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**DOI**

[10.1080/1369183X.2015.1021588](https://doi.org/10.1080/1369183X.2015.1021588)

**Publication date**

2015

**Document Version**

Author accepted manuscript

**Published in**

Journal of Ethnic and Migration Studies

[Link to publication](#)

**Citation for published version (APA):**

Bonjour, S., & Schrover, M. (2015). Public debate and policy-making on family migration in the Netherlands, 1960-1995. *Journal of Ethnic and Migration Studies*, 41(9), 1475-1494. <https://doi.org/10.1080/1369183X.2015.1021588>

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***Public debate and policy-making on family migration in the Netherlands, 1960-1995***

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**Abstract**

Is 'public opinion' systematically opposed to immigration? And has this pushed policy-makers to implement restrictive migration policies? To answer these questions, we investigate the impact of public opinion, as expressed in media debates, on the making of family migration policies in the Netherlands. Based on newspaper articles, parliamentary documents, and ministerial archives, we analysed three debates on family migration from the 1960s, the 1980s and the 1990s respectively. We identify how and why media coverage influenced administrative and political decision-making. Our findings contradict common assumptions in migration studies literature: media debates do not necessarily contribute to restrictive policy dynamics. As often as not, media debates supported liberal migration policy agendas. Furthermore, the impact of media on migration policy-making was smaller than often assumed.

**Keywords**

Migration policy; media; public opinion; family migration; the Netherlands

## **Introduction**

Among migration scholars, it is all but generally assumed that as a rule, public opinion is opposed to immigration. Freeman (2002: 78) states that ‘it appears normal, indeed it approaches a social law, that the citizens of liberal democracies are skeptical, if not hostile, towards immigration’, especially towards ‘the entry of persons who are culturally or ethnically different from the socially dominant groups’ (cf. Joppke 2002: 62; Guiraudon 2000: 22). Less generally accepted, but still broadly adhered to, is the assumption that liberal states have responded to this public preference by trying to implement restrictive immigration policies (Hollifield 2008: 191; Massey et al 1998: 287). Both assumptions seem plausible at first sight, but appear more problematic upon closer consideration. Who exactly is this ‘public’? How can we know which opinion ‘the public’ holds? To which extent do policy-makers take ‘public opinion’ into account when shaping policy?

‘Public opinion’ is usually conceptualised as the aggregate of the opinions of individuals as measured in polls. Already in the 1940s, Blumer (1948) criticised this view for two reasons. In the first place there is a large difference between individually expressed views in polls, and collective behaviour: people will express one view when asked individually, but may act on a different view collectively. Secondly, in polls the views of each individual are given equal weight. This aggregation may explain mass actions, such as the buying of toothpaste, but not organised action for instance related to policies. In that case the views of an intellectual carry more weight than those of a drunk. This means that ‘public opinion’ should rather be conceptualised as ‘the product of a public debate’, i.e. as construed through the exchange of views in the public sphere (Habermas 1989; Héricourt and Spielvogel 2010: 117-118). Newspapers are crucial forums for this public debate and crucial players in it (cf. Roggeband and Vliegthart 2007: 526).

The aim of this article is to submit to critical empirical scrutiny the two assumptions that public opinion is opposed to migration and that public opinion pushes policy-makers to adopt restrictive reforms. In order to do so, we will investigate the impact of media coverage of migration issues on the making of family migration policies in the Netherlands in the period 1960-1995. The Netherlands was highly reluctant to accept immigration. However, the mantra that the Netherlands was not an immigration country expressed a political view, which never reflected reality. In practice hundreds of thousands of foreigners were permitted to settle in the Netherlands over the last decades. A great many of these settlers came as family migrants. Our previous research on Dutch family migration policy-making has led us to question the assumption that public opinion is always hostile to immigration, and that exposure of the policy-making process to public scrutiny always leads to restrictive reforms. In the 1950s and 1960s, Dutch conditions for family migration were mostly decided behind

closed doors, by a small circle of civil servants from the Ministries of Justice and Social Affairs. In the 1970s, the decision-making arena opened up: political parties, interest groups, media, lawyers and courts got more involved in the policy-making process. In contrast to what scholars such as Guiraudon (2000) would predict, this more open arena did not result in restrictive reforms: on the contrary, family migration policies were far more lenient in the 1980s than in the 1960s (Bonjour 2011: 111-112). This article aims to explain this paradoxical relation between public debate and policy-making on family migration in the Netherlands, through an empirical reconstruction based on extensive archival research of political and administrative decision-making on the one hand, and media coverage on the other hand.

### **Theoretical framework**

Our analysis starts from the assumption that policy problems are not objectively given, but socially construed. Through a process of ‘framing’ or ‘problematization’ participants (e.g. politicians, civil servants, lobbyists, journalists, or academics) define a situation as a problem, develop a coherent story about its causes and implications, and finally suggest a solution (Foucault 1984; Schön and Rein 1994; Schrover and Schinkel 2013). In this article, we ask whether and how framing in the media affects the political agenda. Does framing travel between the journalistic and the political discourse? Do policy-makers pick up narratives from media? Schrover (2010: 92-93) showed that framing of migrant women as vulnerable and migrant men as a threat, formulated by interest groups striving for women’s rights and transmitted via the media, was used by policy-makers to justify restrictive policies. However, based on an analysis of the framing of migration and integration in Dutch parliament and media from 1995 to 2004, Vliegthart *et al.* (2008) showed that media and politicians deploy very different frames. Frames used in the media do impact on parliamentary discourse in the longer run, but only to reinforce the frames that were already used by parliamentarians. In a similar vein, Vliegthart and Walgrave (2011) showed that parliamentarians are more likely to be influenced by media attention for a specific issue if this issue was already high on their own agenda.

### *Different media scenarios*

The problematization of migration policy and immigration in media coverage proceeds according to different narratives or scenarios. The most common scenarios, we argue, are the ‘crisis scenario’ and the ‘drama scenario’.

In the crisis scenario, immigration is presented as a sudden, massive, and threatening phenomenon. There is no personification: migrants remain invisible as individuals. The

numbers game is a favoured strategy: emphasis is put on (uncertainty about) the number of people who have come or might still come. Migration is associated with insecurity, crime, terrorism, and loss of control. News coverage on illegal migration often follows this scenario.

In the drama scenario, migration is related to individual tragedy. Media coverage is highly personalised, focusing on the life stories of individual migrants – mostly women or children. Organisations or spokespersons supporting the migrants' cause play an active role as claim makers in the media. Debates swing back and forth between particularisation and generalisation. Particularisation, emphasising the uniqueness of the individual case, is used both by claim makers asking for an exception to migration rules, and by authorities striving to limit the scope of the exception and eager to avoid 'setting a precedent'. If claim makers want general policy change, they may use generalisation, presenting the individual case as representative for a broader problem. Media coverage about family migration often follows this scenario.

#### *The impact of media on (migration) policy-making: state of the art*

The representation of migrants and minorities in the media has been studied extensively. However, the literature that addresses whether and how the media affect migration policy-making is scarce. Suro (2009) studied US media coverage of migration from the 1980s to the 2000s and argues that 'the US media have hindered effective policy-making on immigration for decades', not only by distorting public perception by presenting migration as a 'chaotic, criminal and controversial' phenomenon, but also by channelling and amplifying resistance to proposed reforms of migration policies (2000: 1-3). Vukov (2003: 346) writes that 'media spectacles' create 'affective myths' around immigration, such as 'porous borders' or 'floods', which may support restrictive policy agendas. In a similar vein, Danso and McDonald (2001: 115) argue that anti-immigrant media coverage in South Africa – reproducing unreliable statistics and linking migration to illegality - reinforces anti-immigrant policy-making. These studies converge in emphasising the use of 'crisis scenarios' in media coverage, and in arguing that media coverage pushed restrictive immigration policy agendas. However, none of them investigates the relation between media coverage and policy-making in a systematic empirical manner. Indeed, Danso and McDonald claim that 'it is impossible to draw direct correlations between press coverage on the issue and the development of immigration policy in the country' (2001: 131). Thus, proof for the relation between media coverage and restrictive immigration policy remains to be delivered.

Also beyond the field of migration studies, the relation between the media and politics remains remarkably understudied. Only in recent years have scholars of political science and communication started addressing the impact of mass media on the political agenda (for an overview, see Walgrave and Van Aelst 2006). These studies have produced mixed results. On

the one hand, surveys reveal that politicians attribute substantial agenda-setting power to the mass media, equal to if not outweighing the agenda-setting power of Prime Ministers and major political parties. On the other hand, most analyses using time-series find that while the media do influence the political agenda, ‘the size of the media effect is modest or even small’ (Van Aelst and Walgrave 2011: 296). Walgrave and Van Aelst (2006: 94-95) argue that the mass media impact most on the symbolic political agenda, i.e. on rhetoric, deliberation and communication. In contrast, the mass media was found to exert only minimal impact on the substantial political agenda, i.e. on regulative or legislative reform or resource allocation. In other words: politicians are much more responsive to the media in choosing what to talk about, than in deciding what policies to conduct. Thus, in contrast to the migration literature which assumes that the media have an important role in pushing restrictive migration policy agendas, the political communications literature would lead us to expect only a modest impact of mass media on immigration policies.

#### *Material and case selection*

The aim of this paper is deductive: it aims to evaluate broadly held assumptions on the relation between public opinion and policy-making in the field of migration policy, through qualitative empirical research. In order to do so, we analyse three cases in which reform of Dutch family migration policy was preceded, paralleled, or followed by extensive media coverage.

Our analysis of policy-making processes is based on documents from the archives of Parliament, the Ministry of Justice, and the Council of Ministers. This archive research permitted a comprehensive reconstruction of administrative and political decision-making processes on family migration between 1960 and 1995, through the identification of the policy actors involved and the power relations among them, as well as their framing of family migration as a policy problem. A full account of this analysis can be found elsewhere (Bonjour 2009).

For the analysis of the media coverage we used newspaper articles. Unlike radio and television broadcasts, newspapers have been kept and archives are available for the whole research period. Newspapers have only partly been digitalised (LexisNexis includes papers from 1990 onwards; the Dutch Royal Library has digitalised part of the newspapers, but not all). The papers that have been digitalised are not per se machine-readable. About 40 to 60 per cent of the content is botched and all longer articles are truncated halfway through. This incomplete digitalisation of newspaper archives limits the possibilities for thematic searches using keywords, and prohibits comprehensive quantitative analysis.

Our case selection proceeded as follows. First, we identified the instances of policy reform in which civil servants or politicians referred recurrently to media coverage during the

decision-making process. Thus, we selected cases in which civil servants or politicians were under the impression that media coverage had some influence on policy-making or feared that it might have. We did not aim to identify shifts in media coverage, but rather to make a counter point. If even in these cases, in which influence was assumed or feared and media coverage was extensive, we find little policy impact, this will provide solid ground to question the accuracy of the assumption in migration literature that the media influence migration policy-making significantly. From the list of policy reforms where reference was made to media, we selected three cases which cover different phases in our research period, and in which media coverage was extensive. We identified these cases of extensive media coverage through keyword search in the digitalised newspaper archives. Once these cases were selected, we proceeded to additional research in the paper archives, searching through the newspapers by date.

The limitations of the empirical material – in particular the partial digitalisation of newspaper archives – do not allow us to draw general conclusions about shifts and tendencies in media coverage on family migration in the Netherlands between 1960 and 1995, nor to measure the overall impact of media coverage on policy developments in this period. However, our case selection *does* allow us to assess the assumptions that public debate is always in favour of restriction of migration, and that public opinion systematically pushes policy-making towards restriction. If our findings contradict these assumptions, these case studies can be interpreted as ‘counter-examples’ which ‘invite a modification of the generalisation’ (Stake 1995: 8). Also, these in-depth qualitative case studies allow for generating new hypotheses about the mechanisms through which media coverage impacts on migration policy-making, which may be corroborated through further study.

### **The impact of the media on Dutch family migration policies**

In the history of Dutch family migration policies, three phases can be distinguished. Between 1955 and 1970, Dutch firms recruited foreign workers on a large scale, first mostly from Italy and Spain, later mainly from Morocco and Turkey. Policy debates centred on the question whether and under which conditions these labour migrants should be allowed to bring their wives and children over. Dutch family reunification policies in this first period were strict because of concerns about population density and housing shortages.

The second phase starts in the second half of the seventies, when these policies were significantly relaxed. Debates about family migration policy were dominated by progressive norms proscribing gender equality and equal treatment of resident migrants and nationals. As a result, the Dutch family migration policies between 1975 and 1989 were the most liberal of the post-war period.

In the third phase, which begins in the early 1990s, Dutch family migration policies took a restrictive turn. The number of new immigrants kept rising, while at the same time the integration of migrants and their children in Dutch society was labelled problematic. Partly as a result of neo-liberal ideology, which proscribed that rights came with duties, the right to family reunification was subjected to tighter conditions. This restrictive trend continues until today and has placed Dutch family migration policies among the most restrictive in Europe. We selected three case studies to cover these three phases in the development of family migration policies.

### *Spanish furies*

In the 1950s and 1960s, the question if and when foreign workers could bring their families to the Netherlands was subject to fierce controversies between Dutch ministries. The minister of Social Affairs - responsible for granting labour permits - considered the recruitment of foreign labour crucial to economic growth. It should be made attractive for labour migrants to come to the Netherlands (rather than to Germany or Belgium) for instance by allowing them to bring their families. In contrast, the ministry of Justice, which was responsible for granting entry and residence permits, was adamantly opposed to family reunification. Justice civil servants expected the arrival of women and children to lead to permanent settlement of foreign workers and feared the long-term consequences of migration for Dutch society (Bonjour 2009: 54-64).

Despite the ministry of Justice's reticence, family reunification was allowed as of 1960, provided that labour migrants had worked in the Netherlands for two years, had a labour contract for another year, and had housing suitable for a family. Upholding these regulations proved problematic: the wives of the Spanish guest workers, who made up the largest group of foreign workers in the Netherlands in the 1960s, protested these conditions by ignoring them.

In January 1962, civil servants from the ministry of Justice learned that a number of Spanish wives had joined their husbands before the two years waiting time was over. To make matters worse, the ministry of Social Affairs had granted these women work permits. From the perspective of Social Affairs, women workers were as welcome as men, and the strict conditions for family reunification should apply only to Spanish wives who did not work. In contrast, the ministry of Justice argued that Spanish women came to the Netherlands for the sole purpose of joining their husband, and sought employment only to be allowed to stay. Therefore, these women should be considered family migrants rather than labour migrants and the strict family reunification rules ought to apply.<sup>1</sup> It took five months to reach a compromise. As of July 1962, Spanish wives would be allowed to join their husband immediately after his probation period, provided they had no children and did care work

(such as nursing). The ministry of Justice had insisted on this last condition, so as to reduce the impact of the new measure.<sup>2</sup>

In September 1962, the ministry of Justice decided to expel seventeen Spanish women who were living with their husbands in the Dutch town Utrecht. The women worked, but not in care.<sup>3</sup> In the next two days, all Dutch newspapers published articles about these women as well as about other Spanish wives in similar circumstances.<sup>4</sup> A number of newspapers supported the ministry's expulsion decision, based on legalistic arguments – rules should be obeyed – as well as apprehension of increasing immigration. They emphasised that the women had come as tourists and stayed illegally. Newspapers mentioned the precedent that would be created if women were allowed to stay. There were only a few hundred Spanish women in the Netherlands, but there were 3,000 Spanish men, 2,000 of whom were married. If the women were allowed to stay, many others would follow.<sup>5</sup> Other newspapers opposed the expulsion on moral grounds, emphasising the women's hardship. In an editorial, the Catholic newspaper *De Tijd/De Maasbode* wrote that when the Dutch authorities encouraged and organised the emigration of Dutch people, they had always argued that Dutch men could only succeed in their new country if women supported them. What was considered to be a healthy principle for the Dutch emigrants, apparently did not apply to Spanish guest workers. Authorities should be humane and lessen the sorrow they had caused.<sup>6</sup> *Het Vrije Volk*, a leading social democratic newspaper, under the heading 'Spanish furies' quoted the women: 'If we go back, we will take our husbands'. The paper took a personalised approach: Maria Valle stated that she had been alone four months: 'it felt like four years'.<sup>7</sup> The Dutch landlady of Spanish workers was quoted saying: 'It is not that they do not trust their husbands, but if you know how many Dutch girls call here seeking a date with the Spanish men ... this explains the anger of the women'.<sup>8</sup>

Although press coverage was balanced between arguments opposing and supporting expulsion, civil servants in the ministry of Justice felt pressured. The press attaché of the ministry suggested organising a press conference to provide journalists with background information, but this idea was dropped because it would bring to light the controversy between the ministries of Social Affairs and Justice.<sup>9</sup> On the one hand, the media exposure made civil servants even more reticent to allow the seventeen Spanish women in Utrecht to stay, for fear that other firms employing Spanish women would claim similar treatment. On the other hand, the ministry did not want any more bad press. That same month, a region near Barcelona was flooded and 800 people died. Dreading further criticism in the press if women were expelled after this disaster, the ministry decided to temporarily suspend all expulsions to Spain.<sup>10</sup>

The press response to this decision was the exact opposite of what the ministry had intended: the media coverage intensified in October 1962. These press reports contributed to

confusion about what the authorities had decided. *De Telegraaf*, a populist liberal paper, wrote that the original plan was to deport the 'Spanish beauties' by 'brute force', but since this would affect the working power of the men, they had been allowed to stay. The decision had not been made public, but sources had informed the journalists that the women would not be deported.<sup>11</sup> *De Tijd/De Maasbode* wrote that no decision had been taken and that the ministry of Justice said that leniency was the current policy.<sup>12</sup> *Het Nieuwsblad van het Noorden*, one of the large regional newspapers, wrote that there was no new policy and quoted the chief of the Utrecht Alien Police stating that the Spanish women had to leave.<sup>13</sup> Civil servants of the ministry of Justice observed to their dismay that based on these press reports, 'hundreds of Spanish women' who were in the Netherlands visiting their husbands now claimed the right to stay.<sup>14</sup>

*De Tijd/ De Maasbode* described Spanish guest workers acting on rumours. Most of them had sold everything they had in Spain in order to be able to come to the Netherlands. There was nothing to go back to. The women who were not allowed to stay had gone to Germany. When the rumour spread that the women would be able to return, 15 women 'some with a baby in their arms' turned up at the Spanish community centre in Utrecht. Spanish songs were sung, accompanied by guitar music, journalists reported. Some Spaniards left in the middle of the gathering to travel to Germany to collect their wives as well.<sup>15</sup> However, in *Het Nieuwsblad van het Noorden*, the chief of the Utrecht Alien Police said that Spanish women were not returning to Utrecht in large numbers, simply because hardly any had left.<sup>16</sup>

Occasionally, arguments in favour of maintaining restrictive family reunification policies were expressed in the press, often by government representatives. Minister of Justice Beerman was quoted saying that the housing shortages made lenience impossible, and that the strict requirements served to protect Spanish families against intolerable housing circumstances.<sup>17</sup> *De Telegraaf* worried that a precedent had been set, other women would follow and a housing problem doomed.<sup>18</sup> Under the ominous sub-header 'Over 6000' *De Telegraaf* wrote that there were 2850 Italian guest workers in the Netherlands and 3250 Spanish, half of whom were married.<sup>19</sup> *De Tijd/De Maasbode* quoted Minister Beerman, arguing that men who served in the merchant navy were also away from their families for longer periods of time and that Switzerland was pursuing the same policy.<sup>20</sup>

On the whole however, press reports were almost consensually critical of the restrictive family reunification policies. While many newspapers had adopted a legalistic perspective only a month before, the authorities' argument that 'rules should be obeyed' was now broadly rejected as 'formalistic'.<sup>21</sup> *De Tijd/De Maasbode* quoted employers who feared that the men would leave with the women.<sup>22</sup> In *Het Vrije Volk*, employers argued that the women were needed as workers, and that the couples would only be staying temporarily.<sup>23</sup> *De Telegraaf* asked why the Spanish men could not decide for themselves when to bring over

their families, if they did so at their own expense, and wondered what gave authorities the right to force Spanish women into badly paying care work.<sup>24</sup> *Het Limburgsch Dagblad*, a regional paper in the mining region where large numbers of Spanish migrants worked, argued that it would be good to let Spanish women stay, because they were a ‘stabilising factor’ for the men.<sup>25</sup> *Het Nieuwsblad van het Noorden* considered it discriminatory that the Spanish workers could not bring their children.<sup>26</sup> *Het Vrije Volk* wrote that it seemed as if the Dutch were trying to avenge the sixteenth century Spanish Duke of Alva, who had brutally tried to repress the Dutch Revolt.<sup>27</sup>

In the 1960s, migration policies were still largely decided by civil servants behind closed doors. It was unusual for Parliament to get involved. However, in November 1962, most probably in response to the media commotion, Parliamentarians asked critical questions about the government’s family reunification policies. Catholic MPs asked the government to find a way to ‘ease existing harsh regulations’, ‘out of considerations of justice and humanity’. Liberal MPs described ‘the separation of families for longer periods of time’ as something ‘hardly befitting a Christian-social policy’. They thought it ‘curious’ and ‘narrow-minded’ to limit Spanish women’s employment to the care sector.<sup>28</sup>

Supported by parliament and media, the ministry of Social Affairs pressured the ministry of Justice to change its policies. It took several months of negotiations between the two ministries, but in the end the ministry of Justice gave in. As of July 1963, childless Spanish wives were allowed to follow their husbands immediately, regardless of the sector in which they worked. Moreover, all Spanish wives present in the Netherlands on 15 July 1963 were regularised.<sup>29</sup>

Two conclusions can be drawn from these debates about the ‘Spanish furies’. First, public opinion as expressed in the media is clearly *not* always in favour of restrictive migration policies. Actors in favour of liberalisation – employers – may express their claims through the media. Moreover, norms that are dominant in society and which oppose restriction – such as the moral weight of family unity – may dominate media debates. Second, media pressure may contribute to liberal policy reform. The press did not put the issue of family reunification on the policy agenda: rather, the media commotion was a response to the controversial policy decision of expelling Spanish wives. However, media debates subsequently influenced the course of the policy-making process because they influenced the power relations between policy actors. Especially after MPs picked up on the media’s criticism, the position of the ministry of Justice vis-à-vis the ministry of Social Affairs was significantly weakened, and Justice was forced to agree to liberal policy reform. Rather surprisingly the newspaper reports suggest that the media had a major influence on change, when in fact they picked up the issue half way through the policy debate.

*Dependent residence permits, dependent wives?*

Women's emancipation in general, and migrant women's emancipation in particular, was a subject that was high on the public and political agenda in the 1980s. One of the main topics on which the migrant women emancipation debate focused was the dependent residence status. In a strictly judicial sense, the 'dependent residence status' applied to all foreigners who came to the Netherlands as family migrants. They were granted a residence permit because of their family relation with a person living in the Netherlands. After five years residence, family migrants like all other migrants qualified for a permanent residence permit, provided they had sufficient income. Should their family relation end within five years, then the ground for their right to stay in the Netherlands was lost and their permit could be withdrawn.

From the perspective of the ministry of Justice, it was important to retain the possibility of expelling a foreigner if a marriage ended shortly after arrival in the Netherlands. These marriages were believed to have been fraudulent. Public and parliamentary attention for the 'dependent residence permit' focused exclusively on migrant women. If their husbands left them during their first five years in the Netherlands, or they left their husbands, they could be expelled. This was criticised as reinforcement by the government of foreign women's dependence on their husbands.

The issue was first raised in the Spring of 1979 by Ria Beckers, MP for the left-wing party PPR. She pointed out that because of their weak position on the Dutch labour market, it was difficult for foreign women to fulfil the income requirement so as to get an independent residence permit. For fear of being expelled, these women stayed with their husbands, even if this caused 'unbearable tensions'. Beckers asked that migrant women be granted an independent residence permit. The Christian Democrat Deputy Minister of Justice answered that this would increase the risk of fraudulent marriages, but nevertheless accepted to ease the access to independent residence substantially. Marriage migrants would henceforth be granted an independent permit after three years of stay, regardless of their level of income.<sup>30</sup> The emancipation argument outweighed the fear of fraud.

Despite this liberal reform, the ministry of Justice's policy became subject to public criticism over the next two years. Trade unions, migrant organisations and churches demanded that migrant wives be granted an independent permit.<sup>31</sup> This broad attention for the issue was stimulated by a campaign against dependent residency launched by Dutch (mostly white and middle-class) women's organisations from 1979 onwards. The *Rooie Vrouwen* (Red Women), the women's organisation of the Social Democrat party, played a leading role in the campaign. Another important campaign partner were the women's shelters, which housed increasing numbers of foreign women without residence permit but did not get state support to do so.

The campaign deployed a strategy of personification: women were singled out as campaign figureheads. These women were all Turkish and all were abused by their husbands. The issue was presented as a Turkish issue and part of the repression of women within Islam (cf. King & Zontini 2000: 44). In their campaigns Dutch women's organisations endlessly reproduced stereotypes about Islam and about women's dependency within it. This image was important to their counter-identities as Western, modern and emancipated. Turkish women in the Netherlands were presented as dependent and vulnerable, while Turkish society and culture were portrayed as extremely backward and oppressive towards women.<sup>32</sup> A Turkish women's organisation in the Netherlands criticised these campaigns for damaging the image of foreign (Turkish) women, but to no avail (Schrover 2010). This orientalist framing of migrant women emancipation was taken up by Social Democrat and Christian Democrat MPs, who argued that the 'cultural pattern' made return to the home country 'extremely objectionable' for single women.<sup>33</sup>

The most successful media campaign focused on Fatma Yasar. Fatma came to the Netherlands in 1979 with her two children, and found out that her husband, who had already been in the Netherlands for some years, was living with a Dutch woman. She was maltreated by her husband, and she ended up in hospital twice because of it. Fatma did not meet the requirements for an independent residence permit since she left her husband within one year after arriving in the Netherlands. Her lawyer claimed that if she, as a divorced woman, returned to her conservative village of origin, she would be shunned. In April 1982 the deportation of Fatma and her two children was imminent. The women's organisations then launched a campaign centred on the slogan 'Fatma should stay'. All the newspapers reported it.<sup>34</sup>

In the meantime, left-wing parties in Parliament continued putting pressure on government to change the dependent residence permit regulations. As early as February 1981, well before the onset of the Fatma campaign, a generous parliamentary majority had already adopted a motion requesting the government to ensure that any marriage migrant could be granted an independent permit after 3 years, regardless of whether the marriage had ended or not.<sup>35</sup> Special committee hearings were held in April 1981 and February 1982 to discuss the issue. Left-wing politicians asked for the duration of the dependent residence status to be shortened from 3 to 2 years, or even 6 months. The State Secretary of Justice insisted that the 3-year period was necessary to fight fraudulent marriages. Exceptions would be made on humanitarian grounds for women in particularly difficult situations. In April 1981, Christian Democrat and Liberal MPs still supported the government's position. A Liberal MP even reversed the argument of the women's organisations' campaign, when he argued that since only Turkish and Moroccan women were affected by the problem, there was no call for a general liberalisation of policy. A year later however, Christian Democrats and Conservative

Liberals had changed their minds, mostly as a result of a report published by the Emancipation Council. In March 1982, the Lower House unanimously adopted a motion requesting the government to investigate the possibilities of granting migrant women an independent permit.<sup>36</sup> It is worthy of note that the adoption of this motion predated the ‘Fatma should stay campaign’, which only took off in full force in April and May 1982. The media campaign supported the motion, rather than stimulating the initiative, although from the newspapers it seems as if the media were the main push for change.

In the discussions within the ministry of Justice on how to implement this parliamentary motion, it was not emancipation but fear of fraudulent marriages that took centre stage. Since from the traditional gender perspective dominant in the ministry of Justice, it was though highly unlikely for a man to migrate for love, male marriage migrants were suspected of being labour migrants in disguise (Van Walsum 2008; De Hart 2003). Because policies would apply not only to migrant women but also to migrant men, civil servants advised the Deputy Minister to sharpen regulations even further by reintroducing the income requirement and to deal with hardship this might cause for migrant women by making exceptions in individual cases.<sup>37</sup>

The Deputy Minister chose a middle road between her civil servants’ advise and the Lower House’s wishes. She decided that marriage migrants would henceforth be granted an independent residence permit if they divorced after three years of marriage and one year of residence in the Netherlands. However, this relaxation of the residence requirement from three years to one year was counterbalanced by the reintroduction of income and housing requirements: divorced marriage migrants would lose their permit if they failed to procure sufficient housing and income within one year.<sup>38</sup>

Although there was a wide gap between this reform and the wishes expressed in public and parliamentary debates of the preceding years, barely any protest was heard. The reform was presented in July 1982, but discussed by Parliament only in June 1983. Although the left-wing parties as well as the Christian Democrats asked critical questions, the Lower House did not show its teeth. Since no motion was adopted, the Deputy Minister ignored all criticism and maintained her policy.<sup>39</sup>

Like the previous case, this case shows that public debate does not necessarily push towards restrictive migration policies. Interest organisations strategically and successfully sought to engage the media and thereby contributed to strong parliamentary pressure to liberalise the dependent residence policy. Both the public and the parliamentary debate were dominated by progressive norms proscribing women’s emancipation. While the media impact on the parliamentary agenda was substantial, its impact on actual policy development was limited. In the press, the policy reform was presented as a triumph of the public campaigns, while in fact the reform was liberal in one respect, but very restrictive in another. Within the

ministry, debates on dependent residence were dominated not by an emancipatory agenda, but by the fear of fraudulent marriages. Thus, it appears that civil servants were less sensitive to media pressure or framing than parliamentarians, and that the policy impact of media debates is mitigated by civil servants' often crucial role in the policy-making process.

### *Bogus marriages*

In the early 1990s, immigration and migrant integration had become a subject of increasing public and political concern in the Netherlands. In addition, the progressive, rights-oriented discourse of the 1980s had given way to a neoliberal rights-and-duties approach. This had brought the governing coalition of Christian Democrats and Social Democrats to implement a series of restrictive reforms aimed at reducing irregular, asylum, and family migration. In 1990 and 1991, newspapers occasionally wrote about fraudulent marriages. For instance, a 48-year old man – who went by the name Master Jan – was arrested in Rotterdam on suspicion of arranging hundreds of fraudulent marriages for profit. Newspapers also linked fraudulent marriages to dealing drugs or illegally claiming social benefits.<sup>40</sup>

In January 1992, the Social Democratic Deputy Minister of Justice presented a proposal for a Law on the Prevention of Fraudulent Marriages to Parliament.<sup>41</sup> The Law would make it possible for an officer of the Civil Registrar to refuse to contract a marriage if he was convinced the marriage was fraudulent. Before getting married, every couple where one or both of the partners was a foreigner would have to present the Civil Registrar with a declaration from the Immigration Service stating whether or not there was a suspicion of fraud. A list of 'objective criteria' justifying such suspicions was established. It included the residence status of the foreign partner, large age differences, weak capacity to speak each other's language, the duration of the relationship and the question whether the Dutch partner was willing to move to his or her fiancé's country of residence.

In response to the presentation of this legislative proposal, newspaper coverage on fraudulent marriages intensified. The number of marriages that were fraudulent was a key aspect of the newspaper coverage. The Rotterdam police investigated 130 marriages between a Dutch and a foreign partner, 104 of which were found fraudulent. On this basis several papers concluded that 80 per cent of all marriages between a Dutch and a foreign partner were fraudulent. The Rotterdam police tried to correct this image by pointing out that they had investigated only marriages that they considered suspicious.<sup>42</sup> The liberal right-wing paper *NRC* wrote that the Rotterdam police estimated that there were 400 fraudulent marriages per year.<sup>43</sup>

Unlike in the media coverage on Spanish wives in the 1960s and dependent residence permits in the 1980s, personal drama did not dominate press reports. Only two individual stories were made important. The first was the story of the Dutch man Henri Kiel who had

married the Polish woman Teresa Golik. Kiel had successfully filed a complaint for discrimination against the civil servant who married them, because the civil servant had alluded that their marriage might be fraudulent.<sup>44</sup> The case received quite a bit of newspaper coverage, but was not used to plead against the proposed Law on the Prevention of Sham Marriages.

Another personalised case was used to argue in favour of restrictions rather than against them. Henri van der Roest (26), had married the Bulgarian Maria (25), but the marriage failed. Several newspapers ran the story because Henri had approached them. Maria had responded to Henri's newspaper ad. Five months later they married, because he was madly in love with her and she was about to be deported. She turned against him immediately after the wedding, and drove him out of his own house and back to his mother. In an attempt to save his marriage he sold everything he had and ran an enormous debt buying Maria expensive gifts. She spent all his money and left. Henri was working three jobs to pay off his debt, but still managed to find time to gather 30 fellow victims of fraudulent marriages. They were petitioning Parliament to protect 'innocent victims' like themselves from 'criminal minds' like Maria.<sup>45</sup> It is interesting that Henri presented himself and was presented as a victim. In personalised newspaper articles that role was commonly allocated to women.

Neither the story of Henri van der Roest nor that of Henri Kiel played any role in political debates. However, speculations about the number of fraudulent marriages going around in the media were picked up by MPs and contributed to a sense of urgency. In a first response to the legislative proposal, Social Democrats declared that 'through the media they had gotten the impression that 10 to 20 thousand fraudulent marriages' were conducted each year. They asked the Deputy Minister whether these estimates were correct.<sup>46</sup> This was not likely, since if they were correct, all mixed marriage would be fraudulent: 10,337 Dutch citizens had married a foreigner in 1990.<sup>47</sup> The Deputy Minister answered that based on inquiries with the Civil Registrars of certain larger cities, he had 'the impression that about 30% of the marriages contracted in the Netherlands where one or both partners are of foreign nationality are fraudulent marriages. This amounts to 5-10% of the total number of marriages contracted in the Netherlands'. Even though these numbers were 'extrapolations', they sufficed to conclude that the situation was 'cause for concern'. The Deputy Minister emphatically denied that his worries about the number of fraudulent marriages were driven by the increasing media coverage of the issue, as the Green-Left Party had suggested. In fact, he argued, this media attention was partly triggered by his legislative proposal.<sup>48</sup>

The legislative proposal was well received in Parliament. Christian Democrat and Social Democrat MPs declared that fraudulent marriages should be 'countered in all possible ways'.<sup>49</sup> A Conservative Liberal MP referred to an article in *de Volkskrant* (a national newspaper which was moderately left-wing at that time) of September 1987 according to

which '70% of the South-American prostitutes have a Dutch passport'. He argued this showed the connection between fraudulent marriage and prostitution, as well as the scope of the problem. The Conservative Liberal thought the Deputy Minister's estimate that 30% of marriages involving foreigners was fraudulent was rather low. Based on a visit to the Amsterdam migration services as well as on media reports, he thought the numbers were likely to be much higher. The Christian Democrats also thought the Deputy Ministers' estimates were all too modest. They pointed to the press reports about 104 out of 130 marriages checked by the Rotterdam policy being found fraudulent. Their conclusion was that 'those numbers cannot be ignored'. Only few objections were raised against the legislative proposal. The Progressive Liberals did not think the Civil Registrar ought to be involved in immigration controls. The Green-Left did not think the government had the right to judge people's reasons to marry.<sup>50</sup> With the support of all other political parties, the Law on the Prevention of Fraudulent Marriages was adopted in October 1993.<sup>51</sup>

In this case, the media debate did tend towards support of restrictive migration policies. There were no interest groups campaigning for liberalisation through the media. The numbers game was prominent, as in the suggestion that 80 per cent of marriages involving a foreigner was fraudulent, reflecting a use of the 'crisis scenario' less common in media coverage of family migration. Drama scenarios were used, not in support of migrants' rights but to plea for restrictive reform. The media debates did not cause the restrictive reform however: rather, the presentation of the legislative proposal led to intensified news coverage, which then supported the parliamentary adoption of the proposal.

## **Conclusion**

The findings of our study of media coverage and policy-making on family migration in the Netherlands contradict both assumptions commonly held in the migration studies literature. First, public opinion, as expressed in media debates, is *not* systematically opposed to immigration. Second, public opinion, as expressed in media debates, does *not* systematically push policy-makers to implement restrictive reform.

In two of our three cases, the overall tendency of media coverage was to push towards liberal rather than restrictive reform. Two interrelated factors played a role in both cases. First, interest groups – employers' organisations in the 1960s, women's organisations in the 1980s – strategically used the media to push for liberal reform. This fits with the central role in migration policy-making attributed to interest groups by Freeman (1995), but while he argues that these interest groups exert their influence through direct contacts with policy-makers, outside of public view, we find that they actively and strategically seek public support for their cause using mass media. This in turn is related to the second crucial aspect of media debates pushing towards liberalisation: both in the 1960s and in the 1980s, media

coverage on family migration was dominated by moral perspectives based on values that carried a great deal of weight in Dutch society at that particular time. Family unity was considered the ‘corner stone’ of society in the 1960s, and equality and emancipation were primary norms in Dutch political culture in the 1970s and 1980s. Because interest groups appealed to these broadly shared values, their perspective on the family migration issue came to dominate media debates. Like Patler and Gonzales (this volume), we find that interest groups and media focus on individuals and their suffering under harsh migration laws to plea for liberalisation, thus making use of what we have called the ‘drama scenario’..

It is common for media to use this drama scenario, focusing on the tragic faith of refugee children, women without resident status, or migrant families torn apart, because ‘all narratives beg for a protagonist’ (Suro 2009:11). Most often, such ‘drama scenarios’ support a liberal policy agenda. Because the migration studies literature so far has focused on the use of ‘crisis scenarios’ in the media, it has neglected the ‘liberalising’ dynamic of drama scenarios in media coverage.

In our third case, the media coverage supported a restrictive policy agenda. It is no coincidence that this is the only case where the ‘crisis scenario’ prevailed, focusing on numbers, illegality and crime. However, the ‘drama scenario’ was also used here, in support of a restrictive policy agenda. It has become increasingly common in recent years to justify restrictive reform by telling the tragic stories of victims of transnational marriage and family practices presented as problematic – e.g. forced and fraudulent marriages.

Overall, we found that the media exerted a moderate influence on the policy-making process. Importantly, we never observed that the media determined the political agenda: the relation was the other way around. In all three cases, some form of activity in the policy arena – an administrative decision, parliamentary questions, or a legislative proposal – predated the media debates. This resonates with the finding of the political communication literature that media have little influence on the substantial political agenda. It also indicates that ‘the causal direction between public opinion and politicians may run predominantly in the opposite direction to that assumed in the existing literature’ (Gilligan, this volume). However, once the issue was on the agenda, press coverage did influence the course of the decision-making process. This influence was perhaps most substantial when preferences within the policy arena diverged most. If there is controversy among policy actors, as in our first case study from the 1960s, the media debate can exert crucial influence on the outcome of the decision-making process by supporting one position rather than another. In the second and third case, media influence was more modest. Media debates mostly reinforced positions already adopted by (certain) parliamentarians, as Vliegthart and Walgrave (2011) suggested. In the second case, we observed clearly that civil servants are less likely to be influenced by media

debates than parliamentarians, and that media impact on policy output is mitigated by civil servants' involvement in the policy-making process.

These findings thus point to the need for the formulation of new, more robust hypotheses on media coverage of migration issues on the one hand, and on media impact on migration policy-making on the other hand. Our case studies provide three starting points for such new hypotheses. First, societal actors involved and the norms invoked shape media coverage of migration issues in crucial ways. Second, the media impact on policy-making increases where there is controversy between decision-makers, and decreases where civil servants play a larger role in decision-making. Third, while the migration literature assumes that policies respond to media coverage, we observed the opposite dynamic in our three cases: debate and reform in policy circles preceded and often triggered media attention. Further empirical study aimed at careful reconstruction of both migration policy-making processes and parallel media coverage is required to achieve empirically grounded insight in the ways in which public opinion influences migration policies.

### **Acknowledgements**

We are indebted to Chris Gilligan and to the anonymous reviewers for their constructive comments on earlier versions of this paper.

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