclusion mechanisms by portraying certain groups as social threats but also exacerbates social hierarchies. Thus, neoliberal principles infiltrate political thought and action, shaping the political landscape and significantly impairing collective intelligence. The excessive focus on competition and efficiency fosters a troubling one-dimensionality, which narrows the range of perspectives and undermines society’s capacity to address complex challenges through innovative and holistic approaches. Additionally, the media play a crucial role in amplifying and reinforcing criminal populism through sensationalist reporting on criminal cases, focusing on the perpetrators and their punishments. By spectacularly stoking fears, they fuel public demand for stringent criminal justice measures. This approach to news consumption as a commodity aligns with neoliberal principles, directing public opinion towards solutions that emphasize market logic and individual responsibility. Furthermore, by selecting information and topics based on its own logic and audience expectations, the media system contributes to the stabilization of specific social structures and the reinforcement of existing power relations, prioritizing certain narratives while excluding others. This not only shapes public perception but also limits the discourse to a narrow view that supports prevailing neoliberal ideologies.

The inclusion of the two regimes of orders of difference—each encompassing diverse aspects and differentiations—broadens the understanding of discrimination, illuminating the various yet interconnected dimensions of the social order and its power dynamics. These dimensions operate simultaneously but are founded on historically and politico-economically divergent roots and logics. This analytical distinction enables a more precise identification and address of the specific mechanisms and causes of discrimination and marginalization. In the discourse on penal

populism, the *factual dimension* concentrates on the thematic and functional contexts within which penal populism manifests. This encompasses the social thematization and justification of crime and punishment but also includes underlying concepts of security, justice, and order. Recognizing this dimension reveals that penal populism is not merely a reaction to criminal behavior but is also grounded in specific narratives and value constructs embedded in both neoliberal and primordially coded orders of difference. For instance, the emphasis on “law and order” and the call for stricter punishments can be seen as expressions of a neoliberal logic that prioritizes individual responsibility over social or structural explanations for crime. Conversely, the primordial logic relies on deep-seated, traditionally anchored beliefs and values that define identity and belonging within a community based on primordial criteria. In the realm of criminal populism, this is evident in the invocation of a seemingly well-defined social order and the emphasis on a group identity encoded accordingly, which portrays outsiders or “others” as threats to social harmony. These entrenched beliefs support an approach that favors immediate solutions like harsher punitive measures to maintain perceived order, neglecting more complex social or structural explanations for criminal behavior. The *social dimension* of penal populism focuses on the relationships and identities that are influenced and targeted by these practices. It explores how certain groups are framed in public perception as either threats or victims of crime and how such representations influence social dynamics and power relations. This analysis reveals how criminal populism not only confirms but also amplifies existing social hierarchies by utilizing primordially coded differentiators such as ethnicity, nationality, or religion. Simultaneously, it bolsters neoliberal ideologies of meritocracy, thereby creating a dichotomy of inclusion and exclusion. Moreover, criminal populism often masks the structural causes of social issues and crime by emphasizing individual responsibility, which naturalizes social and economic inequalities and diminishes the recognition of the need for collective solutions and solidarity-based strategies. Without integrating the intersectional perspectives of the regimes of difference, distinguishing between meaning and factual dimensions might fail to capture the essential interconnectedness of forms of discrimination. Viewing these aspects in isolation risks neglecting the lived realities of individuals at the intersections of multiple axes of oppression and could lead to underappreciating the importance of individual and collective agency. A comprehensive analysis that acknowledges and incorporates intersectional orders of difference is crucial for fully understanding and effectively addressing the complexities of discrimination and inequality. Neither individual responsibility nor the structural and systemic dimensions should be disregarded, as both perspectives provide indispensable contributions to understanding and addressing these challenges. The two regimes utilize distinct schemata for constructing meaning and assigning guilt and responsibility, simplifying the complexity of social reality, and reinforcing existing power structures. The amalgamation of both

regimes results in an overlapping logic where both primordial and neoliberal codes are employed to stigmatize and exclude social groups. This convergence is facilitated by the systemic logic of functional differentiation, which permits the simultaneous application of different communication codes and structures within the social sub-systems, thereby maintaining and solidifying entrenched power relations and social divisions.

9.4.3 Regimes of Integration

Against the backdrop of our previous discussions, “integration” emerges as a politically charged construct that shapes social relations of dominance and difference by regulating, restricting, or denying immigrants’ access to economic, social, and symbolic resources (Mecheril et al. 2020) and is further intensified through targeted emotional frameworks (Behnam Shad 2023). Specific laws and regulations systematically exclude certain groups from equal participation in social and health systems. It is crucial to recognize that mechanisms of inclusion and exclusion are inherent to every social system. As detailed in Chapter 2.2.9, social exclusions exhibit two characteristics: they are inescapable and are often negated, concealed, or downplayed. These mechanisms are vital for the structure and functioning of social systems, as they delineate who is included within the system and who is marginalized. The tendency to obscure or minimize exclusions typically aims to prevent scrutiny of the social and political structures that engender and sustain these exclusions. Regulatory exclusions generate artificially categorized groups deemed differently disadvantaged, thus reinforcing and institutionalizing social stratification. While some refugee groups are compelled to engage in integration measures to avoid deportation, individuals without a residence permit are viewed with suspicion and often criminalized when they seek similar measures. Moreover, in discussions about foreign individuals, the term “integration” is frequently employed with the implicit assumption that it represents a desirable goal, one that many individuals with a migration background are purportedly unable to achieve. In this narrative, “exceptions” are frequently spotlighted in the media, with the implicit suggestion that these exceptions confirm the rule and that most immigrants cannot attain this ideal. What is systematically obscured at all levels of discourse is how disintegration is actually fostered, both institutionally and within the psyches of those affected. One of the most potent mechanisms of this disintegration machinery is the overall social integration dispositive itself, which frames integration as a unilateral adaptation of “minorities” to “the majority society.” This paradigm engenders linear and dichotomous integration discourses that demand social integration while simultaneously producing disintegration at various levels—for example, through the ongoing problematization and criminalization of people with migration backgrounds (Hinger and Schweitzer 2020). This results in an uncritical integration dispositive that la-

bels immigrants as “subjects in need of integration” (Mezzadra 2015, 208), yet simultaneously obstructs any discussion of the dominance and privileges of the white majority (Karabulut 2020, 2). The ambiguity of integration requirements, the inherent incompleteness of integration measures, and the portrayal of displacement and migration “as a problem” (Mecheril, Melter, and Melter 2008, 68) and people with migration backgrounds as the “cause of the problem” (ibid.) are hallmarks of the hege- monically negotiated integration dispositif. This dispositif suggests the existence of a central societal norm to which individuals on the margins of society are expected to conform if they exert sufficient effort. This notion obscures the reality that inte- gration primarily involves a competitive struggle for the distribution of life opportu- nities, which is delineated along intersectional lines of difference. In such a misun- derstanding, individuals and families are held accountable for their own chances of participation and access to specialized functional systems of society. The competi- tion among immigrants, driven by neoliberal criteria of usefulness and exploitabil- ity, overlooks the structurally anchored power asymmetries and dynamics. The inte- gration dispositif often views the “others” to be integrated either as a threat or as a demographic resource to maintain the social status quo and justify the system. Here, primordial and neoliberal codings converge to produce and reinforce lines of difference. In the current system, participation is not explicitly denied based on skin color or nationality. Instead, a complex system of opaque migration laws systemat- ically hierarchizes disadvantages, standing in stark contradiction to the principles of liberal democracy, which advocates for equal rights and justice for all individuals. Exclusions, which are systemically negated and minimized (see Chapter 2.2.9), ex- pose the blind spots of what can be seen as quasi-religious liberal-democratic egalitar- ianism. In critical moments of integration in Germany, particularly at *bifurcation points within complex social systems* (see Chapter 8.3.2), decisions are made that either reinforce existing inequalities by continuing to conceal exclusions and thus main- tain the status quo or initiate transformative changes by recognizing and address- ing exclusions. These junctures not only provide opportunities to forge new paths toward inclusion but also to reinforce existing barriers. The direction taken often results from the interplay between cultural codings and the dynamic demands of a changing society. Emotionally charged discourses on migration and integration, espe- cially the constant agitation caused by the marking of the difference of foreigners as non-white, profoundly influence policy-making and public perception. Bifurca- tion points in legislation, local integration policy, and educational institutions are critical for shaping and promoting integration. These critical junctures determine whether immigrants are actively included in social structures or merely regarded as passive objects of integration efforts. Bifurcation points reveal the deep intercon- nections between political decisions, social attitudes, and individual experiences, and they have a lasting impact on the structure of integration as well as the possi- bilities and limits thereof. These interactions influence not only short-term politi-

cal approaches but also long-term social structures and often lay the groundwork for the social inclusion or exclusion of certain groups, frequently without public awareness. For instance, the debate in Germany surrounding the so-called “remigration” of people to their countries of origin—driven primarily by far-right political groups—proves how integration policies can set unrealistic expectations or be based on assumptions that overlook the complex realities of migrant lives. This discussion is particularly poignant given that remigration is often not feasible due to a lack of proper documentation or legal impossibilities. Such a discourse acts as a vivid example of how policies can fail to acknowledge the actual conditions and challenges faced by immigrants. Such policies can lead to further marginalization and alienation if they are formulated without considering the actual circumstances and security concerns of the individuals involved. The pressure to return to a “home country,” which many no longer perceive as such or know only through stories, reveals a profound discrepancy between political ideologies and individual life realities. These measures not only exacerbate insecurity among migrants but also point out the often instrumental use of integration policy, which tends to be more symbolic in nature and designed to serve political agendas rather than addressing the real challenges of migration. From a systemic anthropological perspective, the call for “remigration” by conservative voices illuminates the deep-seated structural and ideological patterns within social systems. These demands exemplify a propensity to distill complex social phenomena into overly simplistic solutions, thereby fostering a narrative construction of the “other” that significantly contributes to the continuation of power structures and the legitimization of social hierarchies. The recurrent emphasis on remigration, which disregards the actual conditions of the individuals concerned, not only functions to politically mobilize specific segments of the electorate but also reflects a deep-seated incapacity to address the global interdependence of life situations and the attendant social obligations (refer to Chapter 10.4). These dynamics illuminate the exclusion mechanisms embedded within systems, which adversely affect the living conditions of migrants and compromise the integrative capacity of social frameworks. By persistently opting for directions at critical bifurcation points that lead to systemic closure, these systems manifest their limitations. Such systemic closure is characterized by the reinforcement of boundaries and barriers that obstruct genuine integration and promote the preservation of a hierarchical order that privileges certain groups while excluding others. The ubiquitous presence of exclusions within social systems, which are inescapable, marks the inherent contradiction of the liberal democratic claim to equality and justice. This persistent quality of exclusions operates as a continuous bifurcation point, compelling social systems to confront and navigate these inevitable exclusions. The confluence of primordial and neoliberal approaches in the integration context is evident in the classification and subsequent treatment of certain groups based on ethnic or national characteristics. This primordial coding, which engenders hierarchical disadvantages and con-

sequent human differentiation, is starkly apparent in the marginalization of individuals perceived and treated as foreign, set against the backdrop of the prevalent white dominance in Central Europe. Minorities in Germany are compelled to continually advocate for their integration. They are frequently labeled as “different” in the media and socio-politically, as observed during various events, such as pandemics or New Year’s celebrations. These primordially coded forms of categorization and discrimination are central to the *autopoietic rituals of public and medial stimulation* through which social groups perpetually reconstruct their perceived distinctiveness. Inextricably linked to this self-perception is a deep-seated *schema of indifference* towards the suffering of others, which is juxtaposed against their own prosperity. This dynamic is explored in greater detail in Chapter 10.4. These classifications are further solidified by neoliberal policies that assess individuals based on their economic utility, thereby privileging or marginalizing them accordingly. For instance, the human right to asylum is increasingly undermined as the economic utility of an individual is evaluated prior to their immigration. Consequently, asylum, migration, and labor laws become conflated, despite being founded on entirely distinct logics and regulations. This conflation deepens social exclusion and cements inequalities within the structural and ideological frameworks of societies. Beyond the critique of *methodological nationalism*¹, integration is not perceived as an autonomous, linear process solely dependent on individual efforts but as a highly regulated “integration regime” (Mezzadra 2015). Both the traditional one-sided perspective (assimilation), which demands that immigrants unilaterally assimilate into the majority society, and the two-sided “intercultural” concept of integration are ultimately linear approaches. The two-sided integration model is criticized as one-dimensional and simplistic, as it portrays integration merely as a reciprocal process between the majority society and immigrant groups, neglecting the complex, multi-layered dynamics and power relations involved. This two-sided model assumes mutual adaptation and overlooks structural barriers, historical contexts, and geopolitical influences that play a significant role in determining the integration process. It also contributes to the division of people with a migration background into constructed and fixed groups, perpetuating outdated, racist, and essentializing attributions. This simplified view fails to acknowledge reality and overlooks the systemic mechanisms of exclusion that are deeply embedded in social and political structures. Such approaches ignore systemic dynamics as well as geopolitical and historical factors of hegemonic

1 Methodological nationalism is the inclination to analyze social phenomena and processes primarily through the lens of the nation-state, which is presumed to be the “natural” and exclusive unit of social organization. This approach often results in the neglect or oversight of transnational, global, and subnational dynamics. Adhering to this perspective can restrict our understanding of social realities, as it fails to capture the complexity and multi-layered nature of contemporary social constellations.

power exertion and present social conditions as “natural”—an understanding that partly emerged in the colonial era and culminated in the Nazi regime. Based on the previous explanations, the inescapability of inclusion and exclusion, as well as the frequent negation of exclusions, must be systematically emphasized. From a systemic-anthropological perspective, integration is viewed not merely as a process of accepting individuals into an existing social structure but as a complex interplay of inclusion and exclusion mechanisms shaped non-linearly by biological, social, cultural, and political dynamics. In the context of neoliberal regimes, which often prioritize rigid targets and economic efficiency over social justice, the integration process manifests not as a genuine dialogue but as a series of exclusions increasingly enforced in the name of *realpolitik*. These systems tend to measure integration using narrowly defined, economically utilitarian parameters, drastically reducing the likelihood of a genuine, equitable exchange between migrants and the host society. Consequently, these approaches prioritize economic exploitability, resulting in migrants being viewed primarily as workers who must adapt without adequate support, while systemic barriers that impede full participation in society remain unaddressed. Such practices reinforce the status quo of existing power structures and further marginalize certain groups, instead of fostering an inclusive framework. The dialogue often touted in integration debates thus proves to be a farce, where “*realpolitik*” subverts the ideals of equality and justice. Even measures that are ostensibly integrative often contain exclusionary elements by sidelining certain cultural practices or identities. Moreover, while the amount of resources allocated to promote inclusion is frequently mentioned, structural barriers and systemic inequalities that exclude specific groups are minimized or overlooked. This oversight masks the power dynamics behind integration processes and contributes to the perpetuation of existing dominance relations. The final analysis of the discussion on integration reveals that it functions as a complex instrument for exerting power and control. Integration is not determined solely by individual efforts but is deeply embedded in political and social regimes that systematically marginalize specific groups through their structures and policies, thereby maintaining existing power structures. Thus, integration extends beyond mere incorporation into a social order and manifests in political frameworks and social expectations that often aim to preserve the status quo. These frameworks promote selective inclusion, favoring certain cultural identities and practices while marginalizing or stigmatizing others. This approach reveals the deep interconnectedness of integration and systemic exclusion with power relations and dynamics, which must be critically examined and addressed in substantive discussions about fair and equal participation in society.