

“To be or not to be” a good family under European family reunification rules: a core dilemma for integration?

Despite family is conceived as the usual notes on universality and comprehensiveness, from a *stricto sensu* legal approach, the definition of family or families is an open concept in transition

→ and has no single meaning about what a family should be understood to be or how one is composed. UN documents promote a general consideration of the family being a natural and fundamental value of civil society

but paradoxically is reserved an explicit definition for a particular family model: the “migrant family”. The International Convention on the Rights of Migrant Workers and their Families

on 18th December 1990, circumscribes the families of documented migrants and describes family members as “married spouses or two people who have a relationship which, in accordance with applicable law, produce effects equivalent to marriage along with their unmarried minor charge”. And, there is similar agreement on a regional European level where Member States of the Council of Europe and EU institutions tend to treat the notion expressly in its nuclear form or in the strictest sense of Directive 2003/86/EC. This nuclear family paradigm is imagined

as modern, emancipated, and egalitarian in the EU Directive, in opposition to the “migrant” family which is associated with tradition, patriarchy, oppression, and even violence.

Consequently, families affected by immigration control should have less choice in the organisation of their personal lives in order to define those that are good and bad members for European and national interests. This negotiation of family reunification

collides with a marked turn toward securitization and protection and converges with unified European migration policies that suggest a hardening line of immigration policy, and the deployment of liberal and repressive policies of immigration.

The legal prevision of more (and more complex) admission conditions are governing family migration and reflects

the high proportion of irregular migrants who might be de facto reunified but do not have legal status (Mazzucato et al., 2015).

Therefore, immigration law is a central organizing principle for understanding immigrant families' composition and organization, and it has immediate implications for family members' well-being

as well as longer-term implications for immigrant integration.

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