Symposium on Migration, Family and Dignity

Eleonore Kofman

ABSTRACT

Though the most common source of long-term migration in countries which permit it, family migration has until recently attracted little attention from academics and policy makers due in part to its conceptualization as female and a dependent form of migration that is of little relevance to the labour market. However, during the past decade there has been a growing body of academic literature generated through a collective interest in transnational migration (Bryceson and Vuorela 2002); international marriages, including those by men moving as the imported spouse (Charsley 2011, Williams 2010); gender, generation and families in migration (Kraler et al. 2011); migrant families and multicultural societies (Grillo 2008), and families caring across borders (Baldassar et al. 2007).
INTRODUCTION

There has also been growing attention paid by policymakers to family migration, cultural diversity and its implications on integration. The migrant family has become a political and policy issue and increasingly a target for intervention in its transnational cases, especially in relation to gender and generational relations (Grillo 2008). Much policy literature, however, does not take into account adequately the diversity of forms of family migration and the gendered composition of each. However, family migration may involve a number of forms, such as family reunification with primary migrants, family formation (second generation as well as students, tourists, etc., who travel outside of their own country and fell in love with a person), and those accompanying labour migrants. There is a tendency in Europe to focus on a few selected nationalities—usually Muslims—such as Moroccans, South Asians and Turks, who are seen to be problematic and associated with traditional cultural practices.

Overall, more women than men migrate as family members (see Figure 1 for Europe).

Figure 1. Foreign-born population aged 25-54 years that entered the country at age 15 years and older, according to main reason for migration and gender. EU-27, 2008

Whilst family reunification migrants tend to be predominantly female, the percentage of men is much more even in terms of family formation. And although it may be more difficult for women to fulfill the requirements (income, housing) to sponsor a family member, the increase in female labour migrants, especially in Southern Europe, but also amongst skilled migrants in Northern European countries, has meant that women are initiating family reunification of spouses and children. Men too are therefore ‘imported’ spouses.

Women are increasingly migrating primarily to perform social reproductive activities, both skilled and less skilled, in the private and in the public sectors (Kofman 2010; Slany et al. 2011). And as we should also acknowledge, women have increasingly high levels of education. According to the latest study for the OECD by Widmaier and Dumont (2011), the migration of highly-skilled women had risen markedly by 2005/6 with a third of recent migrants having a higher education qualification, the same as their male equivalents. Of course this varies by country and region with the largest numbers from India, China and Africa. Yet on average 30% of highly qualified migrants in the OECD are doing work below their skill levels, that is, they are overqualified. This phenomenon is generally more prevalent amongst migrant women. In the EU-27, migrant women on average are overqualified by 35% compared to 32% for men (Eurostat 2011).

Another key issue is that what constitutes the family for purposes of immigration differs between states (Huddleston 2011a). Generally, in Europe, it tends to be restricted to the nuclear family with continuing relationships of dependency between members, that is, generally,
children under 18 years, and parents over 65 years without familial support in the country of origin. In so-called societies of immigration, the family is defined more extensively by family sponsorship of non-immediate members such as siblings recognized. For example, discretionary flows constitute only 2% in the UK, compared to 5% in Australia, 10% in Canada and 32% in the US. In Europe, children constitute in many states a larger proportion than spouses or partners. This is especially the case in Southern European states where a formal family reunification system has only recently been implemented and where many undocumented migrants have been regularized in the past 15 years, thus qualifying for formal family reunification (77% Spain and 70% Greece compared to Sweden 27% children) (Huddleston 2011b).

In the past decade, many states, both in traditional immigration countries and in Europe, have sought to reduce their family flows, change their composition, and impose more restrictive conditions of sponsorship and integration criteria, not just to obtain permanent residence and citizenship but increasingly at the point of entry. In traditional societies of immigration as well there has been an attempt to increase skilled economic migration and temporary migration, as happened in Australia, in the 1990s and later in Canada. In the US there has been a debate on whether the high percentage of family migration should be maintained (Kofman and Meetoo 2008). And of course in France, Sarkozy has pursued the discourse and attendant measures of a move from immigration subie (imposed) to immigration choisie (selective). The point that is particularly relevant for this paper is that in immigration societies, compared to Europe, the arguments about family migration being problematic are less overtly couched in gender terms.

On the other hand, in those European states, such as Austria, Denmark, Germany, the Netherlands and the UK, which have imposed the most restrictive conditions in recent years, the discourses have been highly gendered. Foreigners, especially Muslim women, whose cultural and social practices are deemed incompatible with liberal ways of life and problematic in their capacity to integrate, are often the target of integration policies. The outcomes of the measures imposed, as we showed in a European Integration Fund project called PROSINT Promoting Sustainable Policies for Integration http://research.icmpd.org/1429.html, have also been gendered.

Thus, in this article I shall focus on gender issues and recent developments in the European Union, where there has been growing discussion at a policy level about family migration in the broader context of debates about ‘failing’ integration and the creation of parallel societies. As a paper by Tom Huddleston (2011c) states “Restrictions ‘in the name of integration’ separate families in practice”. The most radical changes have often been based on stereotypical images of (traditional) migrant women, poorly educated, living in backward patriarchal societies and thus importing such practices with them, having a low labour force participation and hence contributing to the continuing reproduction of inequality amongst migrant populations. Such images have served as the rationale for a raft of policies often designed to ‘protect’ them against practices such as forced marriages, and by convenient slippage with arranged marriages, which it is argued is a common occurrence that needs to be tackled by general policies so as to prevent the charge of discrimination against certain groups such as South Asians, Turks and North Africans. Forced marriages have been used as the excuse to raise the age of marriage to 24 years in Denmark and 21 years in the Netherlands and, initially in, the UK. However, in the latter, a challenge brought about by the Joint Council for the Welfare of Immigrants eventually led to its repeal, in October 2011, by the Supreme Court on grounds that the measure was disproportionate. The government had only been able to show that about 4% of marriages between the ages of 18 and 21 were forced.

The second major measure has been the introduction of language tests at point of entry for migrants in a number of countries, such as Austria, Denmark, France, Germany, the Netherlands and the UK. There is evidence that these tests, as in Germany and the Netherlands, have the
effect of reducing spousal flows from some of the major countries, at least initially. Though numbers have subsequently picked up, they have not returned to their previous level. In Germany, immigrating wives were more affected than husbands. The number of visas issued for Turkish wives decreased by 74% between the third and the fourth quarter of 2007, for Turkish husbands the decrease amounted to about 57% (Scholten et al. 2011). In particular, a major effect has been to alter the educational level of successful applicants, resulting in greater selectivity. In the Netherlands differences in pass rates reflect the level of schooling, sex, age and nationality. On average, men (90%) are slightly more successful than women and, on average, young adults (18-35) are much more successful (87-91%) than migrants over 45 (78-74%). In terms of level of schooling, the highly educated are much more successful (95%) than low educated (82%). Similarly, those with lower levels of education find it difficult to pass tests to obtain long-term residence and citizenship. We should remember that just being able to access courses and take the tests may be quite a task in itself, demanding perseverance and motivation, but these are after all the qualities that demonstrate one can survive in an increasing neo-liberal economy and society.

Apart from the fact that these measures are either discriminatory, or disproportionate—yet designed to sidestep accusations of discrimination—the notion of failing integration and lack of labour market participation by women migrants entering through the family route is based on stereotypical and outdated conceptions of the subjects of migration. The diversity of migrant women and men entering is hardly taken into account, although recent studies have begun to do so. As previously mentioned, the level of education has been increasing, and amongst recent migrants, 33% of women compared to 32.5% of men had a tertiary degree (27.9% for migrant women in general and 28.4% for men). These figures cover all routes of entry. However evidence in France from a sample primarily comprising family migrants confirms a high level of education. In 2009, of the 50,993 migrant women (only 3.2% entered with a labour contract) who signed the Contrat d’Accueil et d’Intégration in France, 28.4% had a tertiary degree and 55.1% a secondary qualification. Only 5.8% had no qualification whatsoever. The notable increase in educational levels of female migrants has meant that international organizations such as the European Commission, the OECD (Dumont and Liebig 2005) and the IOM (Marin-Avellan and Mollard 2011) are beginning to take the high levels of over qualification and deskilling more seriously.

In contrast, the issues of concern to migrant women (Kofman 2011b) have been amongst others:

1. Access to the labour market and the related obstacles they face, such as recognition of qualifications and discrimination. Migrant women are often channeled into a narrow range of jobs, especially domestic work and care, whatever their qualifications. This is particularly the case with recent arrivals. On the whole we know very little about the labour market participation of female family migrants except in instances where the vast majority enter through this route. There is, however, evidence, as previously noted, of deskilling and lack of tailored labour market integration and language courses for more educated women.

2. Dependency upon their spouses for increasingly lengthy periods of time so as to prevent marriages of convenience, i.e., the aptly named probationary period and the difficulties of obtaining and autonomous residence permits. During this period they are reliant on the relationship and may not have recourse to public funds, as in the UK. Although many countries have a let out clause covering domestic violence, it requires the spouse to declare this to a public authority, such as the police or a social worker, which may be difficult for them to do. There are also a decreasing number of places in women’s refuges over periods of recession.

3. Problems of sponsorship and the requisite resources (minimum income and housing) which may be more difficult for women given their higher rates of part-time work and lower wages than men. Many states have increased demands of income and housing
in the past decade. In Southern Europe the informal work undertaken by women, e.g. domestic work, may rule them out from formal family reunification. Thus, the rate of rejection by sponsors may be higher for women than for men, as Staver (nd) notes for Norway. Suspicion may be raised by certain kinds of marriages between women and migrant men from the Global South, who are thought to be using marriage as an immigration route into the country.

4. Separated children and care arrangements. Although European states recognize family reunification, the lack of resources highlighted above may lead migrants to leave their children behind in the country of origin with, perhaps, only the ability to reunify with some of their children. Restrictions on bringing in parents makes it difficult to call upon them for care and emotional support when they are needed both for everyday assistance or in emergencies.

CONCLUSION

Although family migration has begun to receive more attention from policy makers, the attitude towards it has become more negative, even societies long experienced with immigration. Hence, the various measures to restrict and reshape the nature of these flows, which have disproportionate effects upon migrant women. What I have been arguing is that policy makers operate with stereotypical views of migrant women, who are presented as homogeneous groups, unable or unwilling to integrate due to backward and problematic gender relations. The argument for the need to protect migrant women against forced marriages in a number of European states has been at the forefront of initial proposals to impose pre-entry tests and raise the age of marriage for all migrants. This makes forced migration primarily an immigration issue. As a result of these attitudes, policymakers conveniently promulgate a raft of restrictive measures in order to reduce family migration yet do little to respond to the problems raised by migrant women themselves.

However, a number of NGOS such as the European Women's Lobby and the European Action Against Poverty have argued for family migration and integration to be dealt with from a rights-based perspective due to the recognition of the diversity of family migrants' backgrounds, cultures, education and skills. In particular, an autonomous status should be granted to spouses and children of the principal right holder as soon as possible so their rights can be protected and they can participate fully in society.

References


• Scholten P, Hollomey C, Kofman E, Lechner C (2011) Integration from Abroad. WP4 Promoting Policies for Sustainable Integration. European Integration Fund. (I flag this because there are a lot of papers with some of these authors but not all, some of the terms in the title, but not all and this is the closest match—with an author missing, the wrong year, etc.: http://research.icmpd.org/fileadmin/Research-Website/Project_material/PROSINT/Reports/WP4_CompcRep_Final_submitted.pdf )


