

A painting depicting a scene on a wooden bridge over a river. Three people are standing on the bridge, looking towards the water. The person on the left is carrying a basket. The person in the middle is wearing a dark jacket and white pants. The person on the right is wearing a light-colored shirt and dark pants. A dog is sitting on the bridge near the person on the right. The background shows trees and a cloudy sky. The overall style is that of a 19th-century painting.

DANISH IMMIGRATION POLICY: A CONSENSUAL CLOSING OF BORDERS

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DANISH IMMIGRATION POLICY: A CONSENSUAL CLOSING OF BORDERS

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SUMMARY

In the Danish parliamentary elections of 1 November 2022, the Social Democratic Party was returned to power. Although Denmark has changed its governing majority several times, it has had the same immigration policy for twenty years. This policy has been characterised by a drastic reduction in migratory flows, a strict integration programme, difficult access to citizenship and, from this point on, the willingness to use a non-European third country to process visa applications. Initiated by the right-wing government under pressure from the populist right, which in return gave its parliamentary support, Denmark's immigration policy was taken up and extended by the Social Democrats when they returned to power in 2019. They were re-elected in 2022, with even more support than in 2019.

From the Danish perspective, migration policy is essential for the sustainability of the welfare state. The aim is to preserve the welfare state by limiting excessive or unjustified recourse to state aid on the grounds that they squander the country's resources and undermine the political consensus by spreading suspicion. The welfare state depends as much on the level of trust in society as on the economic performance of the country.

In this sense, it can be said that the national homogeneity to which the Danes are committed is based less on ethnic than on political, cultural and moral grounds. Thus, Denmark has decided to restrict immigration and to impose a vigorous integration programme on newcomers. The effort to reduce the cultural gap between immigrants and the wider Danish society helps to cultivate and transmit interpersonal trust, trust in institutions and ultimately the entire Danish national model.

Danish immigration policy poses a fundamental question to Europeans: can the future of the welfare state be secured without a restrictive and inclusive migration policy?



Christen Købke,
The North Gate of the Citadel, 1834

ABBREVIATIONS OF THE NAMES OF DIFFERENT DANISH POLITICAL PARTIES USED IN SOME OF THE TABLES AND CHARTS IN THIS PAPER

- V:** Venstre, Liberal Party (ALDE, Renew Europe)
- A:** Socialdemokratiet, Social Democrats (Party of European Socialists)
- O:** Dansk Folkeparti, Danish People's Party (Identity and Democracy)
- B:** Radikale Venstre, Social Liberal Party (ALDE, Renew Europe)
- F:** Socialistisk Folkeparti, Socialist People's Party (Nordic Green Left Alliance, European Green Party)
- Ø:** Enhedslisten, Red-Green Alliance (Left Group in the European Parliament)
- Y/I:** Liberal Alliance, Liberal Alliance (centre right)
- C:** Det Konservative Folkeparti, Conservative People's Party (EPP)
- D:** Nye Borgerlige, The New Right (right - far right)
- M:** Moderaterne, The Moderates (centre/centre right)
- Æ:** Danmarksdemokraterne, Denmark Democrats (Right-wing populist)
- Q:** De Frie Grønne, The Independent Greens (left-wing)
- K:** Kristendemokraterne, The Christian Democrats (center)
- Å:** Alternativet, The Alternative (Nordic Green Left Alliance, DiEM25, European Spring)
- P:** Stram Kurs, Hard Line (far right)
- E:** Partiet Klaus Riskær Pedersen, Party of Klaus Riskær Pedersen/ The Citizen List (liberal)

DANISH IMMIGRATION POLICY: A CONSENSUAL CLOSING OF DANISH BORDERS

INTRODUCTION

In the parliamentary elections of 1 November 2022, the Danes returned the Social Democratic Party to power. Although Denmark has changed its governing majority several times, it has nevertheless pursued an immigration policy inspired by the same principles for the past twenty years: a drastic reduction in migratory flows, a strict integration programme, difficult access to citizenship and, from this point on, the willingness to use a non-European third country to process visa applications.

As a member of the European Union, the Schengen area and the European Convention on Human Rights (ECHR), Denmark has been able to develop a unique policy after negotiating its room for manoeuvre as an EU Member State. Following the first referendum in which they rejected the Maastricht Treaty (by 50.7%) on 2 June 1992, the Danes obtained a series of derogations from European law. With these "op-outs", a new Danish referendum was held on 18 May 1993, this time with the adoption of the Maastricht Treaty (56.7%). The country is exempted from most of the European Union's criminal justice and home affairs system¹. Denmark can opt out of the EU regulations and directives on justice and home affairs, to which migration and asylum policies are subject. Denmark may therefore legally treat third country nationals according to its own rules².

1. On 3 December 2015, when the centre-right government of Lars Løkke Rasmussen proposed to end these derogations in a referendum, 53% of voters rejected the proposal. The terrorist attacks in France, especially those in January and November 2015, as well as the refugee crisis in the same year were among the factors behind this result.

2. See Silvia Adamo, "The Danish welfare state: Balancing solidarity between Europe, immigration, and times of crisis", *Revue française des affaires sociales*, Issue n°3, July-September 2015, pp. 159-180 (www.cairn.info/revue-francaise-des-affaires-sociales-2015-3-page-159.htm).

The new Danish immigration policy was initiated by the right-wing government, under pressure from the populists of the Danish People's Party (Dansk Folkeparti), who gave their parliamentary support in return. This policy was adopted and pursued by the Social Democrats when they returned to power in 2019. They were re-elected in 2022, even more comfortably than in 2019.

From the Danish perspective, migration policy is essential for the sustainability of the welfare state. The aim is to preserve the welfare state by limiting excessive or unjustified recourse to state aid, which risks squandering the country's resources and undermining the political consensus by spreading suspicion of abuse. The Danish experience reminds us that the welfare state depends as much on the level of trust in society as on the economic performance of the country.

In this sense, it can be said that the national homogeneity to which the Danes are committed is based less on ethnic than on political, cultural and moral grounds. Thus, Denmark has decided to restrict immigration and to impose a vigorous integration programme on newcomers. The effort to reduce the cultural gap between immigrants and the wider Danish society helps to cultivate and transmit interpersonal trust, trust in institutions and ultimately the entire Danish national model. Danish immigration policy poses a fundamental question to Europeans: Can the future of the welfare state be secured without a restrictive and inclusive migration policy?

Yet the left has become uncomfortable with the idea of a state that firmly controls its borders at a time when the question is particularly acute for the European mainstream left, which is largely defined by the welfare state. In European democratic societies, despite increasing migratory pressures, most national lefts seem unable to endorse a policy of reducing migration flows. In France, this idea has been the subject of a stigmatisation that still deeply permeates the world of politics, the media, intellectuals and non-profit organisations³. So much so that the French right itself, over the twenty-three years it has governed since 1974, has never been able to bring itself to tackle the migration issue head-on, despite a constant increase in public concern and its constantly asserted translation in the electoral success of anti-immigration parties, mainly the Front National/Rassemblement National, whose performance in the presidential election rose from 0.75% of the votes cast in the first round in 1974 to 23.2% in 2022, and from 17.8% in the second round in 2002 to 41.4% in 2022.

3. See "Ocean Viking: "Il est impossible d'accueillir si l'on ne peut pas refuser l'entrée", interview by Dominique Reynié with Eugénie Bastié, *lefigaro.fr*, 15 November 2022 (www.lefigaro.fr/vox/societe/ocean-viking-il-est-impossible-d-accueillir-si-l-on-ne-peut-pas-refuser-l-entree-20221115).

The Danish example is therefore particularly worth considering. It sheds light on the role that restrictive migration strategies might play in 21st century democratic politics. The case is all the more relevant because Denmark is economically and culturally open to the world. It may be recalled here that foreigners residing in Denmark and holding Scandinavian passports were able to vote in local elections as early as 1978, and that the measure was extended in 1981 to all foreign residents in the country⁴. However, governments have changed their perspective over the last twenty years, gradually moving towards an increasingly restrictive migration policy. Initiated by the right wing between 2001 and 2011, the policy of closure was not challenged by the Danish left when it returned to power from October 2011 to June 2015. The victory of the right-wing coalition in June 2015, coinciding with the onset of the refugee crisis, resulted in an accentuation of the restrictive policy, leading Denmark to become one of the least open European countries to immigration.

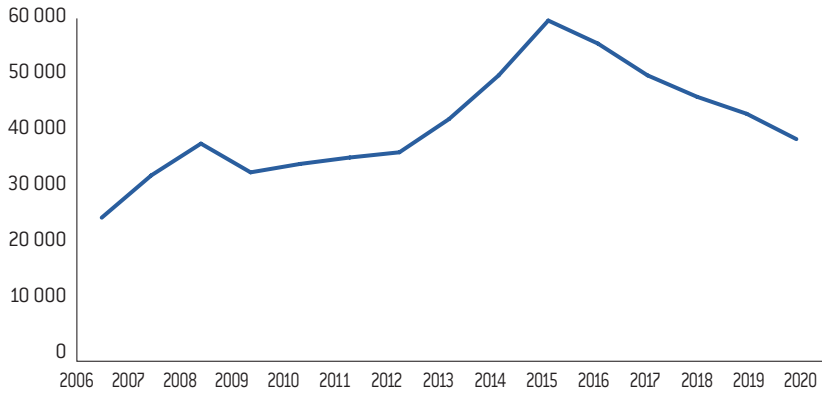
The Social Democrats have been in power since 2019 in a non-coalition government and were re-elected in the parliamentary elections on 1 November 2022. With 27.5% of the votes cast, they even improved their result compared to their victory in 2019 (25.9%). Danish migration policy has become consensual. Its particularly restrictive nature has a dissuasive effect on aspiring immigrants, as evidenced by the trend in the number of asylum seekers⁵: between 2014, the year before the refugee crisis, and 2019, the year before the COVID health crisis, the total number of asylum applications fell by 82%, from 14,792 to 2,716. The deterrent effect of this migration policy can also be seen in the number of foreigners (excluding asylum seekers) entering Denmark⁶: over the same period (2014-2019), the total number of migrants has fallen from 49,039 to 42,268 (-14%). The Social Democratic government is now working on the next step: the outsourcing of the management of visa applications to a third country, in this case Rwanda.

4. Svante Hansson, "Danemark", in Pascal Perrineau and Dominique Reynié (eds.), *Dictionnaire du vote*, Paris, PUF, 2001, p. 281.

5. See Statistics Denmark, "VAN5: Asylum seekers by citizenship and type of asylum", 2022 (www.statbank.dk/VAN5).

6. OECD, "International Migration Database", December 2022 (<https://stats.oecd.org/Index.aspx?lang=en&SubSessionId=2d6b9ef2-6b85-46f7-9c95-ebc26b026911&themetreid=2>).

Annual immigration to Denmark, excluding asylum seekers (2006-2020)



Criteria for registration of non-Danish nationals in Denmark's population register: to be in possession of a residency permit and to wish to stay in the country for more than 3 months. The data presented refers to migrants living legally in Denmark, registered in the population register and residing in the country for at least one year. Excluded are: asylum seekers and other non-nationals with temporary residence status.

Note: From 2006 onwards, Statistics Denmark has introduced a new method of calculation based on population data. Therefore, we have chosen to consider data from 2006 onwards.

Source: <https://stats.oecd.org/Index.aspx?lang=fr&SubSessionId=2d6b9ef2-6b85-46f7-9c95-ebc26b026911&themetreeid=2>

In addition to the reduction in migration flows, the second notable effect of this policy is the collapse of the main populist party, the Danish People's Party (Dansk Folkeparti). Having achieved its highest score (21.1%) in 2015, at the beginning of the European refugee crisis, it fell to 2.6% in the elections of 1 November 2022. However, the electoral collapse of the populists is the consequence of their ideological victory - which analysts had identified during the previous elections in June 2019, when the Danish People's Party was already in sharp decline, with 8.7% of the votes cast: "Most of the anti-immigration, anti-asylum and anti-Islamic positions that essentially characterised the Danish People's Party have gradually become normalized to the point of becoming ubiquitous, explained Susi Meret, an associate professor at Aalborg University. The 'dominant' parties have taken over its discourse"⁷. Thus, in 2022, the Social Democrats were re-elected (27.5%), with their best score since 2001. Such a score confirms the Social Democratic Party's comeback among the working classes.

7. Quoted by Nelly Didelot, "Au Danemark, la victoire idéologique de l'extrême droite", liberation.fr, 4 June 2019 (www.liberation.fr/planete/2019/06/04/au-danemark-la-victoire-ideologique-de-l-extreme-right_1731603/).

The purpose of this study is to present the formation of Danish migration policy and its main characteristics.⁸ This policy has been implemented through a succession of laws adopted over the last two decades.

Danish immigration policy is the product of an abundant and complex legislative work. The summary that we are proposing here is designed to be enriched by additions and amendments that attentive and interested readers will want to share with us⁹.

Political composition of Danish governments since 1982

Parliamentary term	Prime Minister	Prime Minister's Party	Parties represented in government
10-09-1982 – 10-09-1987	Poul Schlüter I	C	C, V, D, O
10-09-1987 – 03-06-1988	Poul Schlüter II	C	C, V, D, O
03-06-1988 – 18-12-1990	Poul Schlüter III	C	C, V, B
18-12-1990 – 25-01-1993	Poul Schlüter IV	C	C, V
25-01-1993 – 27-09-1994	Poul Nyrup Rasmussen I	A	A, B, D, K
27-09-1994 – 30-12-1996	Poul Nyrup Rasmussen II	A	A, B, D
30-12-1996 – 23-03-1998	Poul Nyrup Rasmussen III	A	A, B
23-03-1998 – 27-11-2001	Poul Nyrup Rasmussen IV	A	A, B
27-11-2001 – 18-02-2005	Anders Fogh Rasmussen I	V	V, C
18-02-2005 – 23-11-2007	Anders Fogh Rasmussen II	V	V, C
23-11-2007 – 05-04-2009	Anders Fogh Rasmussen III	V	V, C
05-04-2009 – 03-10-2011	Lars Løkke Rasmussen I	V	V, C
03-10-2011 – 03-02-2014	Helle Thorning-Schmidt I	A	A, B, F
03-02-2014 – 28-06-2015	Helle Thorning-Schmidt II	A	A, B
28-06-2015 – 28-11-2016	Lars Løkke Rasmussen II	V	V
28-11-2016 – 27-06-2019	Lars Løkke Rasmussen III	V	V, I, C
27-06-2019 – 15-12-2022	Mette Frederiksen I	A	A
15-12-2022 – en cours	Mette Frederiksen II	A	A, V, M

Source: <https://www.regeringen.dk/om-regeringen/regeringer-siden-1848/>

Note: Since 1945, Denmark has had thirty-eight governments, twenty-four of which were formed on the basis of a coalition and fourteen without a coalition.

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8. On the subject of immigration, the Fondation pour l'innovation politique has already published several studies, including Didier Leschi, *Migrations: la France singulière*, October 2018 (www.fondapol.org/etude/migrations-la-france-singuliere/); Tino Sanandaji, *The Swedes and Immigration (1). The end of homogeneity?*, September 2018 (www.fondapol.org/etude/suede/), and *The Swedes and immigration (2). The End of Consensus?*, September 2018 (www.fondapol.org/etude/les-suedois-et-limmigration-fin-du-consensus-2/); Jean-Philippe Vincent, *Éthiques de l'immigration*, June 2018 (www.fondapol.org/etude/ethiques-de-limmigration/).

9. Via the following e-mail address: contact@fondapol.org.

I. A POLICY DRIVEN BY THE CHALLENGE OF NATIONAL HOMOGENEITY

1. Denmark as a homogeneous society

In Denmark, the idea that the nation stems not only from a common past but also from ethnic homogeneity is widespread among the population. N.F.S. Grundtvig (1784-1872), one of the historical figures of Danish nationalism and a member of the Constituent Assembly that gave birth to the first Danish constitution in 1849, placed his views within the Romantic family of nationalism, which was based on the idea of ethnically homogeneous 'people' sharing the same language and history¹⁰.

The idea of an ethnically homogeneous nation should certainly be put into perspective, as Denmark has experienced several waves of immigration in the course of its history. However, these waves were mainly from the Nordic countries and Western Europe. The concept of a welfare state formed from a culturally homogeneous population is therefore conceivable¹¹. The first non-European migrants, especially from Turkey, Pakistan and the former Yugoslavia, arrived in the 1960s, often as foreign workers, to meet the needs of Danish industry. In 1973, with the first oil shock and its consequences for employment, it was decided to stop the influx of foreign workers. However, in the following decades, Denmark received many refugees from Vietnam, Chile, the Near and Middle East and Somalia, and their numbers increased rapidly with family reunification¹². The first Immigration Act of 1983, considered one of the most liberal in the world, was then amended and tightened for the first time in the 1990s, and then on numerous occasions from the early 2000s.

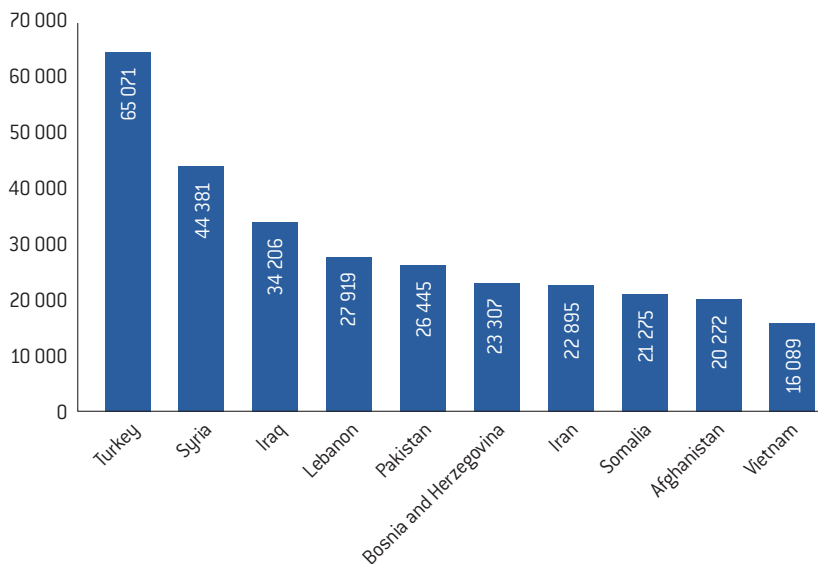
10. See Garbi Schmidt, "Myths of ethnic homogeneity. The Danish case", in Suvi Keskinen, Unnur Dís Skaptadóttir et Mari Toivanen (dir.), *Undoing Homogeneity in the Nordic Region. Migration, Difference, and the Politics of Solidarity*, Londres, Routledge, 2019, p. 35-48 (www.taylorfrancis.com/chapters/oa-edit/10.4324/9781315122328-3/myths-ethnic-homogeneity-garbi-schmidt).

11. See Ulf Hedetoft, "Denmark: Integrating Immigrants into a Homogeneous Welfare State", migrationpolicy.org, November 1, 2006 (www.migrationpolicy.org/article/denmark-integrating-immigrants-homogeneous-welfare-state).

12. Shahamak Rezaei and Marco Goli, "The 'housebroken' far-right parties and the showdown in Danish migration and integration policies", in Maciej Duszczuk, Marta Pachocka and Dominika Pszczółkowski (dir.), *Relations between Immigration and Integration Policies in Europe. Challenges, Opportunities and Perspectives in Selected EU Member States*, Routledge, 2020, p. 106-124 (www.taylorfrancis.com/chapters/oa-edit/10.4324/9780429263736-7/housebroken-far-right-parties-showdown-danish-migration-integration-policies-shahamak-rezaei-marco-goli).

Origin of non-Western immigrants and descendants in 2021

Top 10 countries of origin of non-Western immigrants and their descendants



Source: <https://integrationsbarometer.dk/tal-og-analyser/INTEGRATION-STATUS-OG-UDVIKLING>

2. The welfare state as a national principle

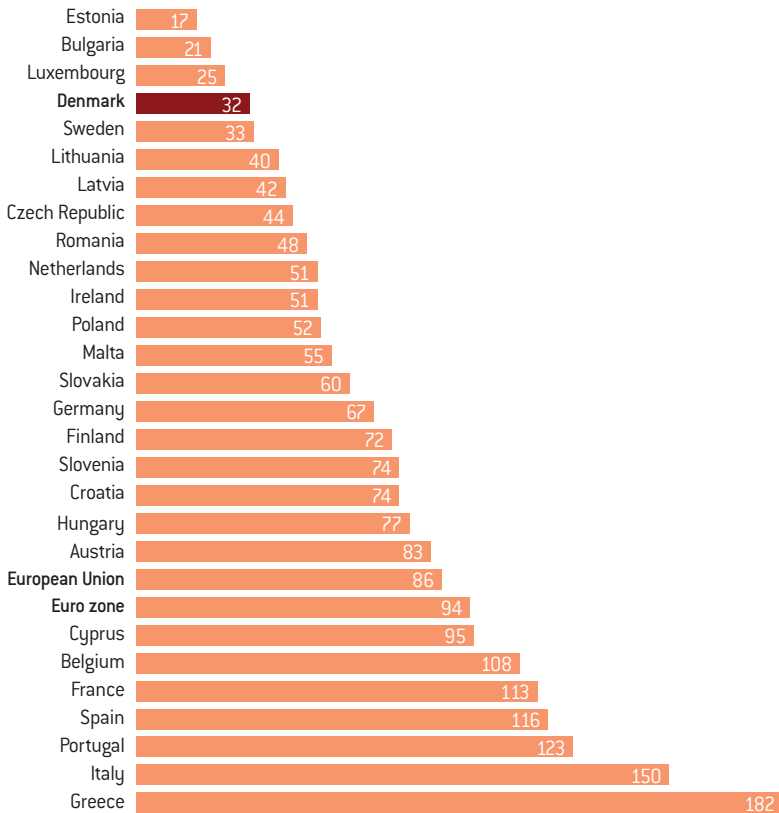
In Denmark, nation-building is deeply linked to the deployment of the welfare state, which is seen as dependent on a sense of solidarity between people who were born and have lived in the same country. Silvia Adamo points out that the principles that form the basis of the Danish welfare system are universality (the state provides a large number of services and benefits financed by general taxation), solidarity (the state is the main provider of social protection), the provision of a minimum standard of living (the state is responsible for ensuring a minimum standard of living for all) and territoriality (benefits are conditional on residence in Denmark, they are not exportable).¹³ However, migrants and those who have moved to other countries, by being able to access the benefits of the Danish welfare state, are changing the conditions of this solidarity¹⁴. This is all the more true since the oil shocks have weakened the Danish model of social protection. Therefore, in the 2000s, Denmark emphasised individual responsibility in order to reduce the tendency to expect handouts.¹⁵

13. See Silvia Adamo, "The Danish welfare state: Balancing solidarity between Europe, immigration, and times of crisis", *Revue française des affaires sociales*, Issue 3, July-September 2015, pp. 159-180 (www.cairn.info/revue-francaise-des-affaires-sociales-2015-3-page-159.htm).

14. *Ibid.*

15. *Ibid.*, p.163.

Public debt in Q2 of 2022 (% of GDP)



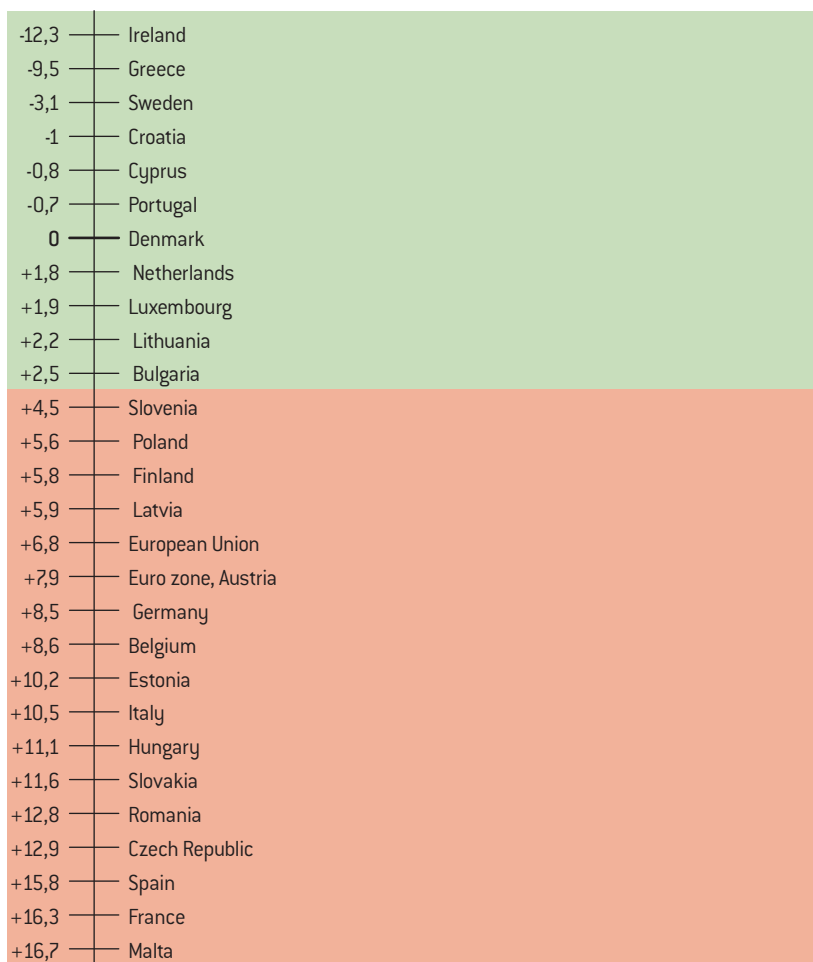
Source: Eurostat

Precise and tight budget negotiations at the heart of government coalitions

Most governments in Denmark have been based on minority coalitions. This situation makes stability dependent on close and precise negotiations between the coalition parties, but also requires that the views of parties outside the coalition be taken into account, particularly on the subject of fiscal policy. The phenomenon of minority coalitions can be seen as one of the explanations for the Danish budgetary rigour: “Most major budget policy initiatives during a government's term of office will emanate from the coalition agreements [...]. This medium-term economic and fiscal strategy enjoys broad political support in Denmark and has been followed by successive governments. The overall objective of the programme is to ensure that fiscal policy is sustainable in the long-term” [1].

[1]. Jón R. Blöndal and Michael Ruffner, "The Budgetary Process in Denmark", *OECD Journal of Budgetary Management*, Vol. 4, n°. 1, April 2006, pp. 60-61 (https://read.oecd-ilibrary.org/governance/budgeting-in-denmark_budget-v4-art3-en#page1).

Evolution of public debt in percentage of GDP between 2019 and 2022



Source: European Commission

Fiscal rigour is as part of the Danish political culture

Along with Austria, the Netherlands and Sweden, Denmark is one of the European countries whose commitment to balancing its accounts and controlling its public debt is shared by both the right and the left, which has earned them the reputation of being 'frugal' by less rigorous states.

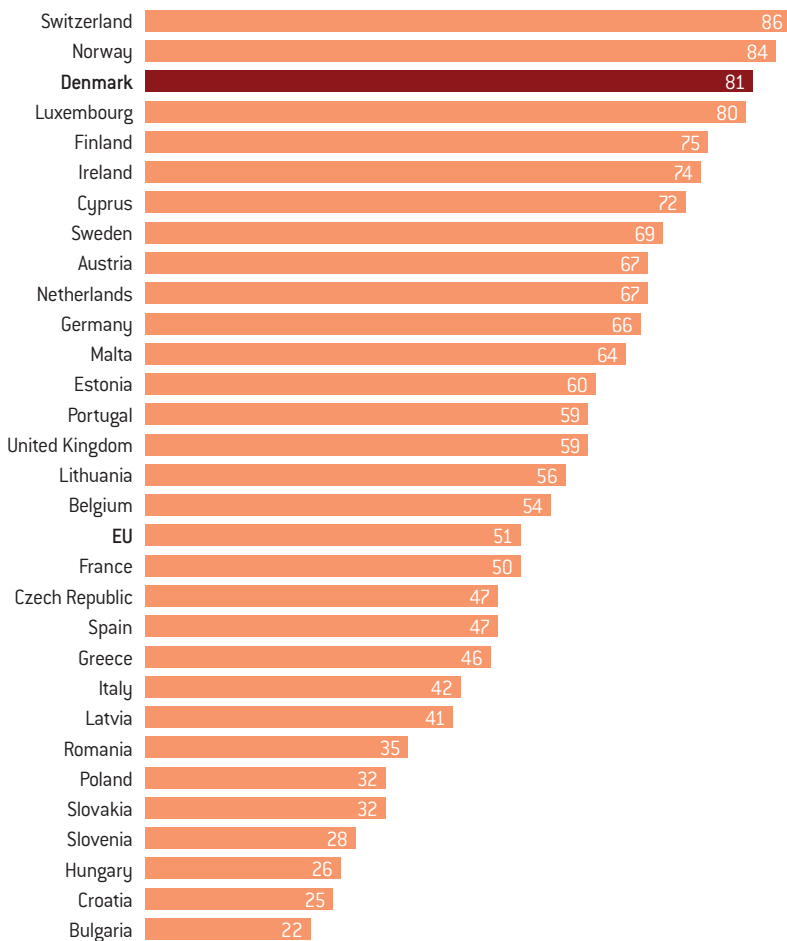
It is certainly difficult to understand Danish immigration policy without bearing in mind this aspect of the national economic and political culture, which is deeply marked by the imperative of cautious management of public resources.

In the European Union, Danes are the most likely to consider that democracy works well in their country (in %)

Question: "Would you say that democracy in your country works..."

Answers: "well" and "very well"

Base: EU countries, the United Kingdom, Switzerland and Norway



Source: Dominique Reynié (ed.), "Freedoms at risk: the challenge of the century", survey carried out in partnership with the Fondation pour l'innovation politique, International Republican Institute, Community of Democracies, Konrad-Adenauer-Stiftung, Genron NPO, the Fundación Nuevas Generaciones and República do Amanhã, January 2022, 96 pages (<https://www.fondapol.org/en/study/freedoms-at-risk-the-challenge-of-the-century/>).

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Many people have doubts about the sustainability of the Danish model, and some advocate greater liberalisation, recommending the cutting of state aid and protection for migrants who, as non-members of the national community, should not necessarily have access to national solidarity.

The economic and financial crisis of 2008 fuelled a growing interest in such approaches. This is particularly the case for the Danish People's Party, which supports the exclusion of non-nationals from national solidarity. According to this logic, only 'natives', those who are part of the community deemed ethnically homogeneous, should be able to benefit from national solidarity.¹⁶ It then becomes a question of distinguishing between people, between those who belong to the national community and those who do not, between those who contribute to the production and redistribution of national wealth and those who are accused of taking advantage of the system. Economic integration is at the heart of the civic integration of migrants¹⁷, who are increasingly viewed as the part of society that weighs on the social system, at the expense of the historical members of the national community. A vision of 'deserving' migrants, those who contribute to the national effort, versus those who exploit the system, has gradually taken hold among the Danish 'natives', especially among the working class¹⁸. Thus, immigration and integration policies have been recast on the basis of a distinction between desired migrants and the others, between the 'deserving' and the 'freeloaders', particularly in the wake of the economic crisis, in view of their integration and their contribution to economic life and the welfare state, but also in terms of respect for the liberal values that characterise Danish society.

3. The influence of Danish populism on immigration policies

In Denmark, the demand for a restrictive migration policy was first voiced by the far-right parties, whose presence in the political landscape dates back to the 1970s. The Danish People's Party, which was the strongest populist party for 30 years, was formed in 1995 as a result of a split with the Progress Party (*Fremskridtspartiet*), founded in 1972 by the tax lawyer Mogens Glistrup (this party now occupies a marginal position in Danish politics).

In economic terms, the Progress Party developed a typical right-wing populist, anti-tax, anti-elite discourse, particularly denouncing the intellectual elites and bureaucracy, but advocating ideas from the libertarian movement, such as the abolition of income tax and the rejection of the welfare state. The Progress Party also assumed a racist, at least xenophobic,

16. See Suvi Keskinen, Ovi Cristian Norocel and Martin Bak Jørgensen, "The politics and policies of welfare chauvinism under the economic crisis", *Critical Social Policy*, vol. 36, n° 3, August 2016, p. 321-329.

17. See Emily Cochran Bech, Karin Borevi et Per Mouritsen "A 'civic turn' in Scandinavian family migration policies? Comparing Denmark, Norway and Sweden", *Comparative Migration Studies*, vol. 5, article 7, March 2017 [<https://comparativemigrationstudies.springeropen.com/counter/pdf/10.1186/s40878-016-0046-7.pdf>].

18. See Suvi Keskinen, Ovi Cristian Norocel and Martin Bak Jørgensen, art. cit.

and vigorously anti-Muslim culture¹⁹. The oil shocks and then the Iran-Iraq war of 1980-1988 brought waves of refugees, making immigration a matter of growing public concern. In the 1973 parliamentary elections, the Progress Party enjoyed immediate success and became the country's second largest political force, with 16% of the votes cast and 28 of the 179 seats in the Folketing, the single chamber of the Danish Parliament. The 1980s, however, saw the party's electoral decline and its founder faced difficulties within the party itself. In addition to his troubles with the law, he was mainly criticized for his strategy of questioning the welfare state. Within the Progress Party, those who defended the welfare state did so in the name of its ideological and electoral effectiveness. The welfare state became the axis of social chauvinism, offering the possibility of combining a right-wing principle, national preference, with a left-wing principle, solidarity. It was over the welfare state that a split in the party gave rise to the Danish People's Party,²⁰ which is a good example of this new type of heritage-related populism that emerged between the end of the twentieth and beginning of the twenty-first century²¹.

The name of the Danish People's Party claims to appeal to the nation's people, in a readily ethnic sense. Firmly opposed to immigration and multiculturalism, and promoting a restoration of "national identity," the party is a right-wing populist nationalist party that defends the welfare state. This combination allowed it to soar in the polls until 2015. The party believes that immigrants are welcomed in too large numbers and too lavishly, at the expense of Danish taxpayers. Unlike the Progress Party, the Danish People's Party does not question the generosity of the welfare state, but proposes that the benefits be reserved for the Danish population (i.e., the "native" population), the only net contributors to the nation's resources. The interweaving of the issue of preserving the wealth of "the people" with the issue of their identity is reflected in the party's criticism of the European Union, and in particular its opposition to the adoption of the single currency in 2000, in the name of national identity, a certain social model and a way of life threatened by European deregulation policies. The defence of the welfare state was combined with the defence of national identity and sovereignty to justify a programme

19. See Anders Widfeldt, *The Growth of the Radical Right in Nordic Countries: Observations from the Past 20 Years*, Migration Policy Institute, June 2018 (www.migrationpolicy.org/sites/default/files/publications/TCM-RadicalRightNordicCountries-Final.pdf).

20. *Ibid.*

21. "Heritage populism" is a notion introduced by Dominique Reynié in *Les Nouveaux Populismes* (Paris, Pluriel, 2013) to qualify a type of populism responding to the fear or experience of a two-dimensional heritage crisis, i.e., the fear or experience of an erosion of tangible heritage - the standard of living, the material conditions of existence - and the fear or experience of a loss of intangible heritage - the lifestyle, the cultural and symbolic dimension of existence.

aimed at closing the country and refusing to accept new inhabitants from abroad, in order to avoid destabilizing Denmark economically, financially, culturally or politically.

The 1998 parliamentary elections were the first national elections in which the Danish People's Party took part. It won 7.4% of the vote and 13 seats in Parliament. In the next election in 2001, it became the third largest force in the country, with 12% of the vote and 22 seats. During the campaign, the party put immigration at the heart of the public debate. Voters elected a right-wing majority, allowing the formation of a coalition between the Liberal Party and the Conservative Party, with parliamentary support from the Danish People's Party²². In the parliamentary elections of 2005 and 2007, the Danish People's Party remained the third largest political force in the country. The right wing maintained its majority and the parliamentary support of the Danish People's Party. Although the Danish People's Party does not participate in the government, it has a strong influence on public policies, especially those aimed at reducing migration flows.

A reversal of the majority occurred in 2011, when an alliance of left-wing parties narrowly won the elections. With 12.3% of the vote and 22 seats, the Danish People's Party was in decline for the first time since 1998, but remained the country's third largest force. These elections mark the end of austerity policies following the 2008 crisis. They also mark the wear and tear of the right-wing parties, which have been in power for ten years²³. In 2015, the left was defeated in turn, as it continued its austerity policies. A right-wing coalition regained a majority, in particular thanks to the Danish People's Party, which triumphed by becoming the largest right-wing party, with 21.1% of the vote and 37 seats²⁴. Two main issues marked the 2015 election campaign: the welfare state and immigration. Kristian Thulesen Dahl, who succeeded Pia Kjærsgaard as leader of the Danish People's Party, focused on defending the welfare state and rejecting immigrants deemed too numerous. In the eyes of part of the public, the party appeared to offer an alternative social-democratic proposal²⁵ that would allow the welfare state to be maintained, or even strengthened, by reducing migration flows. To say the least, it was this political offer that caused the defeat of the left-wing coalition.

22. See Corinne Deloy, "Chronique européenne des élections", by Bruno Cautrès and Dominique Reynié (eds.), *L'Opinion européenne 2002*, Paris, Presses de Sciences Po/Fondation Robert-Schuman, 2002, p. 360-363.

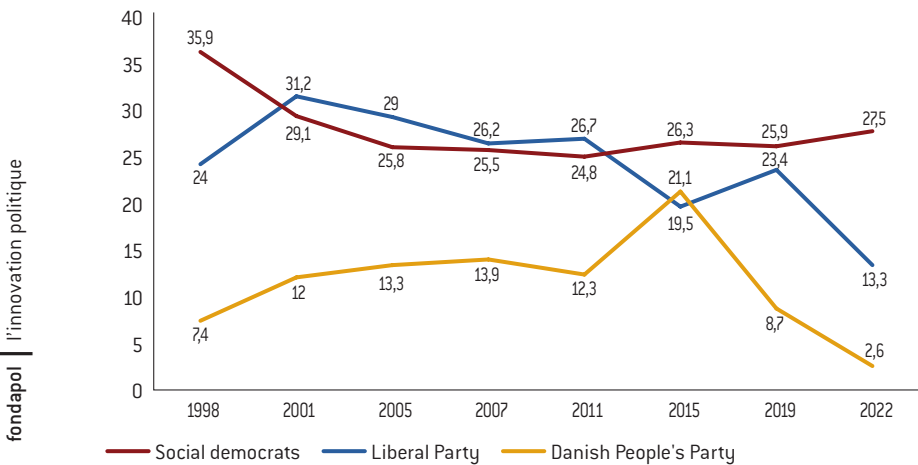
23. See Corinne Deloy, "Les élections en 2011", in Dominique Reynié (ed.), *L'Opinion européenne en 2012*, Paris, Fondation pour l'innovation politique/ Fondation Robert-Schuman, 2012, pp. 145-147.

24. See Corinne Deloy, "Les élections en 2015", in Dominique Reynié (ed.), *L'Opinion européenne en 2016*, Paris, Fondation pour l'innovation politique, 2016, pp. 115-118.

25. *Ibid.*

The 2015-2016 migration crisis reconfigured the political landscape. The scale and brutality of the crisis precipitated the adoption by the Social Democrats of the Danish People's Party's proposals on migration policy. This shift paid off: the left regained its majority in 2019, notably by regaining part of its electorate at the expense of the Danish People's Party, which suffered its first historic setback, with a score of 8.7% and the loss of 21 members of parliament.

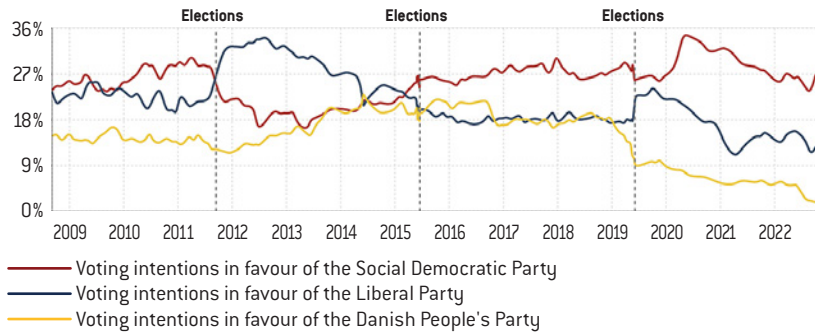
The electoral results of the Social Democratic Party, the Liberal Party and the Danish People's Party in the parliamentary elections (in % of votes cast)



Source: DR.DK, Meningsmåling (www.dr.dk/nyheder/politik/meningsmaalinger).

Opinion polls provide a more detailed picture of the shifting balance of power between the social democrats, the right and the populists. DR.DK has conducted 177 voting intention surveys since 2008. By looking at the results for the three main parties, the Social Democratic Party (left), the Liberal Party (right) and the Danish People's Party (populist), we obtain information that the electoral results alone - which are by definition rarer - do not provide: between 2013 and 2015, the two main government parties, on the right and on the left, are dangerously challenged, to the point where they are almost surpassed by the populist party. The migrant crisis (2015-2016) seems to explain why the Danish People's Party remains at its strongest peak, but then its decline began and continues to this day, precisely because of the migration policy in place since 2001.

Voting intentions in favour of the Social Democratic Party, the Liberal Party and the Danish People's Party (September 2008 - October 2022, in %)



Source: DR.DK, Meningsmåling [www.dr.dk/nyheder/politik/meningsmaalinger].

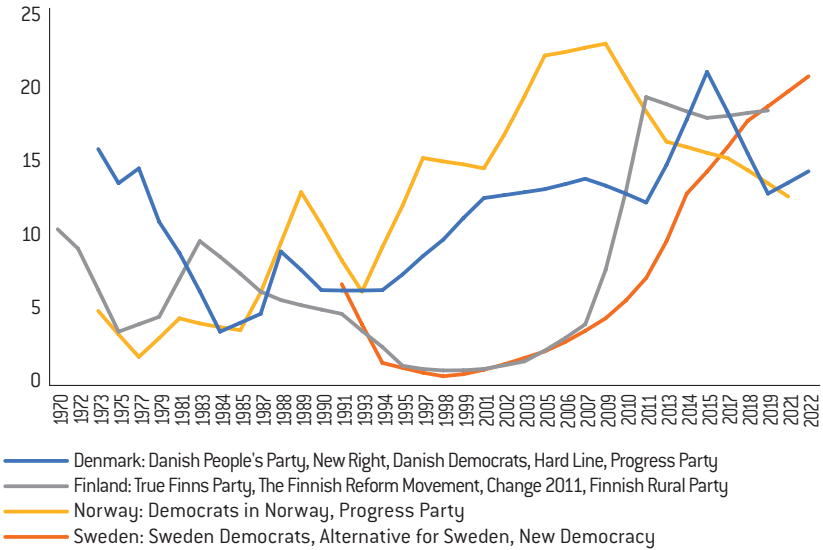
The impact of the cartoon crisis

The Danish People's Party has promoted the idea that immigration, especially Muslim immigration, exposes the country to anti-democratic and anti-liberal trends and risks undermining the national consensus. The fear of internal conflict generated by immigration was amplified by the intense global diplomatic crisis and the attacks that followed the publication of the Mohammed cartoons in the Danish daily *Jyllands-Posten* in 2008.

On September 30, 2005, the newspaper published an article on self-censorship and freedom of the press illustrated with cartoons of Mohammed. Immediately, a Pakistani extremist group put a price on the cartoonists' heads. Danish imams called on Muslims around the world to demonstrate. The main cartoonist, Kurt Westergaard, was the subject of several assassination attempts. On June 2, 2008, an attack against the Danish embassy in Pakistan caused the death of 6 people. It was claimed by al-Qaeda. The daily's cartoons were reprinted in a few newspapers in Europe to defend freedom of the press and expression, but overall, the Danes did not feel that they were strongly supported by democratic countries. Among all the media outlets, only *Charlie Hebdo* demonstrated the greatest solidarity, reproducing the contested cartoons, accompanied by its own drawings. But, as we know, the French weekly then fell victim to a terrible attack on January 7, 2015, killing 12 people and injuring 11 others*.

* See also Dominique Reynié, "L'islam et le libéralisme européen", in *Les Nouveaux Populismes*, Paris, Pluriel, 2013, pp. 115-127, and Lorenzo Vidino, *La montée en puissance de l'islamisme woke dans le monde occidental*, Fondation pour l'innovation politique, May 2022, p. 16 (www.fondapol.org/etude/la-montee-en-puissance-de-lislamisme-woke-dans-le-monde-occidental/).

In the Nordic countries, the combined scores of the main right-wing populist parties show that their electoral influence remains very strong today (1970-2022, in %)



Reading grid: In 1991, the combined score of the main right-wing populist parties in the Swedish parliamentary elections was 6.8% of the votes cast. In the same year, it was 4.8% in the Norwegian parliamentary elections.

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II. THE DANISH IMMIGRATION POLICY: FIRMNESS, CLOSURE AND THE WELFARE STATE

1. A vigorous integration policy

Danish integration policy is governed by the *Integrationsloven*, which was passed in 1998 and has been amended several times since. This law sets out the rules for an immigrant seeking citizenship, integrating into the national model and adopting the fundamental values of Danish society. The rules differ according to the status of the residence permit²⁶. Without going into detail about the evolution of the law, it is important to at least present the general legislative framework and the trend in integration policies.

The Danish system is decentralized. It is the responsibility of the ninety-eight municipal authorities to implement integration policies. These policies can therefore be interpreted and adapted to local circumstances. Integration of foreigners is primarily defined through their integration into the labor

26. See Silvia Adamo, "Please Sign Here": Integration Contracts Between Municipalities and Foreigners in Denmark", *Journal of International Migration and Integration*, vol. 23, n° 1, March 2022, p. 321-342.

market²⁷, while the residence permit is conditional on a capacity for self-sufficiency²⁸. With regard to refugees and family reunification immigrants, two programs have been set up:

- a self-sufficiency and repatriation program for refugees and for unaccompanied minors, as well as for persons allowed to stay in Denmark on humanitarian grounds;
- an integration program for members of immigrant families. The aim is to enable immigrants to gain access to employment by improving their skills.

These programs must be offered by the municipalities within a maximum of one month after they take charge of the immigrants. The programs are for a period of 1 year, at the end of which the immigrant must be in employment. If the objective is not achieved, the duration of the program can be extended to a maximum of 5 years. These programs consist of Danish language courses, depending on the migrant's level of education, and training offers to facilitate employment: skill improvement, internship, appointment of a mentor, partnerships between the city council and companies that take care of migrants, in exchange for subsidies. Municipalities receive financial compensation from the state for their contribution to the integration of newcomers²⁹.

The content of the programs is specific to each refugee or immigrant who comes through family reunification. These programs are the subject of a contract co-signed with the municipality. If the parties to the contract, the immigrant and the municipality, do not agree on the content of the integration program, it is up to the municipality to ultimately determine it. The contract sets out the obligations, objectives and stages of the integration process in society. It should be noted that immigrants whose presence in the country is temporary (e.g. certain workers on fixed-term contracts or au pair students) are also covered by an integration program, but in a lighter form, with an introductory course and Danish language classes. This program is geared towards accessing the labor market and is not contracted. When entering an integration program, foreigners, including non-refugee and non-family immigrants, are required to sign a "declaration of residence and self-sufficiency" that affirms their willingness to adapt to the democratic and liberal values of Danish society.³⁰

27. See Christèle Meiland, "Pénurie de main-d'œuvre et immigration ultra sélective", *Chronique internationale de l'IRES*, n° 178, June 2022, p. 24-35 (www.cairn.info/revue-chronique-internationale-de-l-ires-2022-2-page-24.htm).

28. See Silvia Adamo, "The Danish welfare state...", art. cit.

29. See Silvia Adamo, "Please Sign Here'...", art. cit.

30. *Ibid.*

Refugees and immigrants under family reunification are required to sign the contract in order to receive social benefits. These benefits are also conditional on compliance with the contract: taking language courses and accepting job offers are mandatory. Failure to sign the contract or to comply with it will prevent the immigrant from obtaining a permanent residence permit and thus from being granted citizenship.³¹

The government's strategy to tackle 'ghettos'

“The latest ghetto strategy was published in March 2018 in a white paper called *Et Danmark uden parallelsamfund – Ingen ghettoer i 2030* (One Denmark without parallel societies – No ghettos in 2030) to combat ghettos for once and all in order to build a coherent Denmark. In the white paper, the government states that the strong population growth of citizens of non-Western origin has provided a breeding ground for parallel societies, where Danish values and norms are not the primary ones. Furthermore, it argues that 28,000 families with non-Western backgrounds live in isolation from the rest of the Danish society, both physically and mentally, in so-called parallel societies.

The government’s ghetto strategy of 2018 consist of 22 initiatives and centers around four focus areas:

- Physical demolition and reconstruction of vulnerable residential areas
- More firm control of who can live in vulnerable residential areas
- Strengthened police response and severer punishment must fight crime and create more security
- A good start in life for all children and young people

According to the Danish government, a ghetto is characterized as a physical cohesive public residential area constituting at least 1,000 residents who meet at least two of the following three criteria:

- The amount of residents convicted for violations of the Criminal Code, the Firearms Act, or the Euphorants Act exceeds 2.7 percent of the total amount of residents.
- The proportion of residents aged between 18 and 64 years with no relation to the labor market or the education system exceeds 40 percent.
- The proportion of immigrants and descendants from non-Western countries exceeds 50 percent.

If the proportion of immigrants and descendants from non-Western countries exceeds 60 percent, the area is automatically considered a ghetto.”

Seda Emine Agzigüzel, "A Matter of Security? A Critical Discourse Analysis of the Underlying Security Discourse in the Danish Ghetto Plan," Malmö University, 2021, pp. 12-13 (www.diva-portal.org/smash/get/diva2:1560370/FULLTEXT02).

31. *Ibid.*

Over the past twenty years, successive governments have implemented numerous plans to improve and strengthen the integration of foreign populations. One of these plans in particular deserves some attention: it focuses on places of residence. Released in 2018, this plan aims to "dismantle parallel societies and immigrant 'ghettos' by 2030." The term "ghetto" (*ghettoer*) was introduced into Danish law in 2010. For a given residential area, the "ghetto" is defined on the basis of a combination of employment rates, crime indicators, education and income levels, and the proportion of the population of non-Western origin. In order to dismantle these "ghettos", the plan aims to more strictly regulate the possibilities of settling in them, as well as of renewing a lease. The objective is to fight against residential segregation and to avoid a concentration of immigrant populations. The plan imposes, for example, restrictions on the settlement of people receiving social assistance. In addition, the plan increases law enforcement resources in these neighborhoods, while at the same time creating areas with harsher penalties, i.e., areas where wrongdoing is more heavily punished than elsewhere.³² This aspect of the plan has been criticized in relation to the principle of equality before the law³³, although equality remains in a sense, since everyone who commits an offence in the area concerned is exposed to the same risk of punishment. If, for the same offence, the punishment may be different, it is on the basis of the area, and not on the basis of the person.

2. Restricting access to employment, family reunification and citizenship

From 2002 to 2016, the law on foreigners was amended 93 times and 42 times between 2017 and 2019³⁴. These numerous changes have contributed to legal ambiguity, making it difficult for migrants to read and understand the texts. The large number of legislative changes testifies to the importance of the subject, both for the Danish right and left, since both have governed during this period. The basic logic is clearly to restrict immigration and tighten acceptance conditions. The following paragraphs review the main developments in terms of citizenship, access to work, obtaining a residence permit and family reunification. Overall, the texts adopted show, on the one hand, the convergence of views between the main political forces, including populists, on migration policy and, on the other hand, an affirmation of integration efforts.

32. OECD, *International Migration Outlook 2019*, OECD Publishing, 2019, p. 244.

33. See "Les politiques d'asile du Danemark, entre fermeté et restrictions [2/2]", interview with Romana Careja by Marie Robin, ThucyBlog N°166, afri-ct.org, October 28, 2021 (www.afri-ct.org/2021/thucyblog-n-166-les-politiques-dasile-du-danemark-entre-fermete-et-restrictions-2-2/).

34. Christèle Meilland, art. cit, p. 31.

Acquiring citizenship

In 2002, in order to be granted citizenship, it was necessary to have lived in Denmark for at least seven years, to have held a residence permit for two years (except for refugees, stateless persons and spouses of Danes) and to have passed a language test.³⁵

From 2007, applicants for Danish citizenship must pass an enhanced language test, as well as a test of knowledge of Danish history and society³⁶.

In 2013, new changes concerning citizenship were adopted: while there are three levels of language, applicants are required to pass an intermediate level 2 test or equivalent, as well as a test focused on civic participation and daily life³⁷. Similarly, in 2014 access to citizenship was made easier for young people who were born and raised in Denmark³⁸. Since 2019, a mandatory handshake is added to the naturalization procedure and precedes the delivery of the citizenship certificate³⁹.

Being sanctioned for committing an offense impacts the possibility of applying for Danish citizenship. For example, receiving a fine of 3,000 kroner (about 400 euros) leads to ineligibility for a period of 4 years and 6 months. If the person is fined several times, the ineligibility is extended, since for each offence fined, a new waiting period is added to the previous⁴⁰. Any prison sentence, even if suspended, permanently prevents access to Danish nationality. Finally, applicants for Danish citizenship must also have shown that they are able to support themselves for at least three and a half of the last four years, instead of four and a half of the five previously.

35. OECD, *International Migration Trends 2003*, Sopemi Edition, 2003, p. 198.

36. OECD, *International Migration Outlook 2007*, Sopemi Edition, 2007, p. 260.

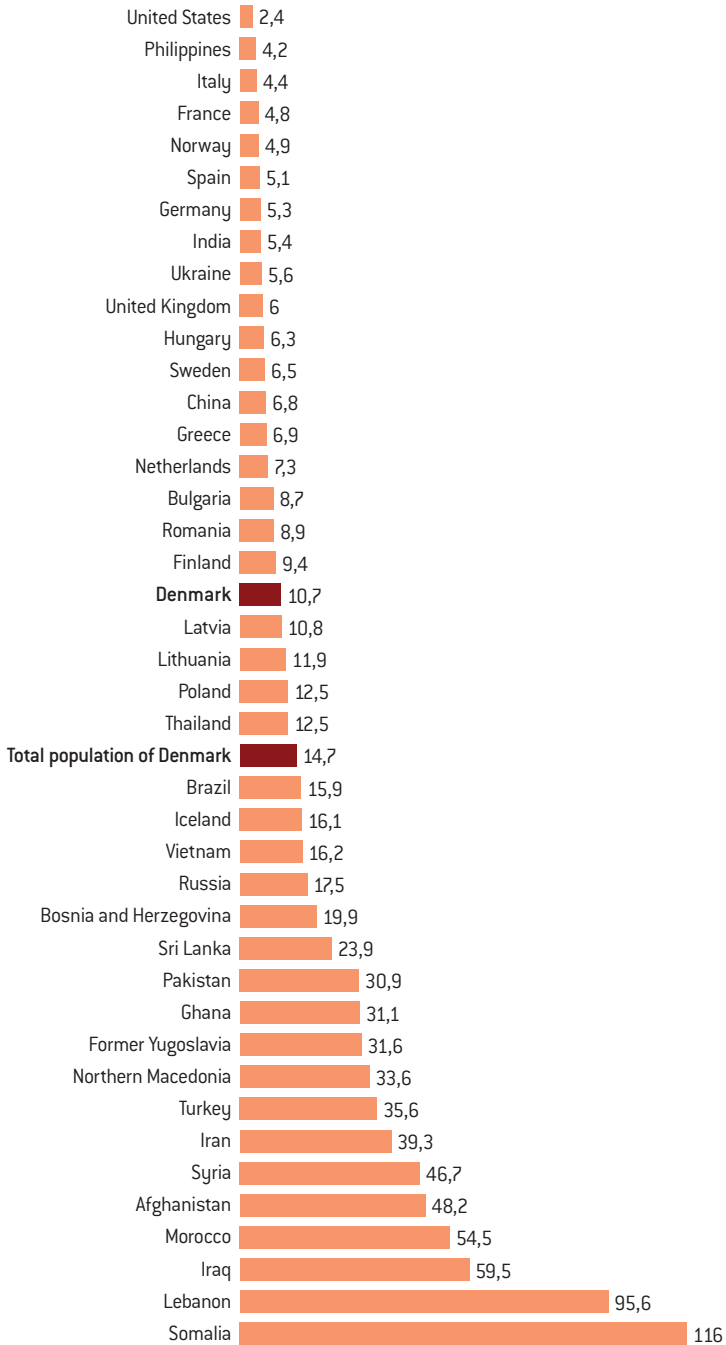
37. OECD, *International Migration Outlook 2014*, OECD Publishing, 2014, p. 284.

38. OECD, *International Migration Outlook 2015*, OECD Publishing, 2015, p. 208.

39. OECD, *International Migration Outlook 2019*, OECD Publishing, 2019, p. 244.

40. See Danish Ministry of Finance/Agency for Digital Government, "Conditions for foreign citizens' acquisition of Danish citizenship," November 2022 (<https://lifeindenmark.borger.dk/housing-and-moving/danish-citizenship/conditions-for-foreign-citizens--acquisition-of-danish-citizenship>).

Violent incidents in Denmark per 10,000 inhabitants classified by country of origin of the perpetrators



Danish immigration policy: a consensual closing of borders

Source: Denmark Statistics.

It is important to note that the text presented by the Social Democratic government, with the support of three opposition right-wing parties, gives a central place to "Danish values". In the compulsory examination for applicants, five questions are on this theme, in addition to the oral and written language tests, which Mathias Tesfaye, the Danish Minister of Migration, commented, "We want to be absolutely sure that those who receive Danish citizenship, with all the rights that come with it, are well integrated into our society and have fully accepted it."⁴¹ A circular from June 2021 states that the government will consider applications for citizenship based on the origin of the applicants, which is categorized geographically into five categories: the Nordic countries, other Western countries, Middle East, North Africa, and Pakistan (MENAP) countries, and other non-Western countries.

Foreign workforce

In 2002, professional permits were introduced to make it easier for foreign skilled workers in high demand sectors to obtain a residence permit, which can be extended to three years⁴².

In 2006, a government bill was passed with the support of the Danish People's Party to allow foreign skilled workers to obtain a residence permit if they are qualified for a job with an annual salary of about 60,000 euros, including in sectors where there is no labour shortage. The law institutes the creation of a green card and the implementation of a points system, so that particularly qualified foreigners can access a residence permit of up to 6 months, allowing them to find a job corresponding to their skills. In addition, foreigners with higher education degrees are given 6 months to find a job⁴³.

A reform adopted in 2014 grants companies facilities to bring in skilled workers from outside the European Union and the European Economic Area (EEA) via accelerated procedures. Similarly, students and researchers benefit from better arrival conditions and welcome facilities. In addition, foreigners studying for a master's degree or doctorate can obtain a residence permit upon graduation⁴⁴.

41. Quoted in "Le Danemark durcit les règles de naturalisation", rts.ch, 21 April 2021 (www.rts.ch/info/monde/12139616-le-danemark-durcit-les-regles-de-naturalisation.html).

42. OECD, *International Migration Trends 2004*, Sopemi Edition, 2004, pp. 195-196.

43. OECD, 2007, *op. cit.*, p. 260.

44. OECD, 2015, *op. cit.*, p. 208.

Foreign worker recruitment was relaxed slightly in 2019. In 2020, two new schemes were implemented:

- one allowing foreign nationals who have been working in Denmark for 2 years to obtain an extension of their residence permit for up to 2 years if the application is motivated by family or humanitarian reasons. Thus, foreign nationals who have been working in Denmark for at least 2 years can obtain this new residence permit for a period of 2 years, if the reason for which they had been accepted on Danish territory is no longer valid. For example, if a national of a given country who has a residence permit has it withdrawn because his or her country is no longer considered dangerous, or in the case of a separation that occurred shortly after family reunification;
- the second mechanism defines a list of skilled professions suffering from a labor shortage for which foreigners who have been offered a job can apply for a residence permit (provided that the employer respects certain conditions for training apprentices).

In addition, the "Settlement Card" which offers a change of status for professional purposes for certain graduates has been expanded. Now, students or graduates with a student migration status can change their status from student to worker.⁴⁵

Denmark has a work visa policy that combines employment criteria, taking into account the tensions in the relevant sectors of activity, as well as a salary level criterion, with the aim of prioritising highly qualified workers coming into the country. Thus, since 2021, the immigration services can decide to grant a work visa by conditioning it on the type of job and an annual salary of more than 60,000 euros. Denmark's work visa policy is therefore particularly selective in terms of immigration, despite the labour shortage that Denmark regularly faces. In 2022, companies and trade unions complained that these constraints were too restrictive, especially in the context of labour shortages following the post-Covid recovery. In January 2022, the government proposed lowering the minimum salary requirement for hiring an employee from outside the European Union to 375,000 kroner (about 50,400 euros) for a period of two years.⁴⁶

45. OECD, *International Migration Outlook 2021*, OECD Publishing, 2021, p. 278.

46. Christèle Meilland, art. cit. p. 29.

**Employment rate of persons aged 30-64 in 2019
among the Danish population classified by country of origin (in %)**

Country of origin	2013	2014	2015	2016	2018	2019
Denmark	82	79	80	80	82	82
Netherlands	83	81	81	78	82	82
Lithuania	73	76	76	78	79	81
Hungary	71	73	73	73	75	78
Ukraine	65	69	70	71	74	77
Poland	72	72	74	75	76	77
Latvia	69	71	72	73	75	77
Germany	74	73	74	75	75	76
Thailand	67	69	70	72	74	76
Romania	71	71	73	74	74	76
Philippines	65	67	66	66	71	75
France	72	73	73	73	74	75
Sweden	74	70	71	73	74	74
Bulgaria	65	67	68	70	72	74
Italy	66	71	71	71	71	73
United Kingdom	73	71	72	71	73	73
Norway	72	69	69	71	73	73
Iceland	66	66	67	70	73	73
Spain	62	63	64	66	69	72
India	61	65	65	66	69	71
China	63	66	65	66	68	70
Vietnam	64	63	64	65	69	69
USA	64	66	66	65	65	68
Russia	57	57	57	59	65	65
Sri Lanka	62	61	61	61	64	65
Pakistan	53	53	54	54	59	60
Turkey	53	53	53	55	57	57
Iran	50	47	48	51	54	56
Bosnia and Herzegovina	49	48	49	51	55	56
Morocco	49	49	51	52	54	55
Yugoslavia*	51	48	49	50	52	52
Afghanistan	39	39	41	44	49	51
Syria	23	14	12	23	39	43
Iraq	33	33	35	37	40	43
Somalia	28	26	28	31	38	41
Lebanon**	30	32	34	36	39	40

Note: In 2013, the data provided do not refer to the 30-64 age group but to persons aged 30-59.

* Yugoslavia before its breakup.

** Some of the people from Lebanon are stateless Palestinians.

Source: Denmark Statistics.

Share of the population aged 30-59 according to country of origin receiving full state social support among the Danish population (in %)

Country of origin	2014	2015	2016	2017	2018	2019
Lebanon	70,9	69,5	67,4	65,5	63,6	62,1
Syria	77,5	91,6	89,6	77,9	67,4	60,4
Somalia	74,7	74,8	72,1	68,5	64,4	60,0
Iraq	68,8	67,5	65,4	63,4	61,8	59,4
Afghanistan	63,2	62,4	59,4	56,3	53	49,7
Yugoslavia	50,2	50,1	49,1	48,2	47,3	46,4
Bosnia and Herzegovina	54,3	52,5	50,7	49,6	47	45,3
Turkey	45,7	45,5	43,7	42,3	41	40,3
Iran	49,4	46,6	43,6	42,3	40,7	38,6
Morocco	45,5	44,3	42	40,4	39,1	38,5
Sri Lanka	40,4	39,6	38,8	37,4	36,3	35,7
Vietnam	33,2	32,9	31,4	29,8	27,8	27,0
Pakistan	32,6	31,6	29,3	28,3	27	25,9
Russia	31,7	32,9	30,6	28,4	26,3	24,7
Iceland	27	25,7	24,1	22,9	21,9	21,2
Denmark	21,2	20,9	20,5	20,4	20	20,0
Norway	20,6	19,7	18,9	18	16,9	17,3
Sweden	21	19,7	18,6	17,1	16,4	16,4
Poland	19,4	18,6	17,4	17,1	16,8	16,2
Romania	16,3	16,5	15,9	15,9	15,1	15,3
Philippines	17,8	18,4	16,7	15,9	14,8	15,0
Thailand	19,5	18,2	17,2	16,1	14,8	14,4
Germany	16,9	16,3	15,1	15,1	14,1	13,7
Ukraine	21,6	17	16,8	15,5	14,6	13,2
Lithuania	14,2	13,6	12,8	12,3	11,9	11,2
China	15,2	14,6	13,3	12,8	12	10,9
United Kingdom	14,9	14,2	13,4	12,7	11,4	10,9
Italy	13,2	12,4	11,7	11	10,7	10,3
United States	12,2	11,4	10,7	10,1	9,2	9,1
India	11	-	8,4	7,9	7,5	7,3

Source: Denmark Statistics.

Obtaining a permanent residence permit and expulsion policy

Since 2004, the management of visa rules has included an individual assessment to prevent an applicant from trying to stay in Denmark or to join a Schengen country after his or her visa has expired. If this criteria is not met, the visa is not granted. In addition, a waiting period (between 3 and 5 years) has been put in place to avoid abusive renewal of visas.⁴⁷

47. See Silvia Adamo, "The Legal Position of Migrants in Denmark: Assessing the Context around the "Cartoon Crisis", *European Journal of Migration and Law*, vol. 9, n° 1, January 2007, p. 1-24.

The 2006 law also tightened access to the permanent residence permit by requiring applicants to pass an integration test and to prove 2.5 years of full-time employment.⁴⁸ It should also be noted that in 2006 the requirements for obtaining a residence permit for religious representatives were tightened. The list of offenses committed by foreigners leading to their expulsion was also expanded.

The rules for obtaining a permanent residence permit were revised in 2010. A points system was created, which includes criteria such as language skills, integration into social life, employment and educational qualifications. These criteria can be modified to take into account the profile and status of the candidates (retired, youth...). It is required to have lived in the country for 4 years and not to have committed any serious offence on the national territory. However, a candidate who does not obtain the required number of points can request a temporary extension of his or her residence permit.⁴⁹

When the left came back to power in 2011 (as part of a coalition involving the Social Democrats, the Social Liberal Party, the centre-left and the Socialist People's Party), it abolished the Ministry of Refugees, Immigrants and Integration, which had been created ten years earlier in 2001 by the right. The competencies of this ministry were then divided between the Ministry of Social Affairs and Integration on the one hand, and the Ministry of Justice on the other. The change in the name of the ministry was intended to symbolize a political shift.

The permanent residence permit is issued on condition that four criteria are met:

- passing a language test;
- to be financially independent;
- to have resided in Denmark for five years (as opposed to four years previously);
- having worked in the same full-time job for 3 years.

The points system was abandoned in 2012, by the same left-wing coalition. But apart from a few discarded elements, the left has played on the continuity of previous policies, maintaining a so-called "pragmatic" approach, in order to mitigate the financial risk that immigration poses to the welfare state, the safeguarding of which ultimately appears to be the real priority.⁵⁰

48. OECD, 2007, *op. cit.* p. 260.

49. OECD, *International Migration Outlook 2011*, Sopemi Edition, 2011, p. 300.

50. See Nils Holtug, "Danish Multiculturalism, Where Art Thou?", in Raymond Taras (dir.), *Challenging Multiculturalism. European models of diversity*, Edimbourg, Edinburgh University Press, 2013, chap. 9, p. 190-215 (<https://library.oapen.org/bitstream/handle/20.500.12657/30802/642700.pdf?sequence=1&isAllowed=y>).

In 2015, the return of the right to power led to the re-establishment of the Ministry of Immigration and Integration. In 2016 and 2017, obtaining a permanent residence permit is made more difficult. A distinction is made between basic and additional conditions. If all conditions, basic and supplementary, are met, applicants can obtain a permanent residence permit after 4 years of residence in Denmark. If only the basic conditions are met, the residence permit is granted after 8 years.⁵¹

Family reunification

The conditions for family reunification change regularly. The main reforms are outlined here, in order to highlight the basic trend, marked by the desire to limit arranged or forced marriages, and to restrict the number of foreigners in Denmark in order to ensure proper integration of immigrants who are already here.⁵² The right-wing coalitions have gradually implemented numerous restrictions. Most of these restrictions have been maintained by the left-wing coalition from 2011-2015.⁵³

In 2000, the Social Democratic government required that members of the couple applying for family reunification show at least as much connection to Denmark as to their country of origin. Spouses wishing to be joined by their partner are required to have a minimum size of accommodation.⁵⁴ In 2004, the legislator also made it more difficult for children under the age of 15 with a parent living in another country to be reunited with their families, making admission conditional on integration potential. The left-wing coalition then extended this integration potential to children aged 8 or older.⁵⁵ The condition of strong ties to Denmark was tightened in 2004. Thus, it became compulsory for both members of the couple to be at least 24 years old, unless one of the spouses has been a citizen for 28 years. In addition, the spouse receiving public assistance had to be able to provide a deposit of 50,000 kroner (about 6,700 euros) to be allowed to bring in his or her spouse in order to ensure that family reunification did not place an excessive burden on public expenditure.⁵⁶ This amount increased to 100,000 kroner (about 12,400 euros) in 2010-11, at the end of the right-wing term, before the left-wing coalition reduced it back to 50,000 kroner (about 6,700 euros).

51. OECD, *International Migration Outlook 2018*, OECD Publishing, 2018, p. 250.

52. See Silvia Adamo, "The Legal Position of Migrants..." art. cit.

53. See Emily Cochran Bech, Karin Borevi, and Per Mouritsen, art. cit.

54. *Ibid*

55. *Ibid*

56. *Ibid*

The "24-års-reglen" ("24-year rule")

The "24-års-reglen" (2004) is the name of a Danish law. It sets out a number of requirements for a married couple wishing to obtain a permanent residence permit in Denmark. Supported by all major political parties except *Enhedslisten* (Red-Green Alliance), the rule is intended to reduce both the number of forced marriages and family reunification immigration. The "24-års-reglen" requires compliance with four criteria:

- age: spouses residing abroad can join their spouse in Denmark if both parties are at least 24 years old. Before the rule was introduced, one had to be at least 18 years old to apply for spousal reunification;
- ties: the social ties between the couple in Denmark must be stronger than those with the country of origin;
- means of support: the spouse residing in Denmark must prove that he or she is able to support the couple financially (the minimum income requirement is twice the social benefit rate). He/she must provide a deposit and must not have received any social benefits;
- residence: the couple must prove that they own or rent a residence that can accommodate a maximum of two people per room and at least 20 m² per person. The kitchen, lobby, laundry room and bathrooms are not included in this calculation.

At the beginning of 2007, a simplified set of rules for family reunification was adopted: the precise definition of a level of income was abandoned in favour of a decisive criterion: only the ability to be self-sufficient is taken into account. In the same year, it was decided that the spouses of foreigners applying for family reunification would have to pass an immigration test, introduced in 2009, focusing on knowledge of Danish society and language.⁵⁷

In January 2010, a further tightening of the policy was noteworthy: a spouse present in Denmark under family reunification cannot obtain a permanent residence permit if he or she has received government support during the three years preceding the application (previously one year). However, since March 2010, foreigners who come for family reunification do not need to have a permanent residence permit in order to receive support, but they do need to have had a residence permit for 5 years.⁵⁸

With the return of a left-wing coalition to power in 2011, the admission criteria for family members were relaxed following a review of the requirement for spouses and partners to "demonstrate an attachment to Denmark. The legal residence time required to be exempted from this

57. OECD, *International Migration Outlook 2008*, Sopemi Edition, 2008, p. 264.

58. OECD, 2011, *op. cit.*, p. 300.

requirement is reduced from 28 to 26 years. Similarly, with regard to family reunification, the level of financial guarantees required for the arrival of a relative has been halved.⁵⁹

In 2012, the point system for family reunification was also abolished. Now, foreigners applying for family reunification can obtain their residence permit if the spouse lives legally in Denmark, if the spouse and the applicant are at least 24 years old, and if the applicant passes a Danish language test no more than 6 months after obtaining the residence permit.

In 2018, a new political agreement was reached regarding family reunification, replacing the so-called attachment condition: sponsorship is required, the sponsor must speak Danish well, have 6 years of study in the country or have worked there for 5 years; the applicant must speak at least English or have some knowledge of Danish; he or she must also have completed one year of higher education (corresponding to Danish level) or have worked for 3 years during the last 5 years. At least four of these six conditions must be met.⁶⁰

3. A drastic asylum policy

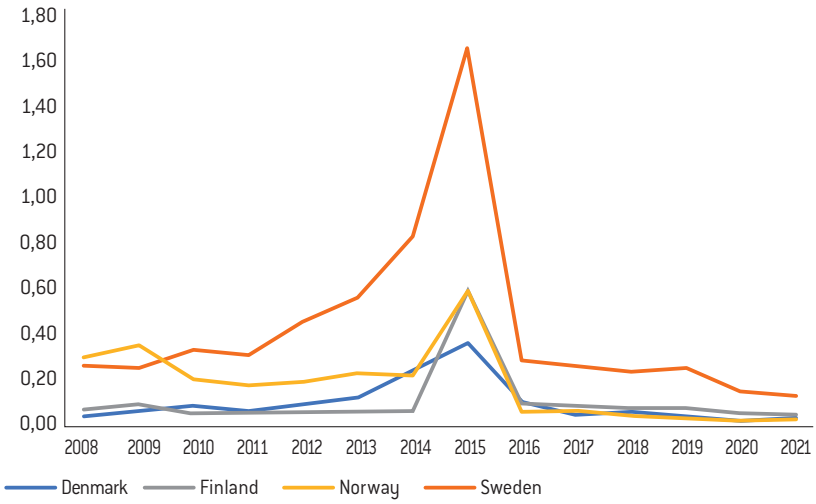
Over the past 20 years, Denmark has sought to restrict asylum applications by increasing the conditions for obtaining a permanent residence permit, tightening the conditions for family reunification of refugees, and ultimately discouraging asylum seekers from coming to Denmark. The pace of restrictions has accelerated since the 2015 migration crisis in Europe. Since then, more than 100 restrictions have been introduced by the Ministry of Immigration and Integration. More than half of these restrictions concern refugees. The many changes in laws and procedures and the bureaucratization of the system can also discourage asylum seekers from applying.⁶¹ Here, we present the main reforms, including the process of outsourcing asylum applications.

59. OECD, *International Migration Outlook 2012*, Sopemi Edition, 2012, p. 250.

60. OECD, 2018, *op. cit.* p. 250.

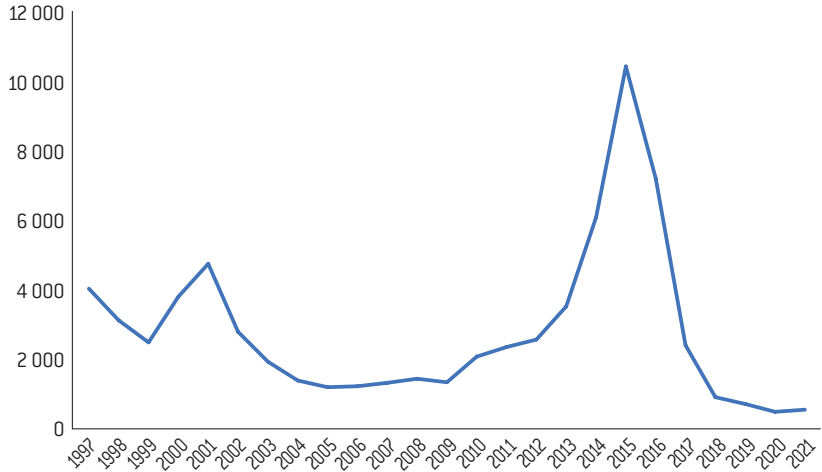
61. See Martin Bak Jørgensen, "Representations of the refugee crisis in Denmark: deterrence policies and refugee strategies", in Dalia Abdelhady, Nina Gren et Martin Joormann (dir.), *Refugees and the Violence of Welfare Bureaucracies in Northern Europe*, Manchester University Press, 2020, p. 67-84 [https://library.oapen.org/bitstream/handle/20.500.12657/42643/9781526146847_fullhl.pdf?sequence=1&isAllowed=y].

Number of asylum applications as a percentage of the total population (2008-2021, in %)



Source: Eurostat.

Denmark: residence permits granted under asylum (1997-2021)



Source: <https://statistikbanken.dk/statbank5a/default.asp?w=1536>

Before 2002, it was possible to file asylum applications outside the Danish national territory. Since then, only applications filed within the national territory are examined.⁶² Similarly, since that date, persons whose asylum applications have been rejected must leave the country immediately, whereas they previously had 15 days to do so.⁶³ The law states that to obtain permanent refugee status, it is now necessary to have resided in Denmark for seven years, as opposed to three years previously, and that only statutory refugees can obtain it, as opposed to those with "protection status"⁶⁴.

As early as 2005, Denmark had introduced selection criteria for refugees with quotas⁶⁵, based on their integration potential⁶⁶. This approach reflects a desire to select prospective immigrants, including those who have been granted asylum.

In 2007, new measures concerning rejected asylum seekers who wish to return voluntarily were adopted: by committing to return to their country of origin, they can now benefit from six months of professional training in Denmark. Other incentives, in the form of constraints or threats, have also been introduced: the obligation to report daily to the police, transfer to a migrant detention center, the withdrawal of social benefits, the risk of imprisonment for one year⁶⁷.

In 2010, the compensation for voluntary return of foreigners was increased from approximately 3,800 euros to 15,800 euros, in order to encourage foreigners present on Danish territory to return to their country of origin, especially those who represent a cost to the social system (pensioners and inactive people), or who are considered unsuitable for Danish society. The age for receiving the "reintegration allowance for the elderly" was lowered from 60 to 55, and the amount of the allowance was increased⁶⁸.

Since 2012, refugees and asylum seekers have been able to reside outside refugee centers and have a job after 6 months in Denmark, and this is if they cooperate with the authorities in a satisfactory manner.

62. OECD, 2003, *op. cit.* p. 198.

63. OECD, *International Migration Trends 2004*, Sopemi Edition, 2004, pp. 195-196

64. *Ibid.*

65. Refugees relocated to different countries under an agreement with the United Nations High Commissioner for Refugees.

66. OECD, *International Migration Outlook 2006*, Sopemi Edition, 2006, p. 190.

67. See Constance Naud-Arcand, "The Divergence of Scandinavian National Policies on Irregular Migration: Comparisons and Explanatory Factors," Dissertation in Political Science under the direction of Rex Brynen and Antonia Maioni, Montreal, McGill University, Department of Political Science, 2013 (https://escholarship.mcgill.ca/concern/file_sets/gf06g585z?locale=en).

68. OECD, 2011, *op. cit.* p. 300.

In 2014, the criteria for integration potential (based on skills and education) in the refugee screening process was removed by the left returning to power⁶⁹. It was reintroduced in 2015 by the right⁷⁰, accompanied by new restrictions:

- limiting the length of stay for refugees;
- easing the conditions for revoking their residence permits;
- reducing their economic benefits;
- deferring the right to family reunification for refugees with temporary protection⁷¹.

In 2015, at the height of the migrant crisis, the government purchased advertising space in Lebanese newspapers detailing new rules for refugees: a 50% reduction in social benefits for new refugees and a one-year delay in applying for family reunification.⁷² This policy was intended to discourage asylum seekers from applying to Denmark. It should be noted that the waiting time for a refugee to apply for family reunification increased from 1 year to 3 years in 2016. In 2021, this duration was considered a violation of human rights by the European Court of Human Rights. The duration was reduced to 2 years in 2022, but with the possibility of exceeding this period by one year in case of a "particularly high influx of refugees"⁷³.

In 2016, the possibility of confiscating property belonging to asylum seekers was introduced to cover the costs of the procedure and accommodation. These new rules were highly publicized. This law, often referred to as the "Jewellery law", transfers the financial responsibility for the arrival of their family under family reunification to the refugees, whereas the Danish state had previously been responsible for this. Although these measures sparked outrage in some parts of the public, they did not undermine Danish electoral support for a highly restrictive migration management policy.

In 2019, the right-wing has increased restrictions on access to permanent residency for refugees, as well as the possibility of family reunification.⁷⁴ In addition, the integration benefit for refugees has been renamed the return benefit: the government is no longer focusing on the integration of refugees but on the preparation of their return, as the asylum should be temporary, until Denmark considers the country of origin safe again and the reason

69. OECD, 2015, *op. cit.* p. 208.

70. OECD, *International Migration Outlook 2016*, OECD Publishing, 2016, p. 280.

71. *Ibid.*

72. See "Denmark's asylum policies..." art. cit.

73. *Ibid.*

74. See Martin Bak Jørgensen, art. cit.

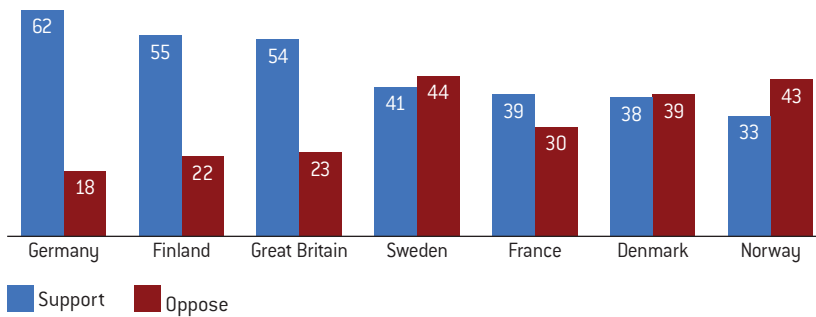
for asylum disappears. Refugees are seen as people who can be deported at any time and their integration possibilities are reduced accordingly. It should be noted that it is up to Denmark to define whether a country is safe or not and, ultimately, whether or not it is possible to return refugees to their country of origin.⁷⁵

The "Jewellery Law": a brief review of a controversial law

The "Jewellery Act", or "Jewellery Law", was passed by the Danish Parliament on January 26, 2016. The bill had been introduced by the minority center-right government led by Lars Løkke Rasmussen. Among a set of measures actually intended to produce a deterrent effect, the text intends to drastically restrict the rights of asylum seekers. It includes the seizure of migrants' valuables in order to contribute to the costs involved in the reception and processing of cases. The Danish authorities will have the power to search for and confiscate money, jewelry and other objects if their value exceeds 10,000 Danish kroner (about 1,340 euros) and if they have no sentimental significance (e.g. wedding rings). The bill was approved by 81 of the 109 MPs present out of the 179 members of the Folketing. Members of Social Democratic Party, whereas in the opposition voted to pass the measures.

The Jewellery Law as perceived by the public

Question: "Denmark will be passing a law which requires refugees to give their valuables and money to authorities in order to pay for their accommodation while applying for asylum. Would you support or oppose a similar law in your country?"



Source: yougov.com

75. *Ibid*

4. Outsourcing asylum management to a third country

The law on the outsourcing of visa processing was adopted on June 3, 2021, by a large majority of Danish MPs (70 votes against 24), under the social-democrat government of Mette Frederiksen. With this system, following a procedure to assess the transferability of applicants, Denmark seeks to direct them towards the third country where their application will be examined. Once their application has been registered, all asylum seekers in Denmark will be sent to a reception center in a host country outside the European Union⁷⁶. If the migrant is not granted refugee status, he or she will have to leave the host country. Those who are granted asylum would still not be allowed to move to Denmark. On the contrary, they would be granted Danish refugee status on the condition that they remain in the host country, which would be responsible for managing visas⁷⁷ and could transfer them to another host country. The plan is to have the host country handle all visa applications, with Danish funding. The choice of host country is under discussion with various countries, such as Egypt, Eritrea and Ethiopia, but the discussions with Rwanda seem to be the most advanced.

The Prime Minister's stated objective is to deter asylum seekers from applying for refugee status in Denmark⁷⁸. According to the government, this policy is based on humanitarian reasoning: it is about deterring people from coming to Denmark, by dissuading migrants from losing their money and risking their lives by using smugglers to try to reach the country via the Mediterranean.

This visa outsourcing policy has been criticized. It is accused of encouraging illegal immigration by discouraging those seeking to immigrate legally, at the risk of increasing the number of undocumented migrants and the dependence of migrants on smugglers. On another level, it is pointed out that outsourcing implies cooperation with military and security systems of third countries that may be authoritarian, or even responsible for repression and human rights violations, which could intensify violence, abuse and exactions against people in fragile situations such as refugees.⁷⁹ Criticism is also voiced in terms of international law. The transfer of an asylum seeker from one state to another is not a violation of international

76. With a few exceptions, including serious illness (www.letemps.ch/monde/danemark-veut-transfer-applicants-dasile-other-countries).

77. See Martin Lemberg-Pedersen, Ahlam Chemlali, Zachary Whyte and Nikolas Feith Tan, *Danish desires to export asylum responsibility to camps outside Europe*. AMIS Seminar Report, University of Copenhagen-Saxo Institute-Centre for Advanced Migration Studies, Copenhagen, March 2021 (<https://pure.diiis.dk/ws/>).

78. See "Les politiques d'asile du Danemark, entre fermeté et restrictions [2/2]", interview with Romana Careja by Marie Robin, ThucyBlog n° 166, afri-ct.org, October 28, 2021 (www.afri-ct.org/2021/thucyblog-n-166-les-politiques-dasile-du-danemark-entre-fermete-et-restrictions-2-2/).

79. *Ibid.*

law *per se*, as it is possible to share responsibility for the care of refugees between states. On the other hand, transferring an asylum seeker to a state that is not able to provide a full range of rights and protections to asylum seekers would be a serious problem.⁸⁰ Filippo Grandi, UN High Commissioner for Refugees, expressed concern about the Danish policy of outsourcing visa management, to which he presented his objections.⁸¹ Beyond the humanitarian argument, there are risks of non-compliance with the Convention relating to the Status of Refugees and the European Convention on Human Rights. Denmark must thus guarantee respect for the principle of non-refoulement, and thus be able to prevent the transfer of persons with a well-founded fear of persecution or serious harm. Denmark is called upon to ensure this, not only on its own soil but also within the center of the third country. Denmark is also asked to ensure that asylum seekers are provided with effective and reliable procedures, legal aid, and that they are properly informed about how the visa management system works, that asylum seekers can appeal the decision to an independent competent authority, and that they are not subject to arbitrary detention or other movement restriction measures.

It should be noted that in April 2022, the United Kingdom and Rwanda signed a memorandum of understanding providing for the establishment of an asylum partnership. Rwanda would undertake to receive asylum seekers from the UK, examine their applications, receive them and provide them with adequate protection if their applications are successful, or deport them if they are not.⁸²

80. *Ibid.*

81. See "News comment by UN High Commissioner for Refugees Filippo Grandi on Denmark's new law on the transfer of asylum-seekers to third countries", unhcr.org, June 3, 2021 (www.unhcr.org/en-en/news/press/2021/6/60b9cae1a/commentary-current-events-filippo-grandi-head-hcr-subjects-new-law-denmark.html?query=danemark).

82. See "Memorandum of Understanding between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Rwanda for the Provision of an Asylum Partnership Arrangement to strengthen shared international commitments on the protection of refugees and migrants", gov.uk, April 14, 2022 (www.gov.uk/government/publications/memorandum-of-understanding-mou-between-the-uk-and-rwanda/memorandum-of-understanding-between-the-government-of-the-united-kingdom-of-great-britain-and-northern-ireland-and-the-government-of-the-republic-of-r).

III. DANISH IMMIGRATION POLICY: POPULAR RATIFICATION AND DEMOCRATIC EMPOWERMENT

1. The 2022 elections: Populists defeated and re-election of the Social Democrats

Prime Minister Mette Frederiksen has built her career on the left wing of the Social Democratic Party. She took over its leadership in June 2015. However, while she had fought against the proponents of a restrictive migration policy, she abruptly changed her position. According to her biographer Thomas Larsen, quoted by *Le Temps*, "her time at the Ministry of Labor, and then at Justice, opened her eyes to the flaws of Danish integration policy." Thomas Larsen cites an internal strategy document of the Social Democrat Party. The paper, prepared in 2014 in the run-up to the arrival of Mette Frederiksen as party leader, argues that the Social Democrats' hostility to restrictive immigration policies has driven concerned voters into the arms of the populist Danish People's Party. The paper calls for winning back the electorate through a strong positioning on "politics based on values".⁸³ This is exactly what Mette Frederiksen did, both in 2019 and in 2022.

On November 1, 2022, the coalition of left-wing forces, called "Red Bloc", came out on top in the Danish parliamentary elections⁸⁴. The Social Democratic Party managed to stay in power, winning 27.5% of the vote and 50 of the 179 seats in the Folketing, two more than in 2019. The party remains by far the largest in the country.

Further to the left, the Socialist People's Party won 8.2% of the vote and 15 seats (up 1). On the other hand, the Unity List – the Red–Greens Alliance won 5.1% of the vote and 9 seats, down 4 seats, while the green and pro-European Alternative won 3.3% of the vote and 6 seats. The centre-left Social Liberal Party was punished for being behind the collapse of the social democratic government, which led to early (seven-month) elections⁸⁵. The Social Liberal Party won only 3.8% of the vote, dropping from 16 to 7 MPs, one of the lowest results in its history.

83. "Le Danemark veut transférer ses demandeurs d'asile dans d'autres pays", *Le Temps*, June 3rd, 2021 [<https://www.letemps.ch/monde/danemark-veut-transferer-demandeurs-dasile-dautres-pays>].

84. See Corinne Deloy, "Les élections en 2022", in Dominique Reynié (ed.), *L'Opinion européenne 2020-2022*, Paris, Fondation pour l'innovation politique, 2022.

85. The group had given Mette Frederiksen an ultimatum to call a general election no later than the opening of the parliamentary session on October 4, 2022. The motion of no confidence was a consequence of the handling of the mink cull scandal. In November 2020, about 16 million minks were killed by government decision after the identification of a variant of the coronavirus in the country's farms. However, it appears that in doing so, the government overstepped its authority in making the decision to cull mink as it had no legal basis to do so. On June 30, 2022, a commission of inquiry said that Mette Frederiksen had deliberately misled her fellow citizens but had been unaware that the mink cull was an illegal action. The Prime Minister emphasized the risk factor, arguing that she had a duty to protect the public.

Together, these five left-wing parties won 48.1% of the vote and 87 seats. The left-wing forces also won the two seats in Greenland and one in the Faroe Islands, giving them a majority of 90 seats. The "Blue Bloc", referring to the right-wing political forces, won 41.1% of the vote and 73 seats. The Liberal Party won 13.3% (23.4% in 2019), losing half of its MPs, from 43 to 23, its worst result since the 1988 parliamentary elections. The Liberal Alliance won 7.8% of the vote and 14 seats, an increase of 10 MPs from 2019; the conservative People's Party won 5.5% of the vote and 10 seats (down from 12).

The Moderates, an independent formation that does not belong to either bloc, created by former Prime Minister (2015-2019) and Liberal Party leader Lars Løkke Rasmussen, entered parliament with 9.2% of the vote and 16 seats.

The most spectacular event was the further decline of the Danish People's Party, led by Morten Messerschmidt. We should really call it a collapse as the Danish People's Party obtained only 2.6% of the votes cast and 5 seats, compared with 16 in the previous parliamentary term, far from the 21.1% and 37 seats obtained in the 2015 elections. It recorded its worst result in twenty-four years since it entered the Folketing. However, it is worth noting the emergence of the Denmark Democrats, a new populist party reminiscent of the Sweden Democrats, founded by Inger Støjberg, the former minister of Immigration and Integration (2015-2019) and former member of the Liberal Party. With 8.1% of the vote and 14 MPs, the Danish Democrats are entering parliament. The New Right, the nationalist party, obtained 3.7% of the vote and 6 seats (compared to 2.4% cent and 4 seats in 2019).

Finally, it is worth noting that voter turnout in 2022 (84.1%) was close to that of 2019 (84.6%), thus remaining at a high level, even if it is the lowest since 1990.

During the campaign for the 2022 parliamentary elections, Mette Frederiksen expressed her desire for a broad coalition government. Its composition was announced on December 15, 2022. The new Frederiksen government includes ministers from the Social Democratic Party, the liberal *Venstre* party (center right/right) and the Moderates (centre/centre right). Together, these three parties have 89 MPs, one short of the Folketing's majority of 179. However, four other parties, with a total of 10 MPs, have indicated that they will support the new government: the Union Party (centre-right), the Social Democratic Party of the Faroe Islands, *Siummut* (Greenland's Social Democratic Party) and Inuit *Ataqtigiit* (Greenland's Left Party).

The Danish parliamentary elections in 2019 and 2022

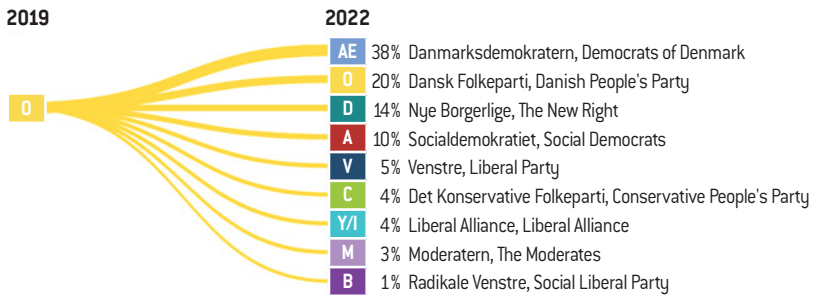
Turnout: 84.6% in 2019 ; 84.1% in 2022

Political parties	% of votes cast		Number of seats	
	2019	2022	2019	2022
Social Democrats	25,9	27,5	48	50
Liberal Party	23,4	13,3	43	23
Moderates	–	9,3	–	16
Socialist People's Party	7,7	8,3	14	15
The Denmark Democrats	–	8,1	–	14
Liberal Alliance	2,3	7,9	4	14
Conservative People's Party	6,6	5,5	12	10
Unity List-Red-Green Alliance	6,9	5,1	13	9
Danish Social Liberal Party	8,6	3,8	16	7
The New Right	2,4	3,7	4	6
The Alternative	3	3,3	5	6
Danish People's Party	8,7	2,6	16	5
Christian Democrats	1,7	0,5	0	0
Hard Line	1,8	–	0	–

Source: <https://www.dst.dk/valg/Valg1968094/other/Valgopgorelse2022.pdf>.

Electoral transfers between 2019 and 2022 (parliamentary elections)

The example of the populists of the Danish People's Party



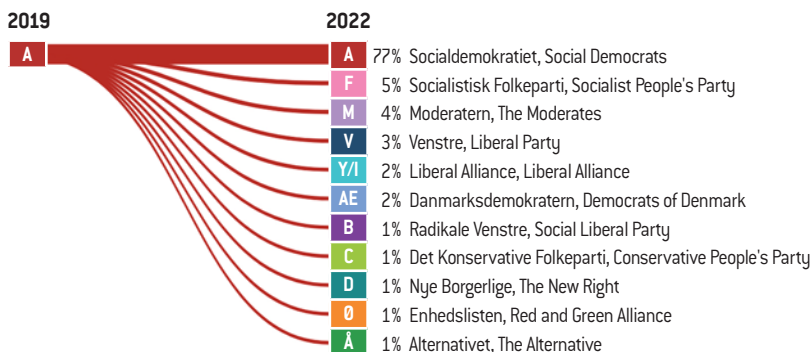
Source: DR.DK, Meningsmåling (www.dr.dk/nyheder/politik/meningsmaalinger).

Note: Opinion data for the 2022 parliamentary elections show that 10% of voters who voted for the Danish People's Party in 2019 responded in the October 27, 2022 poll that they would vote for the Social Democrats on November 1, 2022. Here we see the value of Danish parties combining the defense of the welfare state with a restrictive and integrative migration policy.

In 2022, the Danish People's Party retains only 20% of its 2019 voters. Its electorate has split between the Social Democratic Party and competing populist parties: 38% of the Danish People's Party's voters in 2019 say they will vote for the new Danish Democrats in 2022, and 14% for the New Right.

Electoral transfers between 2019 and 2022 (legislative elections)

The example of the Social Democratic Party



Source: DR.DK, Meningsmåling (www.dr.dk/nyheder/politik/meningsmaalinger).

Note: Between the 2019 and 2022 elections, the Social Democrats retained most of their voters: 77% of Social Democratic voters in the 2019 election said in an October 27, 2022 poll that they intended to continue to vote for the Social Democratic Party in the November 1, 2022 election. Among voters who voted Social Democrat in 2019 but said they would vote for another party in 2022, 14% opted for a more right-wing party: 4% for the Moderates, 3% for the Liberal Party, 2% for the Denmark Democrats, 2% for the Liberal Alliance, 1% for the Social Liberal Party, 1% for the Conservative People's Party and 1% for the New Right. These shifts to right-wing parties highlight the systemic electoral pressure on Danish politics in general and on the Social Democrats in particular. Clearly, the Social Democrats would run the risk of losing a significant proportion of their voters if their migration policy were deemed inadequate or ineffective. Only 7% of Social Democratic voters in 2019 said they would vote for more left-wing parties in 2022 (5% for the Socialist People's Party, 1% for the Red-Green Alliance and 1% for the Alternative)*.

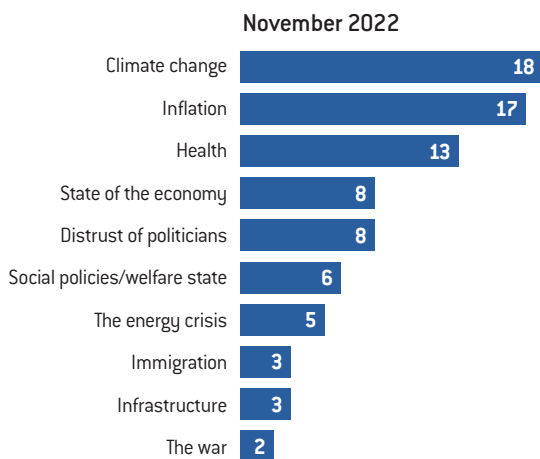
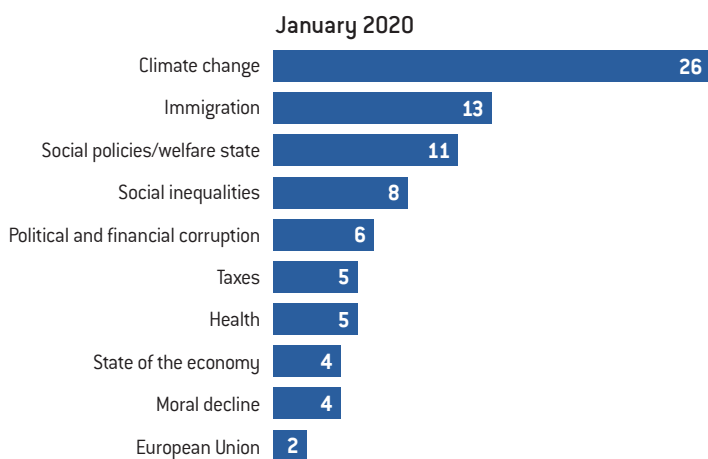
The electoral shifts to the Social Democratic Party between 2019 and 2022 reflect its ability to attract a right-wing electorate. For example, in 2019, 15% of Social Liberal Party voters responded in the October 27, 2022 survey that they would vote for the Social Democrats, as did 12% of Christian Democrat voters in 2019, 11% of Socialist People's Party voters in 2019, 11% of Red-Green Alliance voters in 2019, and 10% of Danish People's Party voters.

* The total of vote transfers does not equal 100 because the results do not take into account decimals.

The opinion data provides some evidence of a consensus in favor of a restrictive and inclusive policy. Between January 2020 and November 2022, the issue of immigration shifted from second place to eighth place in the population's concerns. Similarly, concern about social policies and the welfare state dropped from third place in January 2020 to sixth place in November 2022.

In Denmark, concern about immigration is in sharp decline

Question: "Which of the following issues should the government address first?"



Source: Ipsos Denmark, What Worries Denmark? – October 2022, November 1st, 2022 (www.ipsos.com/en-dk/what-worries-denmark-october-2022).

Note: The sum of all the data regarding people's concerns does not add up to 100%, as Ipsos Denmark only includes the top 10 concerns in the presentation of its data. Therefore, some elements are not included in this graph, as they are no longer among the top ten concerns.

2. National cohesion and interpersonal trust

As many opinion polls show, in Denmark and comparable countries there is a fear that a society that has become multicultural will be riddled with conflict. In fact, it has been established, at least in democratic societies,

that there is a link between the emergence of multiculturalism and the rise of interpersonal mistrust. Yet, the rise of interpersonal mistrust and multiculturalism weaken support for the welfare state. A satisfactory level of support for compulsory levies justified by the redistribution of wealth, combating inequality and solidarity implies a level of interpersonal trust that seems unattainable in multicultural societies. Some authors believe that one of the reasons for the absence of a welfare state in the United States is a consequence of the excessive cultural differences between the groups that make up society.⁸⁶ Increased immigration to Europe may well threaten consent to the conditions of the welfare state.

One of the most important contributions on this topic is the work of Robert D. Putnam, who shows that a strong increase in immigration leads to multiculturalism, causing an erosion of solidarity and, more globally, of what he calls "social capital", of which trust is a determining element⁸⁷. Putnam points out that studies in psychosociology and sociology show that it is easier for individuals to trust each other and cooperate when the social distance between them is smaller. He quotes Richard Alba and Victor Nee: "When social distance is smaller, there is a sense of common identity, proximity and shared experiences. But when social distance is greater, people perceive and treat the other as belonging to a different category."⁸⁸ Social distance in turn depends on social identity, the idea we have of ourselves, and of the group to which we belong. This identity is the result of history and social transformations and partially also the result of intentional processes such as religious proselytizing, social mobilizations and political campaigns.

It is clear that migration is one of the forces that act to deconstruct national and social identities. According to Putnam, the data he collected in the United States show that in multicultural neighborhoods (i.e. ethnically diverse), residents tend to withdraw into themselves, regardless of their

86. See, for example, Michel Forsé and Maxime Parodi, "Redistribution and Immigration in Europe. Is there a dilemma?", *Revue de l'OFCE*, n° 169, September 2020, pp. 133-160 (www.cairn.info/revue-de-l-ofce-2020-5-page-133.htm).

87. According to Jean-Louis Thiébaud, Putnam "considers that institutional performance is better in a society that has inherited a substantial element of social capital, in the form of trust, norms of reciprocity, and networks of civic engagement, which can improve the efficiency of a society by facilitating voluntary cooperation. Voluntary cooperation is fostered by social capital" (Jean-Louis Thiébaud, "Robert D. Putnam's Work on Trust, Social Capital, Civic Engagement, and Comparative Politics", *International Journal of Comparative Politics*, Vol. 10, n°. 3, Fall 2003, p. 345, www.cairn.info/revue-internationale-de-politique-comparee-2003-3-page-341.htm).

88. Richard Alba and Victor Nee, *Remaking the American Mainstream. Assimilation and Contemporary Immigration* (Cambridge, MA: Harvard University Press, 2003), p. 32. See also Robert D. Putnam, "E Pluribus Unum: Diversity and Community in the Twenty-first Century The 2006 Johan Skytte Prize Lecture", *Scandinavian Political Studies*, vol. 30, n°. 2, June 2007, pp. 137-174; Yann Algan, Sergei Guriev, Elias Papaioannou, and Evgenia Passari, "The European trust crisis and the rise of populism," *brooking.edu*, September 7, 2017 (www.brookings.edu/bpea-articles/the-european-trust-crisis-and-the-rise-of-populism/); and Yann Algan, Elizabeth Beasley, Daniel Cohen, and Martial Foucault, *The Origins of Populism. Enquête sur un schisme politique et social*, Paris, Seuil, 2019.

origins. He also shows that interpersonal trust is lower, including with people from one's own group, that altruism and cooperation are rarer, and that people have fewer friends.

At least in Denmark, it is recognized that ethnocultural diversity is perceived as a factor that weakens social cohesion.⁸⁹ This process of eroding social identity, losing social capital and trust is well perceived by individuals, who are deeply concerned by it, as reflected in election results and opinion surveys in many countries. For example, in September 2021, according to data from an international survey conducted in 55 countries, more than two-thirds of Danes (69%) indicated that they were "very worried" and "somewhat worried" about the future of Europe. More than two-thirds of Danes (69%) said they were "very worried" and "somewhat worried" about immigration (compared with an average of 68% in the European Union and 73% in France). Similarly, 71% of Danes said they were "very worried" and "rather worried" about Islamism (72% of Europeans and 84% of French).⁹⁰ Only thirteen years ago, two-thirds of Danes (65%) agreed that "the presence of people from other ethnic groups is an opportunity for the culture of their country," compared to 54% of Europeans.⁹¹

Although some political actors, particularly around the Danish People's Party, may have opposed immigration in the name of an ethnic homogeneity imperative, the Social Democrats' victory was based on an assumed social nationalism in the name of the welfare state. This is the basis for the restrictive migration policies that have been developed since the 2000s. The restrictive policy on migration flows is driven by the conditions required for effective integration. Sharing the values on which the welfare state is based with newcomers from countries without such a culture means limiting their numbers. Restrictive policy precedes and enables integration.

89. See Nils Holtug, art. cit.

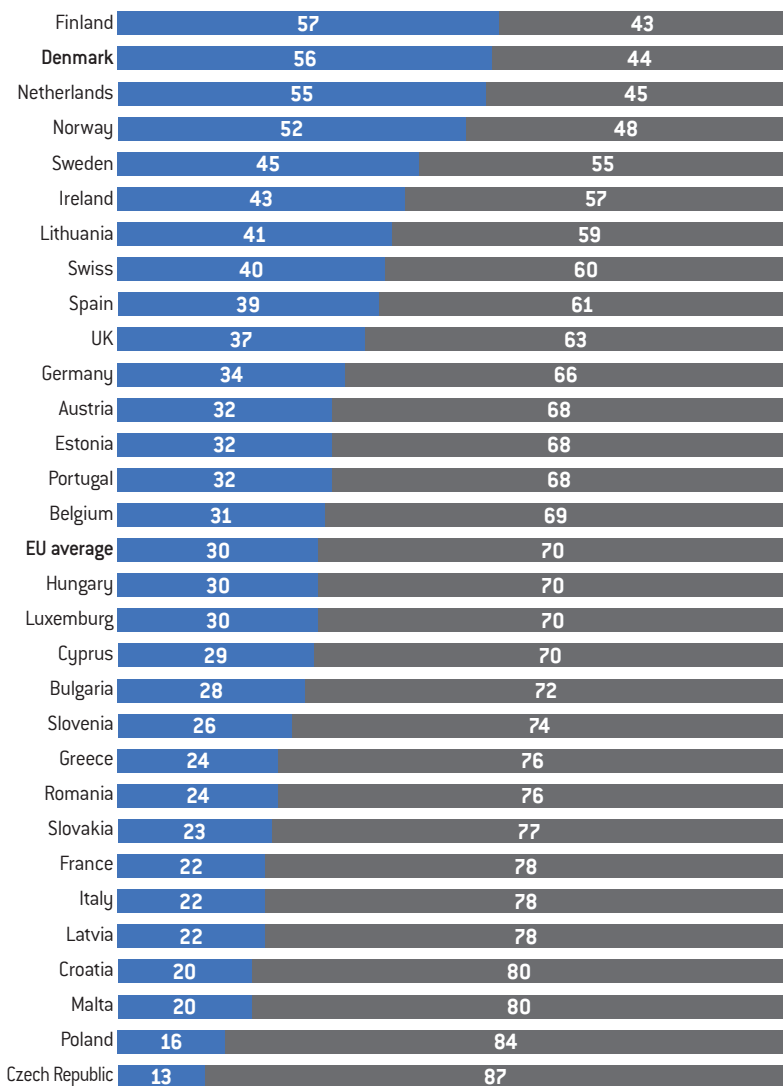
90. Dominique Reynié [ed.], *Freedoms at risk: the challenge of the century. A Global Survey of Democracy in 55 Countries*, Paris, Fondation pour l'innovation politique, International Republican Institute, Community of Democracies, Konrad Adenauer Stiftung, Genron NPD, Fundación Nuevas Generaciones, República do Amanhã, 2022, p. 37 [www.fondapol.org/app/uploads/2022/01/fondapol-iri-cod-kas-genron-fng-rda-enquete-libertes-lepreuve-du-siecle-01-2022.pdf].

91. European Commission, "Eurobarometer 71. Future of Europe", January 2010, p. 52 [https://slidelegend.com/eurobarometer-71-european-commission-europa-eu_59eeb1e21723dd1d9f0e2982.html].

Interpersonal trust among Danes is among the highest in Europe

Question: "Generally speaking, you would say that..."

Base: EU countries, the UK, Switzerland and Norway



■ "Most people can be trusted"

■ "You can never be too careful when dealing with others"

Source: Dominique Reynié (ed.), *Freedoms at risk: the challenge of the century*, survey carried out in partnership with the Foundation for Political Innovation, the International Republican Institute, the Community of Democracies, the Konrad-Adenauer-Stiftung, Genron NPO, the Fundación Nuevas Generaciones and República do Amanhã, January 2022, 96 pages (www.fondapol.org/etude/libertes-lepreuve-du-siecle/)

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Discourses on integration and social cohesion

A focal point in recent Danish debates on integration and immigration is the significance attached to social cohesion. This subject has played an increasingly important role since former Prime Minister Poul Nyrup Rasmussen (Social Democrat) began in the late 1990s to express a concern for 'cohesion' as the glue that holds society together. With the election of the Liberal–Conservative coalition in 2001 social cohesion became 'ethnicized', in the sense that ethnic and other forms of diversity became regarded as a threat to social cohesion. For example, in his Constitution Day speech in 2007, Prime Minister Anders Fogh Rasmussen stated that: "if we are to maintain the high level of social cohesion that is so important for the progress and stability of Denmark, it is necessary that we continue to meet one another as human beings and citizens of Denmark in the public sphere – not as representatives of different religions."

The suggestion that ethnic diversity drives down social cohesion has perhaps been most succinctly elaborated by former Minister of the Interior Karen Jespersen. She linked survey results indicating that Danes are the happiest people in the world and have the highest level of trust (Svendsen and Svendsen 2006: 88) with the fact that Denmark is an ethnoculturally homogeneous nation. This homogeneity and its positive effects, however, are perceived as being under threat. According to Jespersen and Pittelkow, "it is not about integration on the labour market or in the educational system, but about something more fundamental: the experience of being part of a value-community (*værdifællesskab*) in the society one inhabits."

One reason why social cohesion may play such a significant role in Danish debates is that this factor has been considered particularly important in a society committed to equality and high levels of social spending. Thus, the high Danish level of trust is often mentioned as a significant factor when explaining how it is possible for Denmark to be economically successful and competitive despite high taxes and social benefits – and therefore relatively low economic incentives to work.

Social cohesion is considered to be under threat but also necessary to avoid religious and political conflicts, parallel societies and crime, as well as to secure the level of solidarity required between citizens for maintaining the welfare state. This has resulted in a struggle over which values are conducive to social and political stability; and which values define what it means to be Danish; the assumption being that the answers to both questions are the same. A 'values commission' was established by the Liberal–Conservative government to identify which values are important for Danes; it was dropped when the Social Democratic-led coalition took power [in October 2011].

Let us call conceptions of what kinds of values are conducive to social cohesion "community conceptions". More precisely, a community conception can be usefully thought of as a set of (formal or informal) values regulating the conditions in which individuals interact in a group, including the distribution of political, social and cultural advantages, with the aim of securing social goods within that group, such as trust, cooperation, stability, belonging and solidarity.

Nils Holtug, "Danish Multiculturalism, Where Art Thou?" in Raymond Taras (ed.), *Challenging Multiculturalism. European models of diversity* (Edinburgh: Edinburgh University Press, 2013), chap. 9, pp. 196–197 (<https://library.oapen.org/bitstream/handle/20.500.12657/30802/642700.pdf?sequence=1&isAllowed=y>).

Some research has examined the question of how trust in the institutions of the welfare state emerges. Barbara Fersch and Karen Nielsen Breidahl, for example, conducted a series of interviews with migrants on this topic⁹². The two sociologists were able to shed light on the process of integration by following more specifically the nature and evolution of the relationships they have with the institutions they gradually experience. The authors believe that "the perceived experience of distributive justice appears to be of crucial importance to the establishment of trust." Similarly, the researchers tell us, the development of trust in the checks and balances of the welfare state helps to neutralize negative experiences when dealing with welfare state officials.

The reading of such works suggests that the effectiveness of migrant integration depends on a real dedicated public policy. The effects that can be expected from a natural tendency to harmonize, operating progressively through the simple fact of sharing life in a society that is not one's own, will either not be enough or will be too slow. A true public policy of integration requires a good understanding of the mechanisms that generate trust.

3. Danish immigration policy and the future of the European left

Today, in Denmark, there is a consensus on migration policy, as shown by the election results since 2001. In just over 20 years, the Danes have changed their majority several times, but never their migration policy. At the beginning of 2023, populists, the main parties of the right and the left still agree on a strategy based on Danish values and interests: a drastic reduction of migration flows, a tough penal policy, a strong integration program or the outsourcing of visa processing to a third country. If we only look at the numbers, the results are in line with the objectives. Initiated by the right-wing government under pressure from a populist right-wing offering its parliamentary support at every turn, this spectacularly restrictive and strongly integrative policy has been taken up and deployed by the mainstream left.

The key to Danish migration policy is to combine the defence of the welfare state with the preservation of national identity. But the Danish approach to national identity is based less on ethnic than on social and societal justifications, since the social justifications are based on a strong Danish attachment to their welfare state. On this basis, they feel compelled to close their borders so as not to squander the share of national wealth taken from their activities each year to finance the fight against inequality, redistribution and national solidarity.

92. See Barbara Fersch, Karen Nielsen Breidahl, "Building, breaking, overriding...? Migrants and institutional trust in the Danish welfare state", *International Journal of Sociology and Social Policy*, volume 38, n°07-8, pp. 592-605, July 2018.

The societal justifications are reflected in the importance given to the preservation of common values, those whose knowledge is required and whose acquisition is verified for any applicant for Danish nationality, such as readiness to cooperate, the feeling of belonging and solidarity, and the attachment to the continuity of these common values. But, once again, the social and societal justifications are inextricably intertwined. Indeed, the attachment to common values, the will to preserve them and pass them on to future generations, also comes from the conviction that these shared values determine the interpersonal trust without which the welfare state is plagued by suspicion of abuse, of excessive or illegitimate benefiting from the fruits of collective efforts - whether those of today or those of the past.

Roughly speaking, it will be argued here that a system for allocating resources among the members of a community that would depend only on the amount of effort that each person has made, the risks that he or she has taken and the luck that he or she has encountered, without ever being able to count on solidarity to overcome its difficulties, would be a system less dependent on interpersonal trust and the restriction of migratory flows than a system obeying the objectives of reducing inequalities and redistribution. No cohesion based on solidarity is possible without interpersonal trust. In other words, the more a society wants to be structured around the principle of solidarity and social justice, the more its proper functioning will depend on a high level of social cohesion and therefore on its cultural homogeneity. The Danish immigration policy invites the left to ask itself what its *raison d'être* is if it cannot assume the cultural homogeneity that the socialist ideal implies in the 21st century.

The European left, and the French left in particular, is facing a historical impasse. The challenge represented by the absolute or relative scarcity of public resources, combined with the pressure of migration, seems to be leading it to a gradual disappearance, at the expense of democracy and to the benefit of populists. The Danish policy on immigration should interest the European left, especially since it would be a question of reviving the forgotten or ignored elements of a tradition. Thus, the French governmental left recognizes itself in the conception of an open national belonging, inherited from the French Revolution, and condensed by Ernest Renan, at the end of the 19th century, in the formula, which has become so famous, of "an everyday plebiscite". The reformist left should ponder the rest of the same speech: "A nation is a soul, a spiritual principle. This soul, this spiritual principle, is made up of two things, which are really one and the same. One is in the past, the other in the present. One is the common possession of a rich legacy of memories; the other is the present consent, the desire to live together, the will to continue to make use of the inheritance that one has received undivided."⁹³

93. Ernest Renan, "What is a Nation?", text of a conference delivered at the Sorbonne on March 11th, 1882, in Ernest Renan, *Qu'est-ce qu'une nation?*, Paris, Presses-Pocket, 1992. (translated by Ethan Rundell).

The Danes say no different. This policy has just enabled the re-election of the Danish Social Democratic Party, a member of the Party of European Socialists and a member of the Socialist International.

Sweden: the end of homogeneity, the end of consensus and the defeat of the social democrats

Sweden, a Scandinavian country with a social democratic tradition and a membership in the European Union, is in many ways comparable to Denmark. However, while the Danish Social Democrats are re-elected in 2022, leading to the defeat of the populists, the situation in Sweden is the opposite: the Swedish Social Democrats are losing power under the pressure of a populist party, which has grown from 1.4% in 2002 to 20.5% in 2022. The two countries' migration policies diverged sharply from 2000-2001, with Denmark adopting a restrictive and integrative policy, while Sweden was late in making such a shift, starting with the 2015-2016 migration crisis.

Sweden's non-Western population has grown from 2% in 1980 to 20% today

Sweden's immigration history is unique. The country remained a homogeneous society for a long time until recent but massive immigration significantly changed its demographic composition.

The share of first- and second-generation non-Western migrants has increased from 2 per cent in 1980 to about 20 per cent today. The rate of immigration has decreased somewhat now, but it is still very high.

For Tino Sanandaji, "The increase in non-Westerners is due to the fact that the labor migration of the 1980s has been replaced by refugee and family immigration. [...]"

While the number of asylum seekers and immigration in general varies from year to year, the trend was an increase until the end of 2015, when tighter border controls led to a sharp but delayed decline. Even after deducting emigration, net immigration as a share of the population exceeded the U.S. record for trans-Atlantic migration in the 1880s, which was about 0.67% per year. In Sweden, the rate was about 0.2% per year between 1940 and 1990. It increased slowly until the mid-2000s. An acceleration occurred around 2006. Sweden surpassed the aforementioned U.S. record in 2009, reaching a net immigration rate of 0.8% of the population in 2014 and 2015."

From Tino Sanandaji, *Swedes and Immigration End of homogeneity?* (1), Fondation pour l'innovation politique, September 2018, pp. 16-18 (www.fondapol.org/etude/suede/).

Immigration and crime in Sweden

Also according to Tino Sanandaji, "The issue of crime among immigrants has been widely discussed in recent years. There is extensive research and public surveys on the overrepresentation of immigrants in crime. Based on existing data, a few studies have measured the degree of involvement of immigrants in various types of crime, such as homicides in Stockholm. [...]"

Sweden: the end of homogeneity, the end of consensus and the defeat of the social democrats (following)

The *Brottsförebyggande rådet* (BRA, Swedish National Council for Crime Prevention) has produced two high-profile reports on immigrant crime in Sweden. The reports compare crime according to the perpetrator's country of birth and parents' origin for the years 1985-1989 and 1997-2001, and show that the crime rate among foreigners is higher than the crime rate among people of Swedish origin. [...]

Note that persons not registered in the country at the time of their crime were estimated to account for 3 percent of crimes committed in 1985-1989 and 7 percent in 1997-2001. These groups include "individuals awaiting a decision on their application for a residence permit; individuals staying temporarily in Sweden in this period as tourists or students, and individuals who deliberately came to Sweden with criminal intentions." [...]

The proportion of those recorded for felonies and misdemeanors differs depending on the individual's country of origin. The Council notes that "those from North Africa and the Middle East have the highest crime rates. In contrast, the proportion is lower among immigrants from Southeast Asia. The foreign-born have a particularly high relative risk for aggravated violence: 3 for assault, 4.1 for robbery, and 5 for rape. [...]

Finally, Amir Rostami and colleagues studied the social structure of street gangs in Sweden using police reports: 239 members of the seven gangs classified by the police as the largest were examined; all were male and 76% were first- or second-generation immigrants. Despite the statistically significant overrepresentation of immigrants in crime, there has been massive denial that immigration leads to increased crime, with many citing socioeconomic factors. Statistically isolating the role of socioeconomic factors certainly contributes to a better understanding but does not magically remove the overrepresentation of immigrants in crime. [...]

The argument of socio-economic factors would have been more relevant if Sweden had the tools to easily solve these problems. It may be possible to solve them one day, but in the meantime, they are a reality and should not be ignored in any analysis. Nor are they temporary phenomena that will disappear by themselves. The overrepresentation of immigrants in both crime and socio-economic problems is a constant. There has even been a slight increase in recent decades." (p. 20-22).

From Tino Sanandaji, *Swedes and Immigration: End of the Consensus?* (2), Fondation pour l'innovation politique, September 2018, pp. 18-22 (<https://www.fondapol.org/app/uploads/2020/06/130-suede-immigration-gb-ii-2019-07-11-web-3.pdf>)

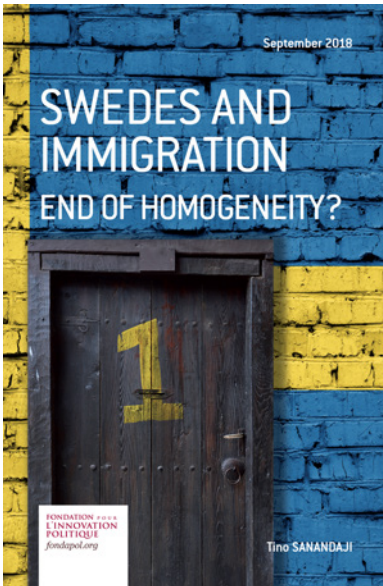
On this topic, see also Johan Martinsson, "*Sweden Democrats*", an anti-immigration vote, Fondation pour l'innovation politique, September 2018 (<https://www.fondapol.org/en/study/sweden-democrats-an-anti-immigration/>).

The background is a painting of a stone bridge over a river. Three people are on the bridge: a woman in a dark jacket and blue trousers carrying a basket, a man in a dark jacket and white trousers, and a woman in a light-colored top and dark trousers. A dog is sitting on the bridge. The scene is set in a lush, green landscape with trees and a cloudy sky. A large, dark, vertical structure, possibly a gate or a wall, is on the right side of the bridge.

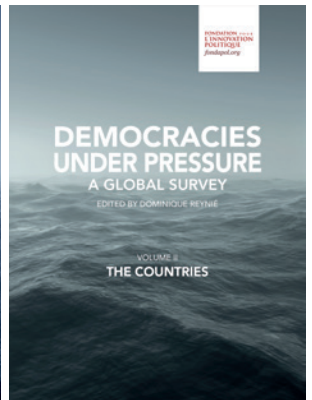
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DANISH IMMIGRATION POLICY: A CONSENSUAL CLOSING OF BORDERS

by the Fondation pour l'innovation politique's team

In the Danish parliamentary elections of 1 November 2022, the Social Democratic Party was returned to power. Although Denmark has changed its governing majority several times, it has had the same immigration policy for twenty years. This policy has been characterised by a drastic reduction in migratory flows, a strict integration programme, difficult access to citizenship and, from this point on, the willingness to use a non-European third country to process visa applications. Initiated by the right-wing government under pressure from the populist right, which in return gave its parliamentary support, Denmark's immigration policy was taken up and extended by the Social Democrats when they returned to power in 2019. They were re-elected in 2022, with even more support than in 2019.

From the Danish perspective, migration policy is essential for the sustainability of the welfare state. The aim is to preserve the welfare state by limiting excessive or unjustified recourse to state aid on the grounds that they squander the country's resources and undermine the political consensus by spreading suspicion. The welfare state depends as much on the level of trust in society as on the economic performance of the country.

In this sense, it can be said that the national homogeneity to which the Danes are committed is based less on ethnic than on political, cultural and moral grounds. Thus, Denmark has decided to restrict immigration and to impose a vigorous integration programme on newcomers. The effort to reduce the cultural gap between immigrants and the wider Danish society helps to cultivate and transmit interpersonal trust, trust in institutions and ultimately the entire Danish national model.

Danish immigration policy poses a fundamental question to Europeans: can the future of the welfare state be secured without a restrictive and inclusive migration policy?

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