

## FAMILY MIGRATION AND POLICIES: LESSONS FROM DENMARK<sup>1</sup>

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Denmark is one of the richest and most redistributive welfare states in the world. As a member state of the European Union, it is committed to free mobility within the common European labor market. Also, there has been free mobility between Nordic countries since 1954.

Like many other Western European countries, Denmark also transformed in the 20th century from an emigration country to an immigration country. Before 1970, Denmark received guest workers mainly from Turkey, Yugoslavia, Pakistan and Morocco. Since Denmark ended its guest worker program in 1973, most immigration from non-Western countries came through family reunification and asylum. After the oil crises and the slowing of economic growth in the 1970s, many European countries tightened their immigration policy. Denmark was no exception. Asylum laws were tightened in 1986, 1992 and 2002. In 2002, laws concerning family reunification were also tightened (Junge 2009).

### **Tightening laws reduced marriages among young Danes with immigrant backgrounds**

After a center-right government took power in 2001, Denmark started to tighten its rules on migration based on marriages. This has meant tightening of the requirements for both those who consider migrating

to Denmark, and for those who are already in the country and want to marry a Danish citizen. A new law in 2003 required that both spouses must at least 24 years of age before they can apply for family reunification based on marriage. Since the year 2000, Danish immigration law has also required that the partners must be at least as strongly affiliated with Denmark as with any other country, measured by their combined number of years of residence in different countries. Additionally, since 2002 Denmark has required not only that the sponsor of a foreign spouse must be able to provide for her or him but also that the sponsor must post a bank guarantee and have a suitable apartment for the two. Finally, immigrants who arrived after 1 July 2002 are entitled to full social assistance in cash transfers only after they have lived in Denmark for seven out of the last eight years (Junge 2009).

Altogether, these rules affected especially immigrants from non-Western countries and their descendants. Immigrants and their descendants typically marry younger and marry a foreigner much more often than Danes. Danish family reunification rules are politically controversial. The Swedish government has criticized the Danish government, and the immigration laws have been attacked by the United Nations High Commissioner for Refugees and the Council of Europe's human rights commissioner. Critics argue that they violate the fundamental right to family life and also prevent many international couples from settling in Denmark. Perhaps most controversial is the requirement that the couple must be more strongly affiliated with Denmark than with any other country. This rule means that, say, a Chinese and a Dane who have met in the United States and then lived for a couple of years in China might be unable to move to Denmark as they would be interpreted to have a stronger affiliation with China. Proponents of the restrictions contend that the new rules protect especially young women with immigrant backgrounds from forced marriages whose main purpose would be to allow the husband to immigrate to Denmark. Also, restrictions in access to welfare benefits were aimed at restricting migration that would be at least partially motivated by welfare benefits. Borjas (1999) has



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found that immigrants to the United States are drawn to states with more generous welfare benefits.

A study by Rockwool Foundation has analyzed the effects of policy changes on marriage patterns by Danish immigrants and second generation immigrants. The study found that the 24-year rule considerably reduced marriages among young Danes with non-Western immigrant backgrounds. In the year 2000, 46 percent of 23-year-old women with immigrant backgrounds were married. In the year 2008, the fraction had dropped to 19 percent. Among 23-year-old men with immigrant backgrounds, 26 percent were married in the year 2000 and 7 percent in the year 2008. Among Danish women without immigrant backgrounds, about 5 percent are married at the age of 23, and among Danish men, 2 percent (Rockwoolfonden 2009).

Most of the drop in marriages among second-generation immigrants concerned marriages with recent immigrants, which could often mean an arranged marriage in the parents' home country. In the year 2000, 22 percent of young women aged 18 to 23 whose parents came from non-Western countries were married to a non-Western immigrant who had immigrated to Denmark after the age of 15. In the year 2007, this was the case for only 3 percent. Over the same time period, the fraction married to a Dane or a Western immigrant stayed flat at 2 percent, and the fraction married to someone with non-Western parents born in Denmark or who had immigrated to Denmark before the age of 15 increased from 2 to 4 percent. Therefore, the 24-year-rule reduced considerably the fraction of young immigrant women who were married to a recent immigrant (Rockwoolfonden 2009).

To sum up: tightening of family reunification rules in Denmark has resulted in a considerable drop in marriages between young Danes with immigrant backgrounds and spouses who have migrated to Denmark after the age of 15, including those who migrate in connection with the marriage. When looking at marriages according to month, Rockwool researchers found that before the 24-year-rule, there was a big peak in marriages of young immigrant women in July. After the rule, the summer peak was considerably reduced, and more similar to the summer peak among Danes without immigrant background. They also found that the drop in marriages before the age of 24 did not imply a compensating peak in marriages at the age of 24. Also in the age group 25 to 29, the fraction of Danish women with non-Western im-

migrant backgrounds who were married dropped from 2000 to 2008. Here, it is interesting to compare Denmark with Sweden in which immigration rules were not tightened. From 1997 to 2006, the fraction of women aged 18 to 23 with non-Western immigrant backgrounds increased in Sweden from 8 to 11 percent, and decreased in Denmark from 28 to 9 percent (Rockwoolfonden 2009). This suggests that the reduction in marriages among young Danes with immigrant backgrounds resulted to a large extent from the more restrictive family migration rules, which then forced their marriage age patterns to converge more closely with the patterns among Danes without immigrant backgrounds.

### **Tightening laws also deters Danes abroad from returning**

In addition to Danes with immigrant backgrounds, immigration rules may also force Danish natives who have a foreign partner to choose between living with their partner and living in Denmark. One effect of the new laws has been that Danes who have foreign spouses have been moving to southern Sweden and are commuting from there to Copenhagen due to the less strict immigration rules in Sweden. There are already thousands of Danes with a foreign partner choosing to live in Southern Sweden, and many more are probably staying in other countries for similar reasons.

In order to find systematic evidence on how many emigrants are affected by this, Martin D. Munk and Panu Poutvaara included a question on this in their large survey among Danish emigrants. Statistics Denmark carried out the survey in 2008. The survey had in total 2004 male and 2122 female respondents who had emigrated between 1987 and 2002 and had not returned to Denmark. One of the questions was whether the Danish immigration rules related to family-based migration were a reason in favor or against returning to Denmark.

In the survey, 13 percent of men and 8 percent of women who lived abroad reported that Danish immigration rules hindering their partner was either an important reason or a somewhat important reason not to return to Denmark.

The Table reports survey responses for respondents with a spouse who is not a Danish citizen. Nationalities are divided into three categories of EEA and

Table

## Danish immigration legislation and return decisions

How Danish immigration rules related to family-based migration affected the decisions by Danes who lived abroad on whether to return to Denmark. Percentages calculated by columns	Men			Women		
	EEA and Switzerland	USA, Canada, Australia and New Zealand	Rest of the World	EEA and Switzerland	USA, Canada, Australia and New Zealand	Rest of the World
An important reason to return to Denmark	0	1	1	1	2	0
To some extent a reason to return to Denmark	1	2	2	0	2	1
Neither nor	22	28	20	21	26	11
To some extent a reason not to return to Denmark	4	16	12	3	12	6
An important reason not to return to Denmark	5	13	21	3	24	11
Not relevant	67	40	44	72	33	71

Source: Munk and Poutvaara (2008).

Switzerland; United States, Canada, Australia and New Zealand; and the rest of the world.

Of the men whose partner is a citizen of the United States, Canada, Australia or New Zealand, 13 percent stated that Danish legislation hindering their partner from immigrating to Denmark was an important reason not to return to Denmark, and 16 percent replied that it was to some extent a reason not to return to Denmark. For female respondents the corresponding shares were 24 and 12 percent. Of the men whose partner's citizenship falls into the category rest of the world, 21 percent considered the legislation an important reason, and 12 percent considered the legislation to some extent a reason not to return, while for women corresponding shares were 11 and 6 percent. Not surprisingly, the shares of respondents with a partner from EEA or Switzerland who considered immigrant legislation a reason not to return were considerably smaller.

These findings suggest that Danish immigration legislation has deterred a number of Danes in international marriages from returning to Denmark, in addition to reducing often arranged marriages of young Danes with non-Western immigrant backgrounds to a foreign spouse.

#### Lessons for other countries

Danish family reunification rules appear to have succeeded in reducing arranged marriages, and delaying the full access to social welfare benefits obviously

reduces the financial burden that immigrants may impose on the host country. However, tight requirements have also stopped many international couples from settling in Denmark. The requirement that the partners have a stronger affiliation with Denmark than with any other country is unreasonable. If the aim is to avoid family-based immigrants from posing a burden on the taxpayers, it is better to do this with delayed access to welfare benefits. Mechanical rules for calculating in which country a couple has lived longest hurt also internationally mobile Danish citizens. Many of them are highly-skilled, and erecting a barrier for them to return to Denmark with their foreign partner is not only unfair but also hurts Denmark economically.

Our current findings are still preliminary, but they already show that the immigration policies affecting foreign spouses can also play a significant role on migration decisions of natives. This is not surprising. Already Mincer (1978) pointed out that different costs and benefits of migration among partners may create tied movers (those who would have better earnings opportunities without migrating, but migrate because the gains from migration to their partners are big enough) and tied stayers (who do not migrate even if they could earn more by migrating, but refrain from this because their partner would lose too much from migrating). Evidently, Danish immigration rules may cause some Danes abroad to become tied stayers, not returning to Denmark as this would disrupt their family life. It could also cause some Danes who are in a relationship with someone from outside the European common labour market

to migrate to their partner's country, because their partner cannot migrate to Denmark.

In subsequent work, we aim to study in more detail what type of brain drain among natural born citizens family migration rules in Denmark may have caused. Also, we plan to study what type of international families choose to stay abroad, and what type of international families return to Denmark.

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