An Overview from Denmark:
Tactical responses to the regulation of transnational marriage migration 2002-2012

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AFR, 2002: ‘The strictest legislation on family reunification in Europe’

- Family reunification → 14 major changes between 2002-2010.
- Alien Act changed 64 times between 2002-2012.

Professor Jens Vedsted-Hansen (*Politiken, 30 July, 2013*):

1) It has become a ‘jungle’ for specialists to navigate and administrate...

2) It is time for re-examination of the legislation...

- To what extent does legislation on family reunification live up to political expectations? What are unintended and unexpected consequences?
Requirements relating to you and your spouse/partner

- **Age requirement**: both partners must be at least 24.
- **Attachment requirement**: Your combined attachment to Denmark must *be greater* than your combined attachment to any other country.
- **Self-support requirement**: The spouse/partner in Denmark must be able to support him/herself and the foreign spouse.
- **Housing requirement**: The spouse/partner in Denmark must have accommodation of adequate size at his/her disposal.
- **Collateral requirement**: The spouse/partner in Denmark must post DKK 50,000 (2012 level) in bank-backed collateral to cover any public assistance.
Perspectives ‘from below’


Whilst governments may use policy as an instrument for imposing their ordering principles upon those they seek to govern, reflexive subjects will often attempt to answer back (Shore & Wright 2011: 17).

Cracks in system → Border artistes (Beck-Gernsheim 2011) ‘Swedish model’ constitute such a crack...

Pakistani informants → ‘People find their ways’.
Three categories of transnational marriage

1. Immigrants / children of immigrants that marry ‘back home’ within an already established transnational social field.
2. Non-immigrants that meet, fall in love and marry as students, backpackers, tourists, expats - no prior connection...
3. Danish men that marry foreign women; contact established through informal networks or agencies.
What will I do...

1. Historical context

2. Use chapters from book to address:
   - Age requirement
   - Attachment requirement
   - Self-support, housing and collateral requirement

3. Discuss the ‘Swedish Model’

4. Where do we go from here...
Marriage: A politicized field

Public and political attention in the 1990s →
what do we know & how do we know...?

- Cases in the media / newspaper articles
- Autobiographical narratives
- Counselling centres

Escalating ‘Moral Panic’ (Hall et al 1978) → need for political action and intervention.

September 11, 2001 → New immigration regime, securitization of migration incl. family reunification.

Control and regulation of ‘the margins of the state’ (Das and Poole 2005):

• Externally = the borders of the nation state
• Internally = the Muslim immigrant family.
Arranged and forced marriages

• 1. Confusion (1990s): What is an arranged marriage? What is an forced marriage? – and how do we distinguish? The issue of marriage had to be left out of the new Act on Integration (Integrationsloven) introduced in 1998 because of this confusion (Bredal 1999:75).

• 2. Distinction (Ultimo 1990s – primo 2000s): Political will and effort, to distinguish between voluntary arranged marriages and involuntary forced marriages: Arranged marriage is not necessarily a negation of individuality or notions of ‘the free will’.

Numbers..

The total number of family reunifications to Denmark, 2000-2009:

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<th>Year</th>
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The total number of spouses coming from Pakistan to Denmark, 2000-2009:

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<td>103</td>
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The article results from my participation in a research project on Marriage practices of
Requirement on age

Help young people to postpone marriage:
1) Get an education.
2) Be old and independent enough to say no to parents...

But...
• The trend of social mobility (higher education) started before 2002.
• And couples who marry ‘early’ do get an education. Danckert and Jakobsen cannot verify a connection between the age requirement and the increasing level of education among immigrant youth!
Requirement on national attachment

Mikkel Rytter, 2010.
Everyone is equal before the law – but some are more equal than others...
Simple calculation: language, time spend in country, work, family relations, etc.

*Kinship images* ➔ use and abuse divides the pool of Danish citizens into ‘real’ and ‘not-quite-real’ Danes...

*Kinning* (Howell 2001): Subject to specific technologies of the self...
Undermines process of recognition and national ‘integration’...
Requirement on self-support, housing and collateral

Study of Danish women and Cuban men.
→ ‘Autological subject’ (Povinelli 2002) emerges with Nation-states, Capitalism, Modernity...

Women have to borrow money from relatives to pay for expenses – they actually end up in economical dependency...
The Swedish Model

Mikkel Rytter, 2012b.

Danes move to Sweden or Germany

• Move back and forth between legal residency and work/education.

• Semi-legal: like batteries they need to recharge – they are always in a process of becoming illegal...

• Ontological in-security

• Blurred horizons / uncertain future...
The Swedish Model

Rikke Wagner, 2013.

Movement is way to practice ‘citizenship’.
Albert Hirschman (1970; 1993): ‘Exit’ is a way to express, give ‘voice’ to dissatisfaction...
People are really angry, frustrated and disillusioned → political activity...
National → Post-National
The Swedish Model

Tina Jensen, 2013.

Sweden offers new opportunities in relation to family obligations and independence → do not have to live up to ideal of patrilocal household.

New networks are created fore instance in the non-place (Augé 1995) of the daily train-ride between Sweden and Denmark...
What now...?

• New center-left government (SRSF) in 2011 → only minor changes in the immigration regime...
• The extraordinary (and controversial) legislation introduced in 2002 is the new normal of 2013!
• Some couples will settle permanently in Sweden → what is the cost of this brain drain?
• European Court decisions?
• Refugees from Iraq and Afghanistan?
• Frustration, rage, disillusion → but also some kind of accept of the new situation (Garbi Schmidt 2013); marriage preferences seems to be readjusted and more young people start to marry in Denmark...

Fernandez, N. 2013. ‘Moral boundaries and national borders: Cuban marriage migration to Denmark’, *Identities* vol. 20(3).

Liversage, A. 2009. ‘Life below a ‘Language Threshold’? Stories of Turkish Marriage Migrant Women in Denmark’, *European Journal of Women’s Studies*, 16(3): 229-248.


-- 2012b. ‘Gender, conflict and subordination within the household – Turkish migrant marriage and divorce in Denmark’, *Journal of Ethnic and Migration Studies*, 38(7).

Rytter, M. 2010. ”The Family of Denmark” and ”The Aliens”: Kinship images in Danish integration politics’, *Ethnos* 75(3): 301-322.


Marriage preferences of the family

| 1. The close family in Pakistan (consanguineous marriage) | 2. The extended family (biraderi) in Pakistan | 3. Other Pakistani families in Denmark | 4. Other Muslim immigrants in Denmark | 5. Ethnic Danes (non-Muslim) |

Figure 3 illustrates how the marriage preferences of Pakistani parents and the Danish nation state respectively are in diametric opposition.