

## **Restricting Family Rights. Philosophical Reflections on Transnational Marriages**

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### **1. Introduction**

On 21 february 2003 an intriguing announcement appeared in the lonely hearts column of my local Dutch newspaper: “Athletic Turkish fireman is seeking clever girl. Ik am looking for a wife to make a future life and family together. It would be extra nice if she would be from Emirdag (Turkey) or thereabout”. The Turkish fireman is no exception. That is to say, it is exceptional that he should advertise in the lonely hearts column, but it is fairly common that he, being a Dutch citizen from Turkish descent, should be seeking a Turkish wife, preferably from his own home town. A large majority of former guest workers and their descendants in West European countries marry a spouse with the same ethnic background. Moreover, many of them seem to prefer an imported spouse from Turkey or the Maghreb rather than a partner whose parents were born there but who grew up in Western Europe herself (or himself; the pattern seems to exist for brides and bridegrooms alike). Governments in West European countries worry about this demographic development. The Danish government has introduced a minimum age for both the citizens who want to import a partner from abroad and their future spouses. The Danish government also organizes intake interviews with the aspiring couple so as to make sure that they actually want to live in Denmark rather than in the imported partner’s home country. Norway is considering similar measures (Troost 2002; Wikan 2002: 5). The Dutch government not only wants to introduce a minimum age for importing partners and their future spouses, they also intend to introduce income criteria. The importing spouse to be has to earn at least 120 % of the Dutch minimum wage.<sup>1</sup> Moreover, the importing spouse will have to pay for his or her partner’s language and citizenship course.

In this chapter I want to find out whether this type of measures to restrict people’s family rights can be morally justified. In section 2 I shall provide some background sociological data regarding import marriages. In section 3 I will discuss normative criteria derived from liberal political philosophy and evaluate the Dutch and Scandinavian family rights policy by these standards. In section 4 I will do the same thing for criteria derived from

communitarian political philosophy and in section 5 I will try to do the same for republican political philosophy. In the last section I will draw some conclusions about the import marriage policy. I will also make some concluding remarks about the merits of liberal, communitarian and republican approaches with regard to ethnic minority policies.

## **2. Marriage patterns**

Sociologists who investigate the fate of newcomers in a political society often look (among other things) at marriage patterns. Intermarriage between the newcomers and citizens of the host society is taken as a sign of successful integration. The idea is that newcomers who feel more at home in their new country will look for partners among the native citizens of the host country (De Valk, Esveldt, Henkens & Liefbroer 2001: p. 90). If we take intermarriage as a yardstick we can see that the integration of certain minority groups in Europe leaves much to be desired. Less than 5 percent of Turkish and Moroccan men in the Netherlands marry a native Dutch woman. For Turkish and Moroccan women the percentages are even lower: less than 2 percent. Slightly more Turkish and Moroccan men and women marry Dutch citizens who share their ethnic background, but a vast majority chooses to marry a partner from their country of origin. Demographic researchers reported figures as high as 70,3 % for Moroccan women, 76 % for Moroccan men, 77,3 % for Turkish women and 82,1 % for Turkish men. (Hooghiemstra 2000a: 205, 207; Hooghiemstra 2003: 23). These figures relate to the year 1999, which means that the Dutch-Turkish and Dutch-Moroccan men and women at issue were not new arrivals themselves. Many of them were born and raised in the Netherlands. The high number of transnational marriages in the Netherlands is no exception. Similar figures are reported for other European countries, notably Norway (Wikan 2002: 215).

Sociologists have tried to find out what motives lie behind these marriage patterns. They have come up with a number of explanations. Marriage to a European citizen is a relatively easy way to enter a European welfare state and there are not many other ways to enter a country such as Norway or the Netherlands. Apparently, aspiring immigrants are willing to pay for a marriage ticket (Hooghiemstra 2000b: 220) Immigrants in European countries tend to remain very loyal to their country of origin; they feel moral obligations toward family members or inhabitants of their original region in their country of origin (ibid).

This is especially true for parents of adolescents, who seem to be engineering their children's marriages (Esveldt et al. 1995: 203). Moreover, immigrant males and immigrant females tend to dislike one another. Young men seem to think that their compatriot girls have become far too western and liberal. Young women on the other hand notice that their compatriot men are often unemployed, unsuccessful high school drop outs with a criminal record. Hence, the tendency to search for potential partners in the country of origin and not in Europe (ibid: 185). Last but not least, one could argue that citizens with a non-native, non Western background often live in highly segregated black neighbourhoods, where they visit highly segregated black schools. Hence chances that they could meet some attractive native citizen with whom they might fall in love are severely reduced. This seems especially true for adolescent girls, who are often not allowed much room to discover interesting other neighbourhoods on their own. The fact that their behaviour is subject to strict supervision in their new country whereas they are allowed more breathing space during the holidays in their parents' country of origin could also cause them to fall in love then and there (Hooghiemstra 2000b: 224; Esveldt et al. 1995: 182).

The main problem with this marriage pattern is that one has to deal with generations of newcomers over and over again. It seems inevitable that the first generation of guest worker immigrants will be raised in Turkish or Moroccan, because their parents have difficulties speaking Dutch. It is much more difficult to accept that the third or fourth generation children from Turkish or Moroccan descent will still enter school at age four, speaking only Turkish or Moroccan. Moreover, imported partners from Turkey or Morocco are sometimes chosen because they adhere certain norms and values (especially with regard to male-female relations and education) which are not very popular among the mainstream native population. Last, there are reasons to think that the marriage patterns among ethnic minority groups lead to a higher risk of congenital diseases (a long line of intermarriage in a small community, sometimes including marriages between nephews and nieces or other blood relations entails bigger risks for children born out of these marriages) (Borm 2002).

Governments in West European countries seem to take it for granted that they cannot forbid their citizens to marry a partner of their own choice, although many governments do forbid some marital choices. Thus, in most countries one has to marry a member of the opposite sex and one cannot marry close blood relations, such as one's parent or sibling.

However, with regard to transnational marriages such restrictive rules are not considered. Governments only ponder about measures to discourage transnational marriages.

### **3. Liberal arguments**

From a liberal point of view it seems paramount that one should be able to live one's life with one's chosen partner. An outright ban on transnational marriages would never be justified. But that does not necessarily mean that there are no good arguments to try to steer people's preferences in the direction of a partner nearby home. From a liberal perspective three plausible arguments come to the fore.

#### *1. Autonomous choices need guidance and protection.*

The first liberal argument is based on Joseph Raz's perfectionist liberalism. In Raz's opinion liberal rights are not plain rights that do not need further justification. These rights ought to serve a higher ideal. They should enable people to live an autonomous life. Hence one cannot use liberal rights in order to make non autonomous choices. For example, one cannot sell oneself as a slave for one's next door neighbour: "Rights protect not [people's] interests generally but only their interest in freedom. The capacity to be free, to decide freely the course of their own lives, is what makes a person. Respecting people as people consists in giving due weight to their interest in having and exercising that capacity. On this view respect for people consists in respecting their interest to enjoy personal autonomy." (Raz 1986: 190)

A Razian inspired liberal might argue that many members of minority groups get married when they are still very young. Moreover, their parents often have a big say in selecting their spouse. A government which would want to make sure that people marry a partner of their own choice might argue that raising the minimum age for transnational marriages would accomplish just that (or would at least be an improvement on the current situation. It is probably easier to force an eighteen year old daughter to marry than a 24 year old).

The Razian liberal might also point out that women who find themselves in a transnational marriage often give up a large part of their independence. Traditional religious views on marriage do not leave much room for female autonomy.

At first sight the age requirements designed by the Danish and the Dutch government seem to be an infringement on people's autonomous choices, but on second thought they might actually enhance people's room to make really autonomous choices. They may thus be morally acceptable from a Razian point of view.

However this does not hold for the income requirements and other financial disincentives, which the Dutch government wants to introduce. Such requirements do not serve people's autonomy. People who do not have the capacity to earn much money will no longer be able to choose a partner from abroad. Other people who might be able to earn such an income will no longer have the option to work part time, or to choose certain kinds of employment that do not get paid very well.

## *2. Restricting basic rights for practical purposes*

Many liberal rights can only be guaranteed as long as people use them prudently. If every citizen in a political community would want to exercise the same right at the same time or the same place we would run into enormous difficulties. We would no longer be able to uphold those rights. Let me give a few examples:

- I have the right to go from a to b on my bike, but if all Dutch citizens would plan to cycle from a to b with me, many of us would never arrive in b.
- We enjoy religious freedom, but we could not live in a town where churchbells were ringing all the time and where we were plagued by calls from mosques all day on every streetcorner. We would probably end up deaf and suffer a nervous breakdown.
- I have the right to choose a profession and to teach political theory, but if every citizen with an academic degree would choose to teach political theory, this would be disastrous both for the university and for the country at large.
- Women have the right to determine how many children they want to bear and raise, but if all Dutch women would suddenly choose to bear six children in a row, we could not handle the ongoing baby boom.

We cannot all exercise our rights at the same time. We are bound to encounter practical limits. If everybody practices self-restraint we can live with a few cyclists going from a to b twice a

day, with a few noisy places of worship in every town or village, with an average of one or two political philosophers per university and with a small group of women who enjoy having a large family.

Similarly we can easily cope with a few citizens who fall head over heels in love with a Ukrainian, Turkish or Algerian man, or an Argentinian, Indonesian or Moroccan woman and who would like to live happily ever after in Western Europe. However, a political community would face enormous problems if all its citizens were to fall in love with partners all over the world and if they would all decide to seal their romance with a marriage and subsequent life in the Netherlands. Of course, the current situation is not as serious as that (most native Dutch citizens manage to find love and happiness within their home country), but one might reasonably argue that the number of transnational marriages among ethnic minority groups is a reason for concern.

The usual way to give shape to these concerns is to introduce the possibility to restrict individual rights for certain specified purposes. Thus, it is customary that one's freedom to demonstrate can be restricted because of public order, traffic regulation etcetera. One's freedom to practice one's religion is also subject to constraints for the sake of public health, public safety and so on. Likewise one can imagine that one's freedom to marry might be restricted for the sake of public order, the welfare state, social cohesion or social solidarity in society. It is essential that these restrictions should not lead to the factual disappearance of the individual right at issue. Once again, the income criterion of the Dutch government would probably be too severe, because it could result in an unsurmountable obstacle for low income citizens who consider a transnational marriage.

### *3. Using the benefit principle*

In a liberal state of the libertarian variety immigration would not be much of a problem. If one does not have to pay for other citizens' health insurance, education, unemployment benefits or welfare allowance, the number of newcomers does not seem to be terribly important.

Presumably, they will not come, unless they have the prospect of employment or family members who will look after them financially. Citizens in a libertarian state would have to pay quite a lot for police protection, so as to make sure that destitute people would not take their property away. I can imagine there would be some sort of trade off: if borders were

fairly closed, employees would be relatively scarce. One would have to pay them decent wages, but one would not have to spend a fortune on police protection. Opening the borders would lower wages, would lead to unemployment and resentment, which might easily lead to criminal behavior, and would thus necessitate extra police protection, prosecutors, judges, and prison wardens.

Most liberal political theorists are not libertarians. They are committed to some sort of egalitarianism in a welfare state. In a welfare state, in an egalitarian society, citizens have to pay other citizens' health care costs, education, welfare allowance and so on. It seems reasonable that citizens in a liberal-egalitarian state should worry about the costs of immigration, since this would lead to more health care costs, more education costs and more welfare allowances, unless one would let newcomers in on different terms. One might after all also declare that newcomers should not be allowed to profit from social welfare arrangements. However, a society committed to liberal egalitarianism would find it hard to stomach that there would be individuals living in its midst who were officially declared to be less equal than others. (The reply that these people would probably be better off as second class citizens in a welfare state than as native citizens in their country of origin, does not seem to fit in the liberal egalitarian philosophy. That argument would hold more water in utilitarian philosophy, in which the fact that this situation would enlarge the total amount of happiness should be counted as morally crucial.)

In Dworkin's liberal egalitarianism mutual solidarity among members of the welfare state is limited to softening the results of so-called brute luck. Dworkin's liberal egalitarians want to compensate for each other's misfortunes. People are born with genetic diseases or handicaps, people are born with very little talent to be used on the labour market, people get hit by a bus. All these conditions warrant compensation. However, people may also suffer so-called 'option luck': they take their money to the casino or the stock exchange and they lose it. They go to university to be educated in one particular field of expertise and find themselves unemployable on leaving the university, because the market does not seem to reward their particular field of expertise. And people may have expensive tastes: they prefer to drink champagne instead of coffee or milk, they love to drive a rolls royce or they cannot be happy without designers' clothes. Expensive tastes and the consequences of option luck do not warrant compensation. (Dworkin 2000).

The question then is: can we qualify ethnic minority members' preferences for a partner from their country of origin as an expensive taste, for which they must pay themselves? Obviously, the same qualification should then *prima facie* also hold for ordinary native citizens who would want to import a spouse from abroad. This does not seem to be totally unreasonable. If I would fall in love with a man who was living 200 kilometres away, somewhere in a tiny village up north in my own country, this would make for an expensive relationship. My lover or I would have to travel in order to spend the weekends together, and we would have to pay expensive telephone bills. Should we decide to move in together one of us should probably have to spend a lot of time to find a suitable job in another part of the country (he or she might even have to give up the idea of finding such a suitable job and suffer a severe loss of income). Moving in together might also mean that one of us would be moving away from his or her family and would have to continue travelling in order to keep in touch with parents or siblings. Still, nobody has ever suggested that such a long distance relationship should be qualified as a pseudo handicap which ought to be paid for by tax or social insurance payers. Following this line of argument it would make sense to say that the costs of ultra-long distance, transnational relationships should also be borne by the lovers themselves and not by their fellow citizens. It might be acceptable to make the future spouses pay for the necessary language courses, professional training and the like.

Would it also be justified to install a minimum income requirement, as the Dutch government planned to do? The reason behind such a requirement might be as follows. Look, here is a (native or Turkish) Dutch citizen who is welfare dependent or makes very little money. He or she might decide to import a spouse. He could not afford to pay for the spouse's language course and other tuition, so let us save him the trouble and simply state that he or she cannot import a partner on this meagre income. But why not leave it up to the individual himself (or herself) to draw that conclusion? We do not attach income requirements to Mercedeses and yachts, do we? If an import partner is comparable to an expensive taste, merely stating the prize should be enough. Probably, the Dutch government is afraid that the family of the spouse-to-be is willing and able to save enough money to pay the prize for tuition and education (as some kind of dowry for their son or daughter). Consequently, the transnational marriage will take place, but the imported spouse may very well remain a burden to the welfare state, despite the language course and the education. But it would not do

to have a prize tag on an import bride consisting of tuition fees, language instruction and many years of welfare. After all, the spouse at issue might also turn out to be a real asset to the welfare state. Hence the income requirement, so as to make sure that the Dutch partner will be able to support his imported spouse? The argument does not get more convincing that way. From a Dworkinian perspective the overwhelming impression is that this arrangement changes the character of a transnational relationship. It is no longer an expensive taste, which you might be able to afford if you manage to get the money somehow, somewhere (provided you do not resort to criminal activities, of course); it becomes a privilege for the well-to-do. For liberal egalitarians such privileges should not exist.

We may conclude that the age criterion, which has been adopted by the Danish government and is taken into consideration by the Dutch and the Norwegian government, seems morally acceptable from a liberal, more especially a Razian point of view. Asking a substantial contribution from the importing partner in order to pay for his or her future spouse's language course and education might also be morally acceptable from a Dworkinian point of view. Moreover it seems justifiable to install certain restrictions on transnational marriages, provided that these restrictions do not render the right to marry whomever one chooses completely meaningless. I pass over the interesting question whether these three arguments can be combined in either of the theoretical perspectives. The income criterion proposed by the Dutch government does not meet the liberal-egalitarian test. Liberal-egalitarian principles do not seem to have much to say about the Danish intake interview procedure.

It is time to move to the communitarian and republican evaluation.

#### **4. Communitarian arguments**

From the perspective of ethnic or religious minority groups there seem to be two different types of communitarianism. They can either live in a communitarian society in which communities are valued whichever they are or they can live in a communitarian society in which one particular community (the moral majority) is singularly valued and where everybody should preferably belong to that community. The difference is made quite clear in *The Curious Enlightenment of Professor Caritat*, Stephen Lukes's novel on contemporary

political philosophy (Lukes 1995). Professor Caritat is a political refugee, who managed to escape a military dictatorship and thereupon wanders around the world in search of a place to live. He passes Utilitaria (obviously a state committed to the utilitarian happiness calculus), Libertaria (a Nozickian paradise where every inch of public space has become private property) and he also passes Communitaria, a country with an interesting history. Caritat learns that in the past Communitaria used to be dominated by one particular cultural and ethnic group, the Bees. In those days everybody in Communitaria had to abide by the Bees' moral rules and celebrate the Bees' ritual holidays. However, this has changed long ago and by the time Caritat visits the country the Bees are just one of many denominational, cultural, ethnic groups in Communitaria. Each group can adhere to its own rules, rituals and norms and celebrate its own holidays and all groups are supposed to respect members of other groups and to try not to hurt their feelings.

A communitarian evaluation of the issue of transnational marriages in the old, Bee-dominated Communitaria would be different from a communitarian evaluation in modern Communitaria. Let us start with the modern variety. In a large community of communities, one community might feel strongly connected to a larger society somewhere else in the world. Community-members might decide to marry partners from over there. The other communities should respect this way of life and should not try to discourage it by all sorts of restrictive measures. The central question for the communities living apart together in such a Communitaria is: how much do they share and how much are they willing to share? Do the members of different communities meet one another at work? Or do they mostly belong to separate economies, run by ethnic entrepreneurs? Do they share a welfare state? Is there such a thing as a common system of public education, a national health service, a social insurance system, a welfare system? If the communities do not share public provisions we would have a libertarian world, consisting of numerous separate communities, as pictured by Chandran Kukathas in his latest book *The Liberal Archipelago* (Kukathas 2003). If they do share a welfare state, the communitarian society would have to deal with the same dilemmas that a liberal egalitarian state had to deal with, and it would probably resort to the benefit principle or the restricting rights for practical purposes principle discussed above, in order to avoid a direct appeal to the moral principles of one or another particular group.

An old fashioned Communitaria, dominated by one cultural group, might feel entitled to advocate one sort of marriage rather than another, to wit a marriage based on equal partnership and monogamy which is freely chosen by both partners, rather than a marriage between adolescents that has been arranged by their families and which might be completed in due course by one or two extra wives. Such a Communitaria would probably not enforce this moral principle, not because – as liberals would have it - there is a basic right to privacy in these matters, but because a community is not primarily about enforcing norms; it is about socialization, social reinforcement and societal institutions (Cf. Etzioni 1999: 92). In terms of the communitarian political theorist Michael Walzer: the moral majority might try to clarify the ruling shared understandings in the sphere of love, namely that one should marry for love, and not for economic reasons, or to please one's parents, or to acquire a residence permit. The moral majority might perhaps also take measures such as the minimum age policy. If one is 21, 24 or 27 the chance that one will have experienced romantic love is bigger than if one is only 18. Consequently, the chance that one will marry 'for the right reasons' gets bigger as well.

From a Walzerian point of view the Dutch financial incentives (the minimum wage requirement or the fee for language courses and tuition) are much more problematic. It may be a perversion of the sphere of love if certain citizens marry for financial purposes (such as a welfare allowance or a residence permit), but it is surely a bigger perversion if the state (or the moral majority) would pollute the sphere of love itself by infusing it with financial incentives which might after all also stand in the way of true love.

## **5. Republican arguments**

A liberal state is based on rights and contracts, a communitarian state is based on moral shared understandings, a republican state is based on deliberation between citizens. This deliberation may be about anything that is deemed important by citizens. It may for example be about the size of the state, traditionally a very important topic for republican thinkers. We can find interesting reflections on size in the works of Aristotle, in Machiavelli's *Discorsi*, in the work of Jean Jacques Rousseau whose ideal state was not to be bigger than the isle of Corse, and in the federalist papers by Madison who thought that large states were preferable over

small ones, provided they were federations (Honohan: 109). But we can also find observations on size and the number of citizens in the work of modern republican thinkers. The most interesting parts of republican theorist Herman van Gunsteren's *A Theory of Citizenship* have to do with admission and integration policy (Van Gunsteren 1996). Benjamin Barber's first book, *The Death of Communal Liberty. A History of Freedom in a Swiss Mountain Canton*, deals with the history of Graubünden in Switzerland. According to Barber, the inhabitants of Graubünden adhered a republican ideal of freedom: they did not conceive of freedom as freedom from stately interference, they conceived of freedom as the liberty to live under self-government. For the Swiss mountainman "freedom came to mean 'not individual emancipation from his obligations to the whole, but the right to bind himself by his own choice.'" (Barber 1974: 101) The citizens of Graubünden realized that they were living in a country held together by a precarious equilibrium. They should be willing and able to spend time in politics, they should not join a ratrace for ever more money and consumer goods, and they should feel enough solidarity with their fellow citizens to uphold some sort of community. Hence, according to Barber, the Swiss resistance against the guest workers who were joining their country since the sixties and seventies. Barber reproaches the Swiss for being chauvinistic, but also credits them with a shrewd insight into the preconditions of their own republic (Ibid: 252).

Barber's most famous monograph, *Jihad vs McWorld* deals with the possible disappearance of democracy and republican citizenship because of the ongoing globalisation of the world and the ethnic-religious fundamentalist counter reaction against globalisation. *Jihad vs McWorld* is a declaration of love to citizenship in old fashioned nation states which are threatened by globalisation: "In the tumult of the confrontation between global commerce and parochial ethnicity, the virtues of the democratic nation are lost and the instrumentalities by which it permitted peoples to transform themselves into nations and seize sovereign power in the name of liberty and the commonweal are put at risk." (Barber 1995: 7-8).

Citizens may deliberate about the size of the state; they might also decide to discuss marriage and family issues. Iseult Honohan points out that several republican thinkers of the past did not hesitate to regulate marriage in great detail (the rules about the right age to marry for males – between 37 and 57 – and females – round about 18 - in Aristotle's *Politics* are a case in point) (Honohan 2002: 27; Aristotle 1977: 1334b29-1336a2). Modern republicans will

probably appreciate the value of privacy much more than Aristotle did, but republicans do not a priori rule out a debate on personal issues. A republican debate on transnational marriages would probably have to be about the issue of loyalty to one's political community versus loyalty to one's country of origin. Unlike traditional republican philosophers, modern republicans do not think that citizens should feel an overwhelming commitment to their country. Modern citizens have multiple loyalties: toward their family, their friends, their colleagues and their employer, toward associations to which they belong and towards their political community (and even that loyalty may be divided: citizens need not necessarily be committed first and foremost to their nation state; they may also feel loyalty toward their local community or toward the European Union) (Van Gunsteren 1996: 140 ff). Despite these provisos, loyalty toward the political community is a commitment that citizens of that political community ought to possess. From this perspective, it seems to make sense to wonder about the loyalties of some ethnic minority citizens. If one feels extremely loyal to one's family, one's religion, one's village in Morocco or Turkey, and to Turkey or Morocco at large, does this leave enough room for loyalty toward the republic in which one is presently living? Sociologists have pointed out that many members of minority groups belong to transnational communities. They travel from their new country to their country of origin a few times a year. They prefer to spend their savings in their country of origin. They do not invest much time in learning their new country's language. They are not that interested in what goes on in their new country, they prefer to watch satellite television and follow the news in their country of origin and last but not least, they also feel obligated to marry a spouse from their country of origin.

Given this situation, republican citizens might argue that we may need something like education for loyalty and commitment. A country that hosts many newcomers might need something akin to the American education for citizenship. Although it would certainly not do to argue that one ought to show loyalty to one's new political community by marrying a native citizen, one might hope that a sense of commitment and loyalty for one's political community might put an end to the practice of seeking a partner elsewhere as a matter of course.

Although one cannot predict the outcome of republican deliberation, it does not seem very likely that a republican debate would lead to the installment of the minimum age

criterion, or the income criterion in the current policy proposals. It does, perhaps, lead to the Danish practice to organize an intake interview with aspiring transnational marriage partners in order to test their loyalty to Denmark. After all such an intake procedure would constitute another deliberative moment. It is also conceivable that republican citizens would choose to install a quorum for newcomers, in order to maintain a hold on the size of the republic.

Republican citizens will probably also emphasize that, if there were to be rules concerning transnational marriages, such rules should apply for all citizens equally, for “the people as a whole lay down provisions for the people as a whole in general terms without specific applications” (Honohan 2002: 93; cf. also Van Gunsteren 1996: 65). The rules should not aim at ethnic minority groups especially.

## **6. Conclusions**

So what can be said about the current policy and policy proposals in Western European countries to restrict family rights and discourage transnational marriages? We have discussed three liberal-egalitarian arguments, notably the Razian autonomy argument, the restriction of rights for practical reasons argument and the benefit principle. Some of these arguments justify the minimum age criterion for transnational marriages and the installment of a fee for an import spouse (to pay for his or her language course).

From a communitarian perspective, a moral majority would be entitled to preach and encourage its substantive moral norms regarding marriage, though it would probably not be entitled to enforce these norms outright.

From a republican perspective there is something to be said for an intake interview. The republican-communitarian perspective also seems to draw attention to policy measures such as education for loyalty and commitment to one’s political community and a possible quorum for import partners.

Can we say anything about the usefulness or the appeal of liberal-egalitarian, the communitarian and the republican principles in ethnic minority policies or politics? I would like to think that a substantive approach might be more effective and more just than a procedural or businesslike approach. Such a substantive approach consists of both liberal, and

communitarian and republican arguments. Citizens would deliberate about the beauty of romantic love (the Walzerian, communitarian ideal), about the value of autonomous decisions (a Razian liberal argument), and about the importance of loyalty to one's political community (a republican argument). Choosing a contractual, procedural, outright liberal quid pro quo approach (you can have it all, if you are willing and able to pay for it) does not contribute to a sense of appreciation for the newcomers' new political community. And such appreciation seems to be the very thing that native citizens would like to find in their new neighbours.

<sup>1</sup> Coalition agreement *Meedoen, meer werk, minder regels*, hoofdlijnenakkoord voor het kabinet CDA, VVD, D66 (christian democrats, liberal-conservatives, and social liberals), 16-5-2003, p. 11. The former cabinet (Balkenende I) was even more severe, cf. *Werken aan vertrouwen, een kwestie van aanpakken*, strategisch akkoord voor kabinet CDA, LPF, VVD (christian democrats, populists and liberal-conservatives), 3-7-2002, p. 14. They intended to demand that importing spouses should be earning 130 % of the minimum wage.

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