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SOCIAL WELFARE AND DANISH COMMUNES:
AN INTERNATIONAL CASE STUDY*

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ABSTRACT

The implementation of public assistance and related forms of social insurance, based on existing social welfare legislation, often discriminates against new and emerging social institutions such as collective families residing in a communal situation. A recent case study of the Danish experience has shown that, while members of such communes are in fact discriminated against by the authorities (as a communal entity), the system has simultaneously proven flexible enough to accommodate the majority of "problem cases" on an individual basis and in the process served to minimize potential social unrest and dislocation.

Unlike their American counterpart, research has verified that the Danes have generally been much more successful in resolving conflict situations, inter alia among their growing communal constituents, through an effective combination of the following factors: (a) the overwhelming majority of Danish communalists tend to work with and through the system (rather than against it, as is more often the case in the United States) and are generally not isolated from their respective communities; (b) they do not have large families with attendant social-medical problems necessitating major social intervention, but are likewise well educated and articulate enough to press for their own demands from their respective local authorities if and when necessary; (c) Danish authorities and institutions of social control simultaneously tolerate, partially subsidize, and in many other ways effectively co-opt the commune movement; and, (d) in practice social workers have proven innovative enough to apply existing social welfare laws and regulations on an individual basis when proven cases of need are brought to their attention.

*The data on which this article is based was taken from chapter 14 of a 1974 report "Collective Families In Contemporary Society: An Analysis Of Danish Communes" made possible by a grant from the U.S. Department of Health, Education and Welfare (Applied Research Branch/Alcohol-

As has been recently reported elsewhere by this writer (Shey, 1975: 79-82), the Danish commune movement is by all accounts a rapidly growing and highly successful phenomenon. Going back only eight years, when for all intents and purposes none previously existed, there were over one thousand such communes, or "collective families" as they are locally known, at the time of the survey (1973-74), with two or three new ones being formed daily. This is even more impressive when one takes into account the fact that the total population of the entire country is only just five million. Moreover, according to calculations devised by this writer and his research team, it was estimated that upwards of 50,000 predominantly young Danes have lived or were continuing to reside in communes since 1967, or approximately one percent of the total national population. Thus it was deduced that Denmark (possibly excluding Israel and its kibbutz and moshav system) has the greatest number of voluntary communes on a per capita basis of any country in the world today.

The initial study cited above centered on twenty communes selected throughout Denmark and lengthy questionnaires that were personally administered to seventy-five respondents of these communes (plus additional data obtained from interviewing a more limited sample of commune drop-outs and potential members who had not quite joined a collective at the time of the survey, plus extensive participant observation and on-site field visits to nearly 100 other local communes). However, the bulk of the information on which this article is based was obtained by a review of the current Danish social welfare statutes and regulations, their actual implementation in two key Danish municipalities, and a series of detailed interviews by members of the study team of a limited number of social workers, officials, and legal specialists involved in the problem area under review.

01, Drug Abuse and Mental Health Administration), National Institute of Mental Health/Grant No. 1 R01 MH22677-01. Specific information was gathered during 1972-73 by a Danish research team headed by the writer under the egis of the Office of Research Services, Fordham University, N.Y., and headquartered at the Danish Institute of Organisation and Industrial Sociology in Copenhagen.

Despite the substantial publicity in the Danish mass media given to and focused on the commune movement, the underlying legal and social code has generally not been modified to date to take this comparatively new form of group living into account. That is to say, Danes who today are interested in forming a commune of their own are governed by a series of legal and social statutes and regulations that usually do not recognize the collective family as an entity in itself.

Practically put, Danish communes cannot rent or own property, pay taxes, or receive social benefits as a commune, nor is group marriage permitted. To cite one of the more publicized examples, the 1968 Danish Parliamentary debate to reform marriage and divorce laws and to include collective families as a legal entity was subsequently not enacted! This is in part understandable, as the formation of Danish communes is a fairly recent phenomena, and judicial and social amendments take time to be formulated, adopted, and implemented in actual practice. Conversely, however, the current laws can also be construed as being decidedly discriminatory and biased against collective families and their members.

For example, the current Danish housing law "reserves" certain property, such as two-family houses, for those citizens "legally certified" (boligberettiget), i.e., usually for a family with one or more children. Therefore, in a number of instances, a commune can only obtain such a house or large flat if one or more members have a child. This regulation indirectly discriminates against childless collectives and co-operative societies who, in certain circumstances, are not permitted to sublet or own property in that the law requires that only those persons officially certified or entitled can legally sign such a contract. There is also another Danish law, initially designed to keep farms in the hands of farmers and from being purchased by foreign sources and/or for speculative purposes, which provides that no society, association, foundation, institution or group consisting of over five persons can buy a farm in Denmark. In practice, as most collective families contain more than five members, they cannot officially or legally purchase such property.

There is, however, no lack of evidence to verify the resourcefulness, ingenuity, and determination of communists in overcoming the legal and social restrictions and obstacles that stand in their way. If necessary, many Danish communards will use the system to beat the system and do not hesitate to set up special corporations or "frontmen" to circumvent a particular law or regulation. There is also

some evidence to show that not all municipalities and authorities are antagonistic and that a zoning statute, for example, has often been liberally interpreted or not overly scrutinized in a number of local situations and circumstances. Danish communes, like citizens in general, are treated as individual cases. Flexibility and accommodation subsequently govern many legal transactions, especially in those situations when a collective family is considering taking over abandoned property or housing that most other people do not want or cannot easily afford.

On another level, Danish communes have been granted what could be termed "quasi-legal" recognition from a variety of official sources. Examples include the Danish Statistical Office, which incorporated an item relating to communes in its 1970 National Household Census; some local municipalities, such as the Copenhagen authorities, who have subsidized Christiania (a former military camp and arsenal taken over by communal squatters) and other "slum" communes; and a number of public and private agencies and social institutions, who, among other things, have paid collective families to take in mental patients, drug addicts, and the boarding of retarded children, although most of these projects have not met with resounding success.

The laws in Denmark governing social legislation have mostly developed around the needs of the individual citizen and the traditional family. As of the time of the writing of this report, these have not been amended to take the communal experience into account. Despite a substantial increase in the number of collective families over the last few years, the Ministry of Social Welfare has not taken a firm stand on how to relate the existing laws to persons living in a communal situation.

The various social and health authorities in the respective municipalities where collective families reside are, therefore, required to make an individual decision in each situation, which is the major reason why social assistance can vary from place to place. Conversely, the communes are not organized at this stage so as to enable them to push for their demands as a unified body, demands which understandably vary from commune to commune.

For these reasons, social assistance is usually directed toward the individual member who requests it and not toward the underlying cause, which is often the entire commune. In all fairness, however, as most collective families are composed of a variety of people with

different needs and levels of income, it is often difficult for a public agency to determine whether a joint need does in fact exist, and, if so, how it may equitably administer related benefits.

In several situations it is obvious that the communalists themselves have attempted to resolve their own social and economic problems and refrain from filing an application with the authorities to claim their rights. It would appear that some members could receive more financial benefits and services, were they living alone outside the confines of their respective communes.

On a practical note, as many communards live together with a steady partner, e.g. 57 percent of the sample studied, "family assistance" cannot readily be determined by the public authorities on the basis of legal marital status. Conversely, "paperless marriages" are becoming increasingly recognized and taken into account in determining social need as well as eligibility.

In short, while social, medical, and/or financial assistance is usually readily available to all members of collective families in Denmark, it is almost always administered on an individual basis to the particular person or couple who have requested it, with the authorities utilizing outside (i.e., non-commune) criteria to determine the level of need and eligibility. Eligibility and the benefits available are, in turn, spelled out in the various Danish public assistance, family, and housing insurance laws to which nearly all public (and the very few private agencies and institutions that exist) refer to and adhere.

To determine what benefits are available to (or possibly withheld from) collective families, members of the research team visited a social welfare office in each of two municipalities in the greater Copenhagen area, i.e., Gentofte, because many communes lay within this municipality's jurisdiction, and Lyngby-Taarbaek, which was selected at random. In both offices, administrators and social workers were interviewed and the following general impressions and comments were obtained. It should be pointed out that "public assistance" is generally more widespread in Denmark than in the United States and encompasses child allowances and housing subsidies (two of the more popular social welfare benefits) that a large proportion of the total population, including the middle class, obtain annually. However, as in most industrial countries, "real" public assistance or welfare in Denmark is based on need and only provided after all other benefits and resources have been tapped.

Gentofte Municipality

According to one of our informants, an administrator, Gentofte Municipality had no uniform method of dealing with members of collective families in determining what assistance is needed. Each application was individually evaluated, although some limited background information on the commune in question was requested, such as the commune's organizational structure and economy. However, greater weight is placed on whether the applicant was living together with someone else at the time or was "alone." Apparently, living together with someone else was more important than whether one had an economic relationship with the partner in question.

Most social assistance was extended for a limited time and usually for a situation involving sickness, unemployment or inability to work due to pregnancy. Social benefits were also available to single parents with one or more dependent children, i.e., educational and vocational training and, in certain particular circumstances, for babysitting and the temporary care of the child or children.

Regarding housing subsidy, comparatively few communalists were eligible for this benefit, as the law covered only those citizens who rented comparatively expensive living accommodations in proportion to their income, i.e., did not cover home owners. As has been noted in the original report, most communards owned rather than rented the abode of their respective communes.

Lyngby-Taarbaek Municipality

According to social workers employed by this municipality, who operate out of one of the "family group" units that had recently been formed to administer public assistance, the local authorities have not had any occasion to devise special measures to take into account the servicing of collective families. While offering to check with other family-group sections, the informants noted that only one case involving communes had come to their attention. This case involved financial assistance according to Public Assistance Law No. 54, i.e., assistance in relation to those drafted into military service and/or conscientious objectors.

In this instance, four out of five members of a commune were simultaneously drafted and the department of welfare paid the monthly rent so that the commune could continue to exist. Housing subsidies were normally paid in such circumstances, with the informants maintaining that the four communards in question were treated exactly on

the same level as all other draftees facing similar hardships, and not as members of a collective family as such. In addition to the public assistance benefits mentioned above, all communards are eligible to apply for more specialized social aid if they are handicapped, pregnant, and/or have a family-related problem. An elaboration of these forms of assistance are spelled out below.

If a person living in a commune is physically, mentally, or socially handicapped, he or she is eligible to seek help under the Danish law governing disability and rehabilitation, and is treated like all other handicapped applicants. In this situation, primary emphasis is placed on the employability of the respondent and not so much on where he or she might be living at the time. Supplementary financial assistance, when needed, can also be obtained. However, eligibility will be determined according to the same criteria utilized in regular public assistance cases.

All pregnant women in Denmark can apply to the Mother's Aid Society and obtain free personal social and legal counseling. In a few instances, they can also receive some economic assistance. In this case, eligibility is usually determined by whether the applicant is living alone, with benefits often directed towards further education of the prospective single mother. A member of the research team personally knew of two cases from this Society involving girls from a commune, who, in order to obtain an educational subsidy, had to indicate an address outside the commune. All in all, however, the handling of cases in the Mother's Aid Society was largely dependent on the individual social worker or legal advisor assigned to the case in question, making it difficult to generalize on how communalists, as a group, are handled by this organization.

Under existing laws and regulations governing family guidance and well-being it is possible for recipients to receive the most comprehensive and broad based assistance within the Danish social welfare structure. Assistance in this category is not focused on the more traditional situations involving need and in which the applicant has only a minimal income, etc., but on specific instances where more ample financial benefits are called for, albeit, for a limited period of time.

An example of this occurred in Gladsaxe Municipality where a married couple living in a commune was granted three months financial assistance in connection with the wife's pregnancy, i.e., income to

cover routine expenditures, as well as some pocket money. The recipients were both studying at the time and had no possibility of receiving help through the normal public assistance channels. A related example brought to the attention of the research team involved a social worker from the Family Guidance Office in Copenhagen. In that instance, the social investigator personally visited the commune in question, discussed the case with several communards, and subsequently provided financial aid to the applicant after having taken into account the economic situation of the collective as a whole. The benefits, however, as in previous cases cited, were directed to the individual under review, not to the entire commune.

Conclusion

The study noted that members of Danish collective families were generally not discriminated against in practice, so far as obtaining needed social benefits, even though communes, as such, were not granted recognition as a separate entity by the laws and social statutes of the country. Conversely, the membership of the majority of communes surveyed were composed of fairly educated and generally talented young people, many of whom were students in the social sciences, education and social work, and quite capable of utilizing existing social welfare legislation to their advantage, if and when necessary. Most communards were essentially self-sufficient (over three-fourths of the sample were employed in the outside labor market) and were usually not in need of extensive social welfare benefits, excluding an occasional loan or student scholarship.

The study on which this article is based led the writer to conclude that Danish communes are essentially economically viable, even if they do not always last, serve a number of socially useful functions, provide outlets for personal growth and expression, and act as a restraining and modifying influence on some of the more "problem" members. It appears that the Danish communal experience was working and was highly useful, both to society and its own members. As a result of exposure gained during the study, it is this researcher's contention that American social welfare institutions would be well-advised to, at least on an experimental basis, encourage and even provide some financial support for communal experimentation, as their Danish counterparts have done, rather than to ignore and on occasion to oppose social innovation of this nature, as has too often been the case.

Additional, more complete, follow-up research is needed to ascertain what specific factors of the Danish experience are feasible to consider implementing on the American scene. The future growth and development of Danish communes also deserves close attention, especially in a number of areas not covered in this article, e.g. to see how child-raising patterns and family formation trends will evolve, as this social institution becomes increasingly accepted by a growing section of the total Danish population.

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