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## Opinionated Family Migration Policies?

Sondergaard, J.

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# Overview

## Overview, conclusions and discussion Opinionated family migration policies?

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*'To be sure, public opinion is not the decisive factor  
in carrying the European project on immigration forward...'*

*(Lahav, 2004: 1156)*

### Summary

Despite the harmonizing efforts of the European Union [EU], family reunification policies remain diverse across its member states in terms of, among many other aspects, income requirements for sponsors and the requirements for the reuniting family member obtaining an autonomous residence permit. This thesis examines whether member states' resistance to the harmonization of family migration policies can be partly explained by divergent public opinion about gender roles and/or about immigration/immigrants across the EU. Using data from the European Social Survey (2002-2012), the European Value Study (1990-2008) and the Migrant Integration Policy Index database (2007 and 2010), this thesis examines whether changes in policies in 27 European countries are influenced by these two types of public opinion, as suggested by previous authors.

The thesis first finds circumstantial evidence for the relationship between family migration policies and public opinion. Specifically, it finds that family migration policies diverged in the EU between 2007 and 2010 and at the same time support for both immigration and sharing the childcare role in the family also diverged across EU member states. When directly testing the relationship, however, the results do not show any influence of public opinion about immigration on changes to these family migration policies. In contrast, the thesis does find a direct negative effect of public opinion about gender roles in the family: European countries with more conservative views on sharing care in the home have more open family migration policies. This latter finding supports the hypothesis of previous studies suggesting that as gender egalitarianism in a country increases, traditional gender role norms of dependency are projected on the migrant 'other', manifesting in restrictive family migration policies, for example, in the form of strict income requirements for sponsors. The finding of an overall negative direct effect of public support for shared-caring on family migration policies across countries suggests that divergent public opinion across European countries on gender norms could be one reason for the lack of strict EU harmonization of family migration policies.

### Introduction

In recent years, family migration has become one of the main modes of entry for migrants to the European Union [EU], and for some countries, almost the only legal means of entry (Kraler, 2010). Family migration is defined here as the movement of non-EU citizens (third-country nationals) into EU member states to join a family member for more than three months.<sup>1</sup> The 'family' is usually the 'nuclear family', however this is defined by the state (Kofman, 2004). In 2012, the average percentage of first permits being issued to third-country nationals (i.e. non-EU citizens) for family reasons across

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<sup>1</sup> This thesis does not deal with the free movement of EU citizens and their family members.

the EU (and Norway) was 34.9%, ranging from 2% in Poland to 72.8% in Luxembourg (Eurostat, 2013b). On average, these proportions increased in EU countries from 2008-2012 (Eurostat, 2013b).

Despite similar experiences, many member states have resisted the harmonization of policies regulating the entry of third-country family migrants. This resistance was already obvious in the negotiations of the Family Reunification Directive 2003/86/EC (Council of the European Union, 2003), where some states pushed for the inclusion of derogation clauses in the Directive to allow for the possibility of including stricter conditions, for example on integration requirements. This means that currently, the Directive does not in fact direct countries toward having identical policies, but is rather an ‘instrument of minimum harmonization’ (Boeles, Den Heijer, Lodder, & Wouters, 2009: 182). Thus member states have wide discretion about the rights granted to third-country nationals to family reunification, e.g. setting age requirements and income requirements of the sponsoring family member (Block & Bonjour, 2013; Boeles et al., 2009).

The reasons given why countries have only agreed to ‘minimal harmonization’ often rest in traditional explanations of migration policymaking. Traditionally, migration policymaking is explained ‘in terms of a rational balancing of economic interests, electoral pushes, and judicial constraints’ (Bonjour & De Hart, 2013: 61). But many researchers have begun to point to alternative explanations of migration policymaking, as traditional theories often cannot explain final policymaking decisions. One of the alternative explanations is the influence of public opinion. For family migration policies, authors have recently highlighted a specific type of public opinion that may influence family migration policies. Notably, Van Walsum (2008) analyzed the history of nationality and immigration law in the Netherlands during the second half of the twentieth century, in the context of changes that took place in family norms during the same period, and highlighted the importance of gender norms in explaining changes to family migration policies. Similarly, Bonjour and De Hart (2013: 62) point out that ‘[d]ebates about family migration policies are shaped in fundamental ways by conceptions of what the roles of men and women ought to be, what marriage ought to be, what parenting ought to be, and what family ought to be... Such gender and family norms play a crucial role in the production of collective identities, i.e. in defining who “we” are and what distinguishes “us” from “the others.”’ Such an argument would suggest that diverging ideas about gender roles in the family across EU countries would be a barrier to the harmonization of family migration policies. Other authors suggest that a lack of harmonization of EU policies on immigration may be rooted in divergent public opinion about immigration (Luedtke, 2005). These divergent immigration attitudes can be seen, for example, by the increase in support for populist political parties using anti-immigration rhetoric in some countries such as Denmark and the Netherlands, but not being a consistent and persistent phenomenon in other countries.

### Research problem

This study looks at how public opinion may influence the changes in family migration policies. It asks: *can divergent public opinion about gender roles and/or immigration/immigrants explain the lack of harmonization of family migration policies in the European Union?*

This research question originates from the ideas of Van Walsum (2008), namely that family migration policies embody certain gender norms; and member states cannot agree to having strict EU harmonization in the form of a Directive requiring identical family migration policies because gender norms still remain very different across countries. Van Walsum (2008) clarifies this relationship between differences in norms and policies further by suggesting that *egalitarian* gender norms are related to more *restrictive* family migration policies. This idea seems to be confirmed by anecdotal evidence. For example, Denmark, a country with very egalitarian gender norms, has very restrictive family migration policies, while Italy, a country with less egalitarian gender norms, has very permissive family migration policies. The hypothesis that the lack of harmonization is related to divergent gender norms *across* the EU would imply that there is a link between gender norms and family migration policies across all countries. Testing this hypothesis requires a large cross-country comparative approach. It requires, for instance, looking at whether Denmark, with its very restrictive family migration policies, also has comparatively egalitarian gender norms, and whether Sweden, with its very permissive family migration policies, has traditional gender norms. To allow for the influence of other types of public opinion on the harmonization of family migration policies, such cross-country comparisons should also include an examination of the differences in opinions about immigration and immigrants. It may be that Denmark has restrictive family migration policies because of the anti-immigration/immigrant sentiments in this country. The first step in answering the research question, however, is detailing the recent changes in family migration policies in the EU.

### Trends in family migration policies across the EU

In most EU countries, there are different policies regulating family reunification for nationals and immigrants, often with a distinction made between immigrants who are EU nationals versus those who are third-country nationals (i.e. non-EU citizens) (Strik, De Hart, & Nissen, 2013). The changes in family migration policies for this group have been influenced by recent attempts at harmonization at EU level. When family migration was discussed at the European Council in Tampere in 1999, family reunification was seen as a way to *facilitate* the integration of migrants. The idea was to model the family reunification rights for third-country nationals after the liberal rights granted to mobile EU citizens as consolidated in the Free Movement Directive 2004/38/EC (Kraler, 2010).

But by the time the negotiations of this first EU Directive on family reunification for third-country nationals had reached their final stage in 2003, the perspective on family reunification had changed dramatically; the wide-spread perception in governments appeared now to be that family reunification for migrants *hindered* migrants' integration (Kraler, 2010; Strik et al., 2013). In the negotiations of the Family Reunification Directive 2003/86/EC (Council of the European Union, 2003), some member states argued for the inclusion of clauses that allowed some states to apply stricter entry conditions for third-country nationals than for mobile EU citizens. When the Directive came into effect in 2005, its stated objective remained to facilitate family reunification, but the Directive has left member states much discretion about the rights granted to third-country nationals to family reunification in the form of numerous derogation clauses (i.e. 'may' or optional clauses) (Block & Bonjour, 2013; Boeles et al., 2009; Niessen, 2009).

The many 'may' clauses in the Directive illustrate the wide discretion given to member states. For example, Article 4 of Directive 2003/86/EC states that a sponsor's spouse and minor children are eligible for family reunification, but that member states are free to set conditions for other family members, such as parents, children above the age of majority (i.e. no longer a minor) and unmarried partners. Additionally, Article 4(5) of the Directive states that member states may set an age limit of sponsors and migrant spouses up to the age of 21, and in Article 7(1)(c) that member states may require a stable income. Also, Article 7(2) permits member states to require third-country nationals to comply with integration measures.

The 'minimal harmonization' of family reunification policies has meant that some EU countries seeking to restrict their policies, are able to embark on, what previous authors have called, a 'race to the bottom' (Block & Bonjour, 2013:215). Countries on a '**race to the bottom**' seek to implement increasingly restrictive family migration policies (Block & Bonjour, 2013; Strik et al., 2013). These restrictions in family migration include raising the age requirement for family reunification, raising the income requirement, instituting pre-departure integration measures, and limiting family reunification to the nuclear family (Strik et al., 2013). This race to the bottom, as at 2010, was suggested by previous studies to be led by Denmark and the Netherlands, with Austria and/or Germany sometimes added to the list. Joppke (2008:23) called Denmark, the Netherlands, and Austria the '**European hardliners**', as these are the countries where anti-immigrant parties have been part of shaping legislation. But there are also suggestions that not all countries are on a similar path of family migration policy development, rather that family migration policies are becoming increasingly different or **diverging** (Koopmans, Michalowski, & Waibel, 2012).

Europeanization is supposed to better align EU member states' policies through the top-down influence of the European institutions (Joppke, 2007), in particular through the

introduction of strict Directives. There are several reasons to suggest that family migration policies are unlikely to converge in the EU, however, and may even be expected to diverge. Firstly, some Directives, such as the Family Reunification Directive, contain a number of derogation clauses and this lack of comprehensive rules for identical policies means that policies across the EU can remain highly varied. Secondly, some countries have opted out of the immigration cooperation (the United Kingdom, Denmark and Ireland). Although these countries are not completely outside the decision-making process (Kaeding & Selck, 2005; Naurin & Lindahl, 2010; Selck & Kuipers, 2005) and their policies may therefore be broadly in line with harmonization standards (Strik et al., 2013), policies are unlikely to be the same across all EU countries. Thirdly, previous authors have suggested that Europeanization can also happen through the horizontal transfer of information between national policymakers observing each other's policies (Block & Bonjour, 2013; Strik et al., 2013). The idea that national policymakers may find inspiration in each other's policies suggests that different policies can disperse to different countries. This is in line with Radaelli's (2005) 'diffusion without convergence' argument, suggesting that although policies may spread, identical policies will not emerge in all countries.

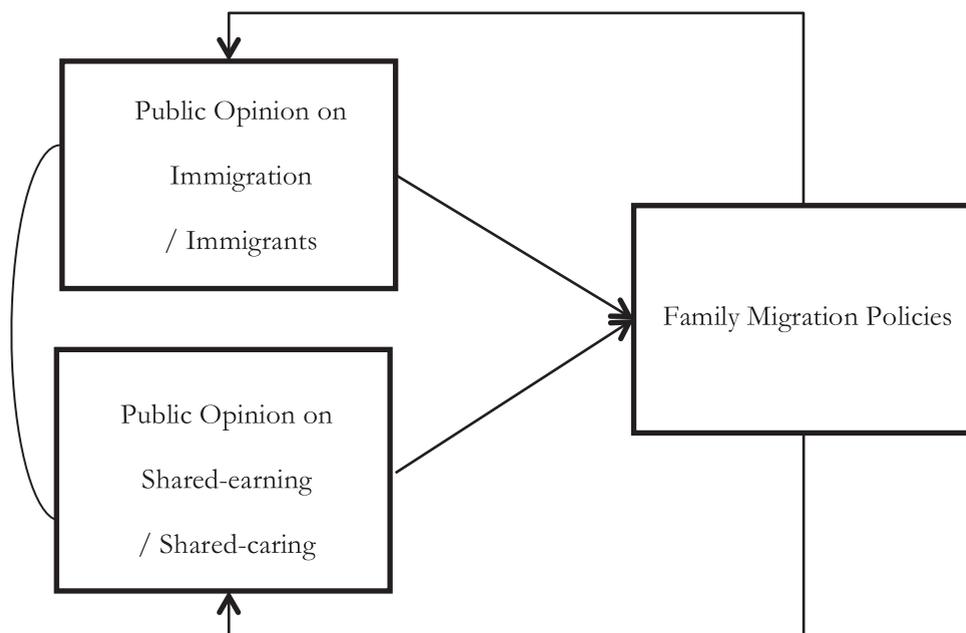


Figure 0.1. Conceptual model

The weak harmonization of family migration policies means that member states have much discretion in the family migration policies that they can implement, while still complying with the Directive. This thesis examines this lack of harmonization of family migration policies by asking whether divergent public opinion about gender roles and/or immigration/immigrants can explain this lack of harmonization of family migration policies in the EU. Figure 0.1 conceptualizes the research question about the influence of these two different types of public opinion on family migration policies, while allowing for the possibility that family migration policymaking may also influence public opinion. Answering the research question illustrated in the conceptual model above is approached in three steps, addressing the three aims of the thesis. First, the measurement of the changes in family migration policies across countries is addressed. Second, the measurement of changes in public opinion. Third, these public opinion and family migration policy measurements are combined in a panel design to consider the possible causal relationships between opinions and policies.

### **Theoretical framework - public opinion and policies**

Public opinion can be defined as an aggregate form of attitudes. Attitudes are individuals' preferences in specific situations, e.g. whether an individual thinks that women should work (Lück, 2005). As attitudes are analyzed here at the aggregate country-level, they are referred to as social attitudes or public opinion. Policies are defined in two ways, in line with the seminal work by Hammar (1985) on the difference between immigration and immigrant policies. *Immigration* policies are defined as 'the rules and procedures governing the selection and admission of foreign citizens' (Hammar, 1985: 52), while an *immigrant* policy 'refers to the conditions provided to resident immigrants...' (Hammar, 1985: 53). Simply stated, immigration policies are directed at people who are not yet 'here', while immigrant policies are directed at people who are already 'here'. Family migration policies include both of these policy areas, as they refer to the rights of the already present *immigrant* (sponsors) by regulating the entry (*immigration*) of their family members (Bonjour & Kraler, 2014).

A convergence of attitudes can be expected to be related to the harmonization of policies for several reasons. Firstly, this could be so because harmonization is only possible where attitudes have converged. As expressed by Ceobanu and Escandell (2010: 323-324) about EU harmonization, 'these proposed policies are feasible only as long as the national publics agree with what is being offered to them.' Secondly, it may (also) be that social attitudes converge *as a result* of harmonization. A lack of, or partial, harmonization could even lead to a divergence of attitudes, as public opinion follows countries' separate policy strategies employed to deal with the different immigration challenges they face. The causal direction between harmonization of policies and convergence is scarcely theorized and

there is even less empirical evidence. This thesis takes tentative steps toward examining both. It looks at the opinion-policy nexus as well as the policy-opinion nexus across countries, but focuses on the opinion-policy nexus and therefore develops this theoretical direction in more detail.

### *Opinion-policy nexus*

In a bottom-up perspective on policy-making, social attitudes inform voting, with a majority opinion being reflected in majority voting. This majority voting in turn indirectly influences policies (Raven, Achterberg, van der Veen, & Yerkes, 2011; Risse-Kappen, 1991). This process is referred to by Raven et al. (2011) as the *opinion-policy nexus*. As expressed by Jacobs and Herman (2009: 114), '[o]bviously, there is by definition some link between public opinion and policy making in democracies. Politicians and political parties cannot systematically act against public opinion and hope to get re-elected.' Indeed, classical studies such as the work by Page and Shapiro (1983) describe how public opinion is a major influence on the policy changes in the US. When opinions change, so too do policies after a 1-4 year time lag (Page & Shapiro, 1983).

Some authors have previously made the case that immigration policies are a unique type of policy not influenced by public opinion because decision-making remains within the elite-domain (Freeman, 1995). This has since been disputed, with authors pointing out that immigration has become such a highly salient issue in public and political debates, that decision-making is no longer taking place behind closed doors (Lahav & Guiraudon, 2006). It is in line with this latter view, that it is examined here how two different types of public opinion can influence family migration policies: immigration/immigrant attitudes versus gender role attitudes.

### *Gender role attitudes – family migration policy nexus*

Gender role attitudes are defined here as the attitudes about what roles men and women should adopt within the family. These roles refer to how the earning of the family income should be arranged (single, shared-earning or 1.5 model) and how 'care' should be arranged, mainly referring to childcare (one parent or shared with between partners, other family members, and/or with state/market institutions). These views have changed greatly over the last few decades, especially since the 1970s when women entered the workforce *en masse*, creating a vacuum of childcare in European homes (Pfau-Effinger & Rostgaard, 2011). Van Walsum (2008) traced how these types of family norms have been used to distinguish the 'national' from the 'foreign' in Dutch family migration policies from 1945 to 2000. Interestingly, she observed that as family norms became more egalitarian, these egalitarian family norms were *not* transferred to family migration policies. In fact, an increasingly traditional view of the family was projected on migrants. She discussed, for example, the

appearance of the gendered notion of ‘dependency’ in family migration policies, referring to the income and housing requirements for sponsoring family members. These requirements necessitate the sponsor to provide for the incoming family member, which is very much in line with the single-earner view of the dependency of one (female) spouse on the other (male). Van Walsum (2008:239) points out that the aim of these policies was to prevent the welfare state supporting entire immigrant families, but that another way to prevent migrants relying on welfare would be to allow for the earnings of the incoming family member to count towards the income requirement. This would mean that neither partner would be expected to provide for the other, but that both can contribute to the family earnings. Such an alternative policy approach would embody very different family norms, namely shared-earning (shared between partners) rather than the breadwinner norm implied by a single income requirement. Such an alternative policy approach can be observed in Sweden, where the required income represents a single-earner salary rather than a breadwinner salary (Borevi, 2014).

The reasoning that authors such as Van Walsum (2008), Bonjour and De Hart (2013) and Block (2014) give for the influence of family norms on family migration law is that the ‘family’ is an important way for the native population to distinguish themselves from the migrant ‘other’. Family migration especially is construed as ‘a problem of culture, identity, and belonging’ (Bonjour & Kraler, 2014: 4), with the national identity being ‘construed in opposition to the perceived culture and identity of migrants, epitomized by the “migrant”—especially “Muslim”—family. Whereas the “Western” family is imagined as modern, emancipated, and egalitarian, the “migrant” family is associated with tradition, patriarchy, oppression, and even violence’ (Bonjour & Kraler, 2014: 4). According to these authors, egalitarian gender norms are used as a marker between insiders and outsiders. Gender norms are used specifically as a marker because culture is arguably fundamentally about gender roles (Bonjour & De Hart, 2013), with women at the center of ethnic and national reproduction (Anthias & Yuval-Davis, 1992). Gender role norms are therefore a fundamental way of creating social boundaries. As more egalitarian norms develop, they are used to distinguish between ‘us’ and ‘them’ with one manifestation being in family migration policies. Family migration thus becomes a vital part of defining belongingness to a polity (Block, 2014).

The empirical works of Van Walsum (2008), Bonjour (2011) and Bonjour and De Hart (2013) all look at changes in family norms within one country over time. Another way to look at the influence of gender norms on family migration policies would be to see whether changes in prevalent norms in different countries are reflected in countries’ family migration policies over time. Such an analysis would see whether countries with more egalitarian gender norms (e.g. Denmark) have more restrictive/closed family migration policies (e.g. high income requirement), and whether those with less egalitarian gender

norms such as Italy have less restrictive/more open family migration policies (e.g. low income requirement). It could also look at whether as norms become more egalitarian over time, policies become more restrictive. This thesis attempts such a country comparison, looking at norms and policy trends using large cross-national surveys and quantitative policy measures.

### *Immigration/immigrant opinion – immigration/immigrant policy nexus*

Apart from the proposed link between gender norms and family migration policies, other authors have explored the more intuitive relationship between public opinion and migration policies, namely that it is public opinion about immigration/immigrants which influences immigration/immigrant policies. Beutin et al. (2007: 390) provide the following example: ‘suppose that the public perceives migration predominately as a phenomenon associated with dead bodies in the Mediterranean, human trafficking, and unemployment. Calls for tighter border controls are often the consequence.’ In her review of eighteen studies looking at the relationship between integration policies and attitudes, Callens (2015: 16) states that a ‘consistent and positive relationship emerged in several studies between countries with more inclusive integration policies and lower levels of perceived threat and, to some extent, lower levels of negative attitudes towards immigrants’. But authors such as Simon and Lynch (1999) do not find a direct relationship between the attitudes toward immigration and immigrants and countries’ immigration policies. Similar to others, they claim that general public opinion has no influence, but rather suggest that lobbying or pressure groups can have an effect on immigration policies (Facchini & Mayda, 2008; Freeman, 1995). Several measurements of immigration/immigrant attitudes are included in this thesis to further explore the disputed link between these social attitudes and policies.

### *Policy-opinion nexus*

The opinion-policy nexus discussed above, where opinions influence policies, has been previously suggested only to exist for *newer* social policies (Raven et al., 2011). Only for policies not yet institutionally well-established would politicians be open to public opinion. Well-established social policies are not suggested to be open to change by public opinion because policies are locked in ‘path-dependency’ (Pierson, 2001). For well-established welfare policies, previous studies rather have found a policy-opinion nexus, in other words that policies *influence* opinions (Raven et al., 2011). Unfortunately, it is not clear from these authors, whether family migration policy is an example of a new or an established policy.

The policy-influencing-opinion perspective is supported by normative theories of law. As expressed by Schlueter et al. (2013: 672), ‘majority group members adapt their pre-

existing attitudes in response to legislative measures, presumably because they recognize that deviations from a social norm produce negative sanctions'. According to normative theories of law, laws can influence conduct and beliefs not just through sanctions, but also through conveying a consensus about a topic (Albiston, Correll, Stevens, & Tucker, 2011). If the legal system is legitimate, then a law will be perceived as expressing a consensus. This consensus may be an actual consensus of public opinion or it may be driven by a small elite. In line with social psychological hypotheses, a majority opinion conveyed by laws will influence individual beliefs because people's attitudes change toward the perceived consensus to avoid cognitive dissonance (Albiston et al., 2011; Schmidt, 2008).

Previous authors have discussed that the policy-opinion nexus and the opinion-policy nexus could work together, reinforcing each other (Callens, 2015; Jacobs & Herman, 2009; Meuleman & Reeskens, 2008; Schlueter et al., 2013). Because the aim of the thesis is not specifically this potential reciprocal relationship, but rather to examine the influence of public opinion on policy, the policy-opinion nexus is not theorized in as much detail. But shortly, for example, positive attitudes toward immigrants may influence inclusive immigrant policies, which then positively influence further attitudes toward immigrants. For gender role attitudes it may be that if there is a negative relationship between public opinion about gender roles and family migration policies, these restrictive family migration policies are then used to further distinguish the native population from the migrant 'other'. Including both public opinion and two measurements of integration policies in a cross-lagged model, Schlueter et al. (2013), do not find this reciprocal relationship. This thesis builds on such previous studies, but focuses on one type of immigration/integration policy, namely family migration policies, and begins by developing a measurement index that is more sensitive to actual policy changes. It also includes different and additional measurements of public opinion, specifically on gender norms.

### **Overview of studies included in this thesis**

This thesis consists of four studies (see Table 0.1 for summaries) that all attempt to disentangle the connection between the lack of harmonization of policies and divergence/convergence of attitudes.<sup>2</sup> Study I starts by looking at the lack of harmonization of family migration policies. The study firstly develops a new index for studying trends over time. It then examines the extent to which family migration policies are diverging/converging over time, looking at countries that take part in the EU's cooperation on immigration

<sup>2</sup> All four studies are written as stand-alone pieces intended for publication in academic journals. This approach means that there is some level of repetition throughout the thesis.

and those that do not. Studies II and III look at both the divergence/convergence of public opinion. Specifically, these studies compare the developments in public opinion related to various policy areas—female employment and immigrant policies versus childcare and immigration policies. While these studies assume that more similar policies are related to more similar attitudes, they do not directly *test* how and whether public opinion has influenced policymaking. In study IV, the bidirectional influence of public opinion on policy is tested directly in a causal model, similar to that shown in Figure 0.1. While studies II and III can only provide circumstantial evidence of the relationship between divergent public opinion on divergent policies, study IV combines these findings to draw conclusions about the causal relationships between changes in public opinion and in policies. These four studies together allow for drawing conclusions on the relationship between the divergence of public opinion and harmonization of family migration policies.

### ***Study I. MIPi: A new index developed with implicative scaling for comparing family reunification policies in 27 European countries***

Study I looks at whether and how family reunification policies have changed in 27 European countries between 2007 and 2010. It critically examines the most widely-used existing quantitative measurement of family migration policies and proposes a new instrument to measure whether and how far policies have diverged/converged. The study answers the question:

*Research Question 1. What is the best way to quantitatively measure differences in family migration policies across EU and non-EU countries over time?*

The study finds that the index calculated by the creators of the Migrant Integration Policy Index database [MIPex] does not reflect the developments described by previous studies, namely: a ‘race to the bottom’ (Block & Bonjour, 2013:215), the race being led by ‘European hardliners’ Denmark and the Netherlands (Groenendijk, 2011; Joppke, 2008; Reeskens, 2010), and a divergence of policies (Koopmans et al., 2012). Constructing a new scale [MIPi] using the same data but with more rigorous methods, yields results more in line with expected trends: family migration policies are indeed becoming more restrictive and this trend is led by the Netherlands and Denmark. Importantly, this study shows that policies diverged from 2007 to 2010, with little harmonizing influence of the Family Reunification Directive.

### ***Study II. Growing Apart or Growing Together? Public support for shared-earning and shared-caring in 33 EU and non-EU countries between 1990 and 2008***

Study II looks at attitudes toward gender roles in EU and non-EU countries. Ideally, it would be interesting to look at attitudes specifically toward gender roles in family reunification policies, but these are not available. There are, however, thorough

comparative data available for general attitudes about gender roles. Importantly, these measurements contain the different ideals suggested by previous studies to be the core of gender norms, namely female employment and sharing of childcare (Sjöberg, 2010), here referred to as ‘shared-earning’ and ‘shared-caring’. Because many of these attitudes are expected to have changed alongside changes in relevant policies, this study looks much further back than other studies in the thesis—to 1990. Going further back in time allows for examining attitudes alongside relevant policy developments outlined by previous authors, namely the harmonization of female employment policies and the start of the informal EU harmonization of childcare policies (O’Connor, 2005). The study answers the question:

*Research Question 2. What has been the influence of EU membership on divergence/convergence of gender role attitudes between 1990 and 2008?*

The results of this study show that attitudes toward female employment (here: shared-earning) have converged, while attitudes toward childcare not being the sole responsibility of the mother (here: shared-childcare) are diverging. These results suggest that where policies have been harmonized, so too have attitudes. Additionally, they suggest that no or only weak harmonization can be related to a divergence of attitudes. This divergence in shared-caring attitudes lends support to a lack of harmonization of family migration policies being possibly related to a divergence of public opinion about sharing care roles in the family home.

### ***Study III. Moving Apart? The influence of the EU on public support for immigration and pro-immigrant attitudes in Europe between 2002 and 2012***

The starting point for Study III is the previous finding of divergence in family migration policies. The study looks at whether attitudes toward immigration are also diverging. It answers the question:

*Research Question 3. What has been the influence of EU membership on divergence/convergence of public support for immigration and pro-immigrant attitudes between 2002 and 2012?*

The results show that public support for immigration is diverging slightly less in EU countries than in non-EU countries. The study also shows that while pro-immigrant attitudes are diverging in non-EU countries, they are not diverging in EU countries. Importantly, however, the results do not reveal any evidence of convergence of public opinion toward immigration nor toward immigrants across the EU. These results could suggest that the lack of harmonization of immigration policies may be related to divergent immigration attitudes and also imply that as attitudes continue to diverge, further harmonization will be increasingly difficult.

***Study IV. Opinionated Family Migration Policies? Examining the influence of pro-immigrant/immigration attitudes and egalitarian gender role attitudes on family migration policies in European countries***

The final study combines the data and findings of the previous studies in answering the question:

*Research Question 4. Can divergent public opinion about gender roles and/or immigration/immigrants explain changes in family migration policies across European countries?*

This paper is the only study in the thesis that includes a direct measurement of policies *alongside* the attitudinal measurements. The two previous studies only include general overviews of the policy developments and speculate about their relationship without measuring them directly. The results of this final study show that policies do not affect public opinion (the policy-opinion nexus), but instead show some support for the opinion-policy nexus. The study finds that opinions about immigration and immigrants do not influence family migration policies, but opinions about shared-caring do. They have a negative effect on family migration policies. This supports the theory of the opinion-policy nexus and previous research (Van Walsum, 2008) suggesting that as gender role attitudes become more egalitarian, family migration policies become increasingly restrictive.

**Data and methodology**

The general approach in this thesis is a country-level analysis of *trends* in public opinion and family migration policies over time in EU and non-EU European countries, thus combining dynamic and cross-sectional information in one study of trends. This country-level approach means that the thesis draws conclusions about the possible influence of EU harmonization of policies on the divergence/convergence of public opinion and vice versa. As the thesis is focused solely on country-level effects, all analyses are conducted at the level of aggregated data. The meta-analyses of these data follow the recent caution against using multilevel modeling with small sample sizes and the suggestion rather to return to meta-analyses to obtain more unbiased estimates and reliable standard errors (Bryan & Jenkins, 2015; Hox & Maas, 2005).

For comparing family migration policies over time, this thesis uses the **Migrant Integration Policy Index [MIPEX]** database. This database is created by the Migration Policy Group [MPG], a non-profit Brussels-based European organization, initially with the British Council and now with the Barcelona Centre for International Affairs (CIDOB). The project is a collaboration between the two organizations, being advised by 27 national-level organizations (e.g. think-tanks and NGOs). The resulting database continues to be the database with the most extensive number of migration policy indicators. The MIPEX<sup>3</sup>

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3 Data accessed 20 February 2013 via <http://www.MIPEX.eu/>.

Table 0.1. Overview of studies included in the thesis

Study	Title	Research question	Data	Results
I	MIPi: A new index developed with implicative scaling for comparing family reunification policies in 27 European countries	What is the best way to quantitatively measure differences in family migration policies across EU and non-EU countries over time?	Migrant Integration Policy Index data 2007-2010	Results indicate that an implicative scale best show the expected trends. Family migration policies are becoming more negative, led by the European hardliners, and are diverging.
II	Growing Apart or Growing Together? Public support for shared-earning and shared-caring in 33 EU and non-EU countries between 1990 and 2008	What has been the influence of EU membership on divergence/ convergence of gender role attitudes between 1990 and 2008?	European Values Study 1990-2008	Results show that for EU countries, shared-earning attitudes have converged, but shared-caring attitudes are diverging. Such patterns are not found in non-EU countries, indicating that where policies have been largely harmonized across the EU, so too have attitudes.
III	Moving Apart? The influence of the EU on public support for immigration and pro-immigrant attitudes in Europe between 2002 and 2012	What has been the influence of EU membership on divergence/ convergence of immigration and pro-immigrant attitudes between 2002 and 2012?	European Social Survey 2002-2012	The EU generally has a positive effect on public support for immigration and pro-immigrant attitudes. There is no indication of convergence of attitudes in EU countries, however, and divergence is found in public support for immigration.
IV	Opinionated Family Migration Policies? Examining the influence of pro-immigrant/ immigration attitudes and egalitarian gender role attitudes on family migration policies in European countries	Can divergent public opinion about gender roles and/or immigration/ immigrants explain changes in family migration policies across European countries?	Migrant Integration Policy Index data 2007-2010 European Social Survey 2002-2012 European Values Study 1990-2008	Public opinion about immigration and immigrants does not influence family migration policies, but support for shared-caring is found to negatively affect open family migration policies. No effect is found of family migration policies on opinions.

database contains 148 indicators measuring national policies on integration for migrants, including 37 family reunification policy indicators. Data for each indicator are collected in every country by informants, who are researchers or practitioners in migration law, education and anti-discrimination. These informants score policies based on publicly available data, which are then anonymously peer-reviewed by a second informant or national expert. The first complete MIPEX dataset was collected for policies in 2007 in EU-25, Canada, Norway and Switzerland. For the 2010 data, the database was expanded to include Australia, Bulgaria, Japan, Romania and the USA, bringing the total number of countries to 33. For this thesis, only the 27 European countries that are repeated between the two time points are included, as the focus is on the *changes* in policies in Europe across time.<sup>4</sup>

For the public opinion data, this thesis uses cross-national survey data. It uses the best available survey data, namely data from the European Values Study [EVS] and the European Social Survey [ESS]. The EVS is a Europe-wide survey fielded every nine years (EVS, 2008). It is the only Europe-wide survey that includes a range of repeated items on attitudes toward childcare and female employment over an extended time period. The ESS is fielded every two years and includes six items on attitudes toward immigration and immigrants (ESS, 2002, 2004, 2006, 2008, 2010, 2012). The ESS organizers go to great lengths to design questions that are comparable across countries, a feat that is particularly difficult with topics related to immigration (Card, Dustmann, & Preston, 2005). Using survey data is the only way to study trends in divergence/convergence of attitudes over time across a large number of countries. It is especially important for the research question in this thesis that the included countries comprise EU as well as non-EU European countries, to enable the study of the influence of EU harmonization. According to Statham and Geddes (2006: 252), '[m]any immigration studies draw anecdotally or from assumed knowledge on public anti-immigration and xenophobic sentiments ... without explicitly conceptualizing or analysing "the public." Against this, survey research contributes important explanatory gains...' The survey data used in this thesis respond to this call.

The survey data and the policy data are analyzed using several different methods. In study I, a new scale is developed using the implicative scaling method. In studies II and III, a new method of testing the divergence/convergence of attitudes is developed. In study IV the data are all combined and random-effects panel regression applied, as well as structural equation modeling. These methods allow for controlling between-country and within-country effects, other than public opinion and policies in focus such as an increase in

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4 Unfortunately, these data were released too late to be included in this thesis, but will be useful for future studies. Data release date: 30 June 2015. See press release: <http://www.mipex.eu/changes-government-and-far-right-emergence-hard-times-integration-policies>, accessed 15 July 2015.

migrant population or economic factors, enabling the isolation of the effect of the changes in public opinion on changes in family migration policies.

## Conclusions

This thesis looks at how public opinion can influence the changes in family migration policies. It asks: *can divergent public opinion about gender roles and/or immigration/immigrants explain the lack of harmonization of family migration policies in the EU?* The results of the thesis indicate several findings about the possible influence of public opinion on the harmonization of family migration policies:

- The thesis shows that there has been very weak harmonization of EU family migration policies and that these policies remain very different, with very little harmonizing influence of the Family Reunification Directive.
- The thesis provides evidence that where there is stricter harmonization of policies, there is also a greater convergence of public opinion. This is best exemplified by the finding that for the strongly harmonized policies on female employment, there is greater convergence of public opinion than for weakly harmonized policies such as childcare policies.
- The thesis finds no evidence for family migration policies influencing public opinion. This finding contests the normative theories of law that suggest the existence of a policy-opinion nexus.
- The thesis shows that public opinion about immigration/immigrants does not influence family migration policies, but public opinion about family norms does influence family migration policies. Denmark illustrates this finding: a country with very egalitarian gender norms and very restrictive family migration policies. There are some country exceptions to this finding, however. For example, Sweden has very egalitarian gender norms, but very open family migration policies. Despite such exceptions, on average, public opinion about sharing care in the family is found to have a direct negative effect on the openness of family migration policies.

The above findings lead to the overall conclusion of the thesis, namely that the divergence of public opinion could partly explain the lack of harmonization of family migration policies. The fact that the opinion-policy relationship exists across a number of countries, exceptions notwithstanding, confirms the benefit of large cross-national studies for examining these relationships instead of a case-study approach. The findings of this thesis also confirm the usefulness of including different types of public opinion when studying its impact on policies. The opening quote of the thesis states that ‘public opinion is not the decisive factor in carrying the European project on immigration forward’ (Lahav, 2004: 1156, 1158), but this thesis concludes that public opinion about *gender norms* may indeed be a part of the European project on immigration.

### Discussion

This thesis is a first attempt at a cross-national study across time of the hypothesis put forward by Van Walsum (2008) on the relationship between family norms and family migration policies. The thesis uses the best survey data available for measuring changes in public opinion over time. Additionally, it uses the most extensive policy data available and makes important improvements to the use of the database by developing a new family migration policy index. The thesis also makes strides in studying the divergence/convergence of public opinion by developing a new method for directly testing these trends over time.

Despite these improvements, as with any study, there are also several limitations. Firstly, it would improve the thesis if the policy measurement could be included at three time points instead of two. Unfortunately, the third wave of the MIPLEX database became available too late to be included in the thesis. Secondly, the measurement of public opinion should ideally be supplemented with a measurement of people's opinions about the gender norms of migrants with their ideas about family migration policies specifically. None of these measurements is yet available, however, in cross-national surveys across time. Thirdly, it should also be noted that working with country-level mean attitudes assumes that there is such a thing as the attitude of the 'majority' and that this is what influences policies. It may be of course, that only certain elements of a society influence policies, e.g. the elite, or that politicians only appeal to one section of the population. This could be the subject of further study. Lastly, although it can be seen as an improvement on studies looking only at single case studies, this thesis still only has a limited sample, which affects the reliability of the estimates of structural equation models. All these limitations could be effectively improved in further studies

As well as addressing the above limitations, there are also additional possibilities for extending this study. One extension would be to look not just at the official policies in the countries; but also the application of these policies. Rules may stay the same, while the application of the policies changes (Hammar, 1985) or there may be differences in how these policies are applied by street-level bureaucrats (Ellermann, 2006; Van der Leun, 2003). None of these possibilities has been measured here and it would be interesting to see whether the application of these policies is affected differently by public opinion than the policies themselves. Another extension would be to look not just at the *total* influence of public opinion on policies, but also at the mechanisms underpinning this relationship. Some authors argue that public opinion influences immigration policies indirectly through lobbying or pressure groups (Facchini & Mayda, 2008; Freeman, 1995). This potential mediating role of pressure groups and the media would be an interesting addition to the study, but difficult to research the number of countries in the thesis. Similarly, the mechanisms for *how* public opinion about gender is used in *othering*

migrants could also be examined. In addition, by looking at the total relationship of opinion-policy, there could be greater recognition of that fact that even if policymakers aimed to make policies completely in line with public opinion, they would still have to abide by several legal obligations, both European and International Law. Also, further studies could include possible differences across different political systems (i.e. does public opinion affect policies in some political systems, but not in others). A final extension could be conducting a similar analysis using other policies and opinions.

