

3 Marriages, arranged and forced: The UK debate

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3.1 Introduction

Arranged and forced marriages among immigrant and minority ethnic groups have been widely debated across Europe,¹ and although the present chapter deals principally with developments in the United Kingdom between 1997 and 2009, it has wider theoretical implications. First, it builds on research reported elsewhere (Grillo 2008) in which the family is seen as a moral order, a social construct entailing beliefs, values and ideas by reference to which its members are identified, organised and bound together, though with widely diverse understandings cross-culturally of how familial relations should be defined and practiced. As such, under conditions of migration, it becomes a site of debate about who may, or should, do what, where and when (get married, have children, raise them in a certain way), and thus a powerful kaleidoscope through which to examine the tensions in multicultural societies. Secondly, the chapter contributes to an account of contemporary multiculturalism as a 'negotiated order', albeit one in which negotiations are in danger of breaking down.

In the UK, from 1960 to 2000, policy sought to control and regulate immigration while accepting that most immigrants were there to stay. There was increasing recognition of the legitimacy of cultural difference and willingness to allow the expression of such difference, within certain limits, in the private sphere and, to some degree, also in the public sphere. After the turn of the millennium, however, there was a backlash against this form of multiculturalism (Grillo 2009). Minority ethnic separatism ('parallel lives' in the 'Cantle Report' 2001), along with the persistence of 'traditional' practices, were deemed unacceptable for a society espousing liberal, democratic, individualistic, secular values. In this context, the family became a site of contestation around cultural and social differences, and policies intended to address them.²

A site of contestation is a 'terrain, a dynamic linguistic and, above all, semantic space in which social meanings are produced or challenged' (Seidel 1985: 44). A closely interconnected set of institutions, discourses and practices became a battleground between social and cultural forces engaged in a struggle over rights and duties. In the case of the family, this battleground may be observed in many different social and institutional

locations: speeches by politicians and religious leaders, policy statements, the media, academic writing, internet discussion groups and everyday conversations.³ There is a multiplicity of 'external' and 'internal' discourses and narratives, with an important transnational dimension, and intersection with other debates, for example, over religion. 'External' refers to public policy perspectives addressing the real or imagined social and cultural practices of immigrant and minority ethnic communities, and how those appear to fit (or not) with the hegemonic (real or imagined) practices of the receiving society. 'Internal' includes what happens 'inside' minority ethnic and immigrant families, and the communities claiming their allegiance, their 'cultural debates' (Parkin 1978). But voices are not equal when it comes to representing alternative perspectives within the institutional system where policies are formulated and implemented.

3.2 Families

In the UK, public discussion of the family is characterised by chronic moral panics about divorce, teenage pregnancies, youthful antisocial behaviour, the abuse of children, the right to life and same-sex partnerships. For several reasons, immigrant and minority ethnic families are thought especially or distinctively problematic, even if they are not alone. They are deemed instrumental in the evasion of immigration controls: family reunification policies have long provided a legitimate route to entry to Europe, but there is a widespread belief that this is used illicitly, especially with transcontinental arranged marriages, seen as 'sham' marriages of convenience (Knights 2007; Wray 2006; Kofman, Kraler, Kohli & Schmoll, Fleischer and Riaño this volume). Immigrant families are, moreover, thought to impose an unacceptable burden on the health system, flood the schools with children incapable of speaking the local language, and demand priority for housing. They are, further, suspected of a key role in the 'failure' to integrate, creating enclaves in which children are socialised in separate languages and values, orienting them to other worlds (Zubaida 2007). Finally, they are seen as the institution par excellence within which 'difference' is produced and sustained, though also wherein it can be challenged.

Two contrasting examples illustrate how the moral order of the minority ethnic family is believed at odds with that embodied by the supposed 'European' family. In the UK, people of African Caribbean origin are seen (stereotypically) as coming from communities characterised by absent fathers, academic failure, out-of-control children, drugs and gun crime; in other words, where there is *too little family*. Prominent in inner-city disturbances in 1981 (McGhee 2005), such stereotypes have continuing resonance. 'The parents of Afro-Caribbean boys must take more respon-

sibility for their education', said a teachers' union at their annual conference (*The Times* 9 April 2007), and a House of Commons Home Affairs Committee report (2007: 38) commented:

Young people and practitioners we spoke to made a link between the absence of a positive male role model in the home and involvement in gangs or other youth affiliations which commit crime: 'These young men are crying out for fathers... They are looking for that affirmation, they are looking for that identity; they are looking for that role model. They do not find it in the home.'

Asian families, on the other hand, are accused of having *too much family*, frequently seen as too close-knit, placing excessive emphasis on parental – specifically paternal/patriarchal – control, and as crucial instruments in female oppression (Ansari 2004; Enright 2009; Van Walsum on the Netherlands and Riaño on Switzerland this volume). There is, nonetheless, a degree of ambivalence about this (believed) commitment to family values. If it is a cornerstone of separate lives and an obstacle to integration, it is also praiseworthy in the light of the prevailing moral disorder. Thus David Cameron, then Conservative opposition leader, praised 'Asian families and communities' as 'incredibly strong and cohesive [with] a sense of civic responsibility which puts the rest of us to shame' (Cameron 2007). This is not just an outsider's view, as a glance at websites devoted to the Asian or Muslim family shows. Thus, IslamOnline advises:

Family is the bedrock, cradle of human civilisation. It is the foundation and basis of Muslim society ... The Islamic family system brings the rights of the husband, wife, children, and relatives into a fine equilibrium. It nourishes unselfish behavior, generosity, and love within the framework of a well-organized family system. The peace and security offered by a stable family unit is greatly valued by Islam, and it is seen as essential for the spiritual growth of its members. A harmonious social order is created by the existence of extended families and by treasuring children.⁴

A perception common among (male, British) Muslims is that the close-knit family is a 'source of emotional strength and a haven of spiritual and moral safety from the perceived assault of British society and its unwelcome values' (Ansari 2004: 253), and the 'traditional idealized' Muslim family (Husain & O'Brien 2000) grounded in sharia principles and bound by notions of honour is contrasted with the dysfunctional white British family.

These views, revealing elements of both 'Orientalism' and 'Occidentalism', are not completely misleading. Roger Ballard (2008: 49-50), a British

anthropologist and an expert on South Asia, points out that 'the vast majority of non-European settlers continue to operate within the context of ideologies which bind them into all-consuming networks of mutual reciprocity with a [wide] range of kinsfolk'. 'Marriage', he adds:

is a crucial component of the kinship system, but it is set within, and to a large extent overshadowed by a much wider network of inter- and intra-generational ties of mutual reciprocity, largely ordered within the priority given to ties of patrilineal descent.

3.3 Marriages arranged and forced

'Arranged marriages,' says Manzoor (2007b), 'have long epitomised to the rest of society all that is alien about Asian culture.' Such marriages are found in many parts of the world (sub-Saharan Africa, the British Royal Family), but several objections are voiced against those contracted by immigrant and minority ethnic populations. Two were mentioned above: that arranged marriages – specifically, transcontinental arranged marriages – are used to evade immigration controls; and that they contribute to parallel lives. A third relates to the moral order and relational system that they exemplify (Wray 2006), for they are believed to contravene the Western ideal of freedom of choice and impose patriarchal authority on young people, especially women.

There is frequent slippage between 'arranged' and much more contentious 'forced' marriages, as is apparent from a remark by former Dutch MP and anti-Muslim activist Ayaan Hirsi Ali. Young Muslim women, she says, including those brought up in Europe, 'are either married off or are subjected to great pressure from the family, which forces them into an arranged marriage ... I would call this a matter of arranged rape' (Hirsi Ali in Snel & Stock 2008). Yet although there continues to be some hostility towards arranged marriages, *per se*, with an assumed equation of arranged and forced, a series of official reports in Britain has since the start of the millennium sought to draw a firm distinction between them (Uddin 2006: 212).

In 1999, following a widely publicised case (Briggs & Briggs 1997), Ann Cryer, the MP who represents a constituency with a significant minority ethnic population, inaugurated a debate in the House of Commons on 'the treatment of Asian Muslim women by their families' (Hansard 10 Feb 1999: column 256) in which she focused on forced marriages. Subsequently, to examine the question, the government established a working group,⁵ all the members of which had a minority ethnic background (see Table 3.2); given their prominence in public affairs, they might be described as representing the minority ethnic establishment.

Table 3.1 *Composition of the forced marriage working group*

Lord Ahmed of Rotherham	Co-chair
Baroness Uddin of Bethnal Green	Co-chair
Lord Dholakia	Chair of the National Association for the Care and Resettlement of Offenders, member of Home Secretary's Race Relations Forum
Yasmin Alibhai-Brown	Author, journalist, member of Home Secretary's Race Relations Forum
Surinder Singh Attariwala	Education and language consultant
Thomas Chan	Member of Metropolitan Police Committee and Home Secretary's Race Relations Forum, deputy chairman of the Chinese in Britain Forum
Humera Khan	Consultant to the An-Nisa Society Muslim women's organisation
Rita Patel	Chair of the 1990 trust, director of the Belgrave Baheno women's organisation
Hannana Siddiqui	Joint coordinator of Southall Black Sisters

Source: Home Office (2000: 28)

Their report 'A choice by right' (Home Office 2000), was highly influential, elaborating a set of principles guiding official response and action, and providing an authoritative discourse (see, *inter alia*, Phillips & Dustin 2004: 534ff). Its basic arguments became common currency, with key phrases and tropes frequently repeated.

A fundamental conclusion was to insist on distinguishing between arranged and forced marriages, both of which affect men as well as women (Khanum 2008).⁶ The difference, it argued, lay in the right to choose, and it was emphasised that the report was 'not about arranged marriage' (Home Office 2000: 10). On the other hand, and quoting a remark from the 1999 Parliamentary debate ('Multi-cultural sensitivity is not an excuse for moral blindness', *Hansard* 10 February 1999: column 276), the report concluded that although 'In a multi-cultural, multi-faith society like the UK we must value and celebrate our diversity. Equally, we must not excuse practices that compromise or undermine the basic rights accorded to all people'. Thus, they stressed that:

While it is important to have an understanding of the motivations that drive parents to force their children to marry, this does not mean we should accept justifications for denying the right to choose a marriage partner. (Home Office 2000: 14)

The report also drew attention to the way in which 'British Asian communities, led by their women's groups, have been at the forefront of much of the existing action aimed at tackling forced marriage and domestic vi-

olence' (Home Office 2000: 12), adding: 'the issue of forced marriage should not be used to stigmatise any community'.

The ethnic minority composition of the working group did not necessarily reflect a wider positive engagement by all Asian communities with the forced marriage debate. There was substantial criticism from some quarters that members were colluding in an Islamophobic and racist government agenda, restricting the immigration of Asian spouses by defining arranged marriages as forced and simultaneously demonising the cultural practice as a human rights abuse. On the other hand, Hannana Siddiqi of the feminist Southall Black Sisters, an organisation criticising the government's approach from a different direction, resigned over proposals for victims of forced marriages to have access to mediation procedures if they so wished (Home Office 2000: 19). Mediation, she argued, 'undermines agencies, the state, and the protection it has to offer. The solution is weak, not radical; it undermines women' (see also Ghani 2001). The Southall Black Sisters – 'black' being a political rather than an ethnic label – were founded in 1979 to represent minority ethnic women, especially in the context of domestic violence. They have published extensively on forced marriage (e.g. Southall Black Sisters 2002; Siddiqi 2003), being one of many minority organisations active in the campaigns and consultations.⁷

Responding to the recommendations of 'A choice by right', the government established a Community Liaison Unit (subsequently, the Forced Marriage Unit, based in the Foreign and Commonwealth Office) to deal with cases brought to its attention. The unit defines a forced marriage as one where

people are coerced into a marriage against their will and under duress. Duress includes both physical and emotional pressure. Forced marriage is an abuse of human rights and cannot be justified on any religious or cultural basis.⁸

As a preliminary part of the government strategy of engaging with communities to tackle forced marriages from within, the unit commissioned a study (Samad & Eade 2002) to provide a better understanding for officials in the Home Office and elsewhere in government about the socio-cultural underpinning of arranged marriages and an insight into views of, and contexts for, forced marriages as perceived by members of the Asian community. Understanding how forced marriages are perceived was seen as a prerequisite for engaging with the communities. Along with guidelines for social workers, health professionals, teachers and the police, the study was one of several government initiatives aimed at improving the ability of public bodies to confront the sensitive issues arising from forced marriage cases.

In the mid-2000s, the unit was handling some 250 to 300 cases a year, though there are claims that these represent a fraction of the total. A newspaper article, for example, reported that:

a police community officer who works with Asian women in Bradford ... received about 300 requests for help from victims of abuse, abduction or forced marriages last year, twice the total of 1995. Last year 120 women came to him for help after being subjected to violence within the family. A quarter of those were assaulted by relatives other than their partners. He estimates he hears less than 1 per cent of such incidents. (Burke 2000)⁹

The numbers are controversial (Rude-Antoine 2005). As with convenience marriages (Wray 2006), accurate data are unavailable (Samad & Eade 2002), and speculative figures, often from a single source, are frequently recycled in the media and in Parliamentary debates. There is, *inter alia*, a definitional problem; what is under discussion, in what context? Coerced marriage? Spousal abuse? Abduction? Nevertheless, as Samad and Eade (2002: 54) conclude, 'even one instance of forced marriage was one too many', and one must concur.

In 2005 there was a consultation over whether facilitating a forced marriage might be made a criminal offence (Home Office 2005), an idea that had been considered and rejected in the Forced Marriage Unit's first year.¹⁰ Many of those who responded opposed criminalisation (e.g. Muslim Council of Britain 2005; Uddin 2006: 214 lists the arguments; for a comparison of the debate in Britain and France, see also Clark & Richard 2008: 504-507). The government concluded:

While there was no clear majority among respondents about whether or not a specific offence of forcing someone into marriage should be created, the majority felt that the disadvantages of creating new legislation would outweigh the advantages and potentially drive forced marriage underground. (Forced Marriage Unit 2006)

Although welcomed by some, others were dismayed (Norfolk 2006). In November 2006, Liberal Democrat peer and human rights activist Lord Anthony Lester proposed a private members' bill¹¹ to make forced marriage an offence for which the victim could seek redress through the courts. This became law in 2007 as the Forced Marriage (Civil Protection) Act, which legislates that

where a forced marriage has or is about to take place, courts will be able to make orders to protect the victim or the potential victim and help remove them from that situation. The courts will have a wide

discretion in the type of injunctions they will be able to make to enable them to respond effectively to the individual circumstances of the case and prevent or pre-empt forced marriages from occurring.¹²

Table 3.2 *Timeline of forced marriage debate in the UK*

1997	Publication of Briggs and Briggs (1997)
1999	House of Commons debate on Asian Muslim women and their families
2000	'A choice by right' report
2000	Foreign and Commonwealth Office/Home Office Joint Action Plan; Creation of Community Liaison Unit (subsequently, Forced Marriage Unit)
2000-2002	Commissioned study Community Perceptions of Forced Marriage
2005-2006	Government consultation rejected idea of criminalisation
2006	Campaign to drive down the number of forced marriages
2006-2007	Lord Anthony Lester's Private Member's Bill to make forced marriage an offence for which the victim could seek redress through the courts becomes Forced Marriage (Civil Protection) Act 2007
2007	Opposition Conservative Party proposes crackdown on forced marriage EU Daphne conference Active Against Forced Marriage, London, 24-25 October
2008	Forced Marriage (Civil Protection) Act 2007 comes into force Publication of statutory guidelines (Forced Marriage Unit 2008) House of Commons Home Affairs Committee Report Muslim Arbitration Tribunal proposals Marriage visa age raised to 21
2009-present	The debate continues

Nonetheless, in autumn 2007, with the Conservative opposition pressing for tougher action, ministers affirmed that the possibility of criminalising forced marriages remained open and, among a raft of measures, proposed raising the age at which people could enter Britain for marriage from eighteen to 21. The government also initiated a consultation on whether a 'relevant third party' (e.g. a teacher or social worker) could bring an action under the 2007 act (Ministry of Justice 2007; see Clark & Richard 2008; Enright 2009).¹³ Meanwhile, following a widely publicised inquest into the unlawful killing of a young Asian woman in which the coroner reportedly advised that 'the concept of an arranged marriage was "central" to the circumstances leading up to her death' (The Independent 12 January 2008), the House of Commons Home Affairs Select Committee conducted its own investigation, whose detailed two-volume report (2008) set forced marriage in the wider context of domestic violence.

And so the debate extended into 2008 and 2009, becoming entangled on the way with the furore over the Archbishop of Canterbury's speech on sharia (Williams 2008), amid some sensational media stories, yet

further confusion over numbers and more reports, conferences, and interventions by politicians and activists of every stripe.

3.4 The other side of the hill: Arranged love

My father treated the concept of love with a withering mixture of contempt and pity. 'What is love, anyway?' he would ask. 'Love is childish. Anyone can fall in love – a 10-year-old can say they are in love – but can you trust a 10-year-old to stay with the same person for 40 years? That is what is wrong with the white people: they put their faith in the heart rather than the head.' (Manzoor 2007a: 187)

[My mother] turned her face from me and with all the contempt she could muster spat out, 'Love!' (Sanghera 2007: 165)

As the previous section intimated, there are several sides to this debate. A substantial ethnographic literature on arranged marriages reveals the complexity of the institution and the range of motives involved, inter alia, demonstrating the inadequacy of simplistic contrasts between 'love', 'arranged' and 'forced' matches (An-Na'im 2000; Ansari 2004; Beishon, Modood & Virdee 1998; Enright 2009; Ralston 1997; Werbner 2007). Certainly, arranged marriages are much debated by many people of Asian background born and brought up in Britain, and strenuously opposed by some (Jasvinder Sanghera's 2007 autobiography describes the horrendous failure of her sisters' arranged marriages).¹⁴ 'At present', says Werbner (2007: 167), 'the younger generation, whose parents arrived in Britain in the late 1970s, is reaching marriageable age in large numbers, hence the argument about the pros and cons of arranged marriage both within and beyond the community has intensified considerably'. She adds:

the perception is growing that arranged marriages in Britain based on parental choices no longer 'work'. As children become less willing to accept their parents' judgement, conflicts within the family have multiplied and, in extreme cases, have led to publicity in the local and national press. (Werbner 2007: 168)

Bhopal (1999) illustrates the wide-ranging internal debate for and against arranged marriages, and their role in defining cultural identity, taking place among women in East London.¹⁵ Despite reservations, however, many tolerate them, accept the values that underlie them, and feel obliged to follow their parents' wishes for the sake of the family's good name. Thus, such marriages, she argues, constitute a 'form of social control' (1999: 134). However, many older Asians (female as well as male)

actively prefer marriages that are arranged and endogamous (within ethnic group, religion, caste and, where customary, within lineages, between parallel cousins). There is a widespread belief, certainly among elders, that they are more stable than love matches, reinforcing kinship bonds, cultural norms and identities (Anwar 1998; Modood, Berthoud, Lakey, Nazroo, Smith, Virdee & Beishon 1997; Samad & Eade 2002).

Transcontinental marriages are often preferred for similar reasons (Uddin 2006; Werbner 2007; Kofman, Kraler, Kohli & Schmoll, Suksomboon and especially Riaño this volume). Shaw and Charsley (2006: 411) conclude:

Transnational marriage arrangements involving kin in Pakistan are also motivated by powerful emotional bonds between parents and children. These include the parental desire to secure their children's long-term happiness and reduce the social and emotional risks of marriage, which are perceived to be greater in marriages arranged outside the family than within.

Far from seeking to facilitate the circumvention of immigration laws, matchmakers are concerned to ensure that a potential spouse have no such objective. Indeed, Shaw (2001: 327) observes how some informants felt that they and their daughters had been exploited by relatives in Pakistan who had arranged the marriage principally to allow the husband to gain admission to Britain (see also Charsley 2007). Writing on Turkish families in Belgium, Timmerman (2006: 135) records that 'parents try to protect their daughters from such opportunistic marriages by demanding a substantial dowry' (i.e. *mahr*, transferred to the bride by the prospective husband, Maqsood 2005: 20). Nonetheless, the tendency to arrange marriages transnationally, bringing spouses from 'home', remains strong, albeit possibly declining (Anwar 1998).

In a special issue of *Global Networks*, Charsley and Shaw (2006) dispute the belief that women are passive participants in such marriages. They challenge the view that the matches simply reflect 'corporate interests', as against marriages that are presumed grounded in a 'romantic attachment'. They question the 'unemotional portrayal' of arranged unions, and elsewhere (Shaw & Charsley 2006) reveal, through detailed ethnography, the complexity of motivations for transnational arranged marriages and the simplicity of the 'arranged'/'love' contrast. Instead, they 'highlight the positive sentiment of affection, in relationships between siblings, between parents and children, and also between prospective spouses'. 'Our analysis', they say

offers an important corrective to UK media and policy-interest in the issue of forced marriage and to recent research that highlights

the abuse of the arranged marriage system in transnational contexts. A dominant image of transnational arranged first-cousin marriage is that unsuitable matches are 'forced' upon unwilling young people in response to socio-economic, cultural and psychological pressure by parents from working-class uneducated rural backgrounds. (Shaw & Charsley 2006: 406)

Romance, they conclude is 'compatible with arranged marriage', and 'even though the relationship between husband and wife is not the only or even the main one that motivates marriages between transnational cousins, it is still important' (Shaw & Charsley 2006: 417).

It would seem, then, that 'love', 'arranged' and 'forced' marriages are best seen not as discrete categories, but as points along a spectrum (Samad & Eade 2002: 43). 'In practice', say Shaw and Charsley (2006: 416):

varying degrees of parental or wider family involvement. Cases in which a couple have not met before their wedding day, or else, at the other extreme, have met and married in secret are relatively rare. In many apparently conventionally arranged marriages, the young people may have suggested the marriage or at least influenced the decision that led to the proposal.

Previously, Shaw (2001), discussing what are sometimes called 'arranged love marriages', contrasted matches where parents or guardians take the principal decisions with those where the potential spouses are involved in the choice-making (see also Anwar 1998; Césari, Caeiro & Hussain 2004; Gavron 1996). There are also what have been termed 'traditional cooperative marriages' (Stopes-Roe & Cochrane 1990) where 'either the parent or the candidate can make the selection depending on the circumstances and the eventual decision is a cooperative matter but parental consent is essential' (Samad & Eade 2002: 48). The growing importance of such arrangements may be observed in the increasing use of introduction agencies and the internet (Samad & Eade 2002; see also Anwar 1998; Werbner 2007).

Like Werbner (2007), Timmerman (2006: 135-136) observes further difficulties in distinguishing between arranged and forced marriages: 'A marriage can be seen as "forced" by only one of the partners; or first be considered as "arranged" and later on, once the marriage failed, be evaluated as "forced."' She also reports

a known phenomenon [that] people sometimes prefer to annul their marriage in order to avoid an expensive divorce or financial obligations towards the partner. The procedures of declaring a marriage 'fake' are far less costly than a divorce and exempt the partners from paying eventual alimony. (Timmerman 2006: 135-136)

Thus, one kind of marriage may be turned (retrospectively) into another: “love” marriages may be transformed into “arranged love marriages” and presented as if they were conventionally arranged’ (Shaw 2001: 323). There is a kind of elaborate dance (see also Basit 1997), and ‘even if the spouses have in fact chosen each other, the fact they have done so will usually be hidden, so preserving the appearance of the elders’ normative role in doing the choosing’ (Ballard 2006: 6).

3.5 Forced marriages: Community perceptions

Samad and Eade’s commissioned study (2002) *Community perceptions of forced marriage* among Bangladeshis in London and Pakistanis in Bradford draws attention to the wide range of opinion across generations. Situating their account within the broader context of economic and social deprivation, and within current thinking about social capital, they argue that poor education and employment among Pakistanis and Bangladeshis ‘leads to greater dependence on bonding social capital which, in turn, reinforces kin networks’ (Samad & Eade 2002: 108). That is, ‘the socio-economic context within which these groups find themselves reinforces group boundaries’ (Samad & Eade 2002: 108), within a cultural tradition that prioritises the welfare of the collectivity (the endogamous kin group) over the individual (see also Ballard 2008). The welfare of the collectivity includes its good name, its honour (izzat). On the evidence they collected, Samad and Eade concluded that

The reasons for forced marriage are complex but the analysis does show that sexuality and independence among young women can trigger off a forced marriage. Women’s behaviour which may jeopardise family honour appears to be an important variable. Family honour motivates men and women to regulate the behaviour of their children, in particular girls, and flagrant disregard of group norms can trigger processes that culminate in forced marriages. (2002: 109; see also Brandon & Salam 2008: 9-26)

Most commonly, forced marriages occur when young people are discovered in a relationship that transgresses group boundaries and affects family honour, thus earning family disapproval; and women as well as men are likely to be instigators (Samad & Eade 2002: 74). A problematic issue is when does persuasion become pressure, and pressure become force (Wikan 2002; Renteln 2004)? ‘A choice by right’ (2000: 11) identified a

spectrum of behaviours behind the term forced marriage, ranging from emotional pressure, exerted by close family members and the

extended family, to the more extreme cases, which can involve threatening behaviour, abduction, imprisonment, physical violence, rape and in some cases murder. People spoke to the Working Group about 'loving manipulation' in the majority of cases, where parents genuinely felt that they were acting in their children and family's best interests.

Drawing on legal precedents,¹⁶ the Forced Marriage (Civil Protection) Act 2007 defined force as 'coerc[ing] by threats or other psychological means'. Whether this would include the kind of emotional blackmail reported by Sanghera (2007) or Manzoor (2007a), which might occur in any family ('I'll never be able to raise my head in public again!'), is uncertain. Samad and Eade (2002: 72) point out that although Islam opposes coerced marriages, a point underlined by Baroness Sayeeda Warsi, a Muslim Conservative Party spokeswoman on community cohesion,¹⁷ it is not always clear what counts as coercion: 'While [informants] generally agreed that physical force is unacceptable, psychological and emotional pressure is not considered to be coercion'. The Muslim Arbitration Tribunal (MAT) distinguishes between 'forced' and 'coerced' marriages, the latter entailing emotional, psychological or cultural pressure (MAT 2008: 7-8). One of Samad and Eade's (2002: 71) informants, referring to a daughter who wanted to marry a non-Muslim, defended 'hard counselling ... If you wanna call, to brainwash her mind'.

In public parlance a link is sometimes assumed between arranged and forced marriages and so-called honour killings, in the belief that these constitute a cultural complex that characterises the lives of Pakistani and Bangladeshi or more broadly 'Muslim' or 'Asian' families.¹⁸ As 'A choice by right' said, there is a danger of stigmatising whole communities, and the fear that they are indeed being demonised is reflected in the views of those of Samad and Eade's informants who believed their research was 'part of an Islamophobic/anti-Muslim government policy' (Samad & Eade 2002: 10; see also Wilson 2007). They note:

Immigration control was considered to be the authorities' main aim and the research was seen as a veiled assault on arranged marriages. The government has consistently distinguished between forced and arranged marriages but this distinction has not percolated down to the communities' grass root levels. The historical legacy has been such that it has left a deep suspicion of government by communities which lack influence and are nervous of public interest in this area. (Samad & Eade 2002: 111-112)

Their informants might well have found confirmation in the House of Commons Home Affairs Committee report (2006) that indeed made the

link with immigration control, and recognition of this link lay behind an initiative launched by the Muslim Arbitration Tribunal in 2008.¹⁹ Referring principally to forced marriages between British-based and overseas-based partners, the MAT (2008: 9) proposed a number of measures to deal with what it described as a 'crisis' that has 'loomed within the Muslim community without being noticed or dealt with for the past two decades'. These would involve the British partner making a 'voluntary deposition' to be scrutinised by MAT-appointed judges who would satisfy themselves that the proposed marriage was 'without any force or coercion'. Their declaration could then be used in support of applications for entry to the UK. In the event that the marriage is deemed forced or coerced, the MAT might seek a Forced Marriage Protection Order under the 2007 act (MAT 2008: 15).

3.6 Conclusion

What does this controversy say about migrant and minority ethnic families and contemporary multiculturalism?

First, families are moral orders in which reciprocal obligations are central. This moral economy of rights and duties (and how they are negotiated) changes as there are shifts in personal circumstances (within the domestic developmental cycle, for example, or in terms of family members' individual or collective situation), or because changes are happening in the wider society. One source of change, migration, puts a great strain on the moral order, obliging all sides to interpret, or reinterpret, beliefs and practices. This is a common theme of many novels, plays and films by and about minority ethnic communities in the UK and elsewhere.

Secondly, marriage constitutes a site where a clash of cultures (presumed or real) is played out. Hellgren and Hobson (2008: 399) say about debates over 'honour' killings in Sweden that they

bring into stark relief multicultural tensions that are complex and multilayered: between the dominant society's secular values of individualism and between minority groups' cultural and religious values; between parents rooted in other traditions and their children who grow up and live in a society that is one of the most secular in the world, and with a high degree of sexual freedom for men and women.

But there is no Manichean conflict. There is a multiplicity of actors and an interplay between many different voices. The debate about forced marriage has involved, among others, government ministers, MPs and councillors, civil servants, the media, the judiciary, the courts, the police,

social workers, teachers, lawyers, representative religious bodies, prominent members of minority ethnic communities and their associations, minority and majority activist organisations, political parties, minority ethnic men and women of all ages, novelists, playwrights, film-makers and, not least, academics (including anthropologists). In this process certain voices, narratives, facts are privileged, and how and why repays careful attention. There is a complicated story, only hinted at here, in the light of which the question whether marriage practices hinder integration or reinforce 'parallel' lives seems beside the point.

Thirdly, the governance of multicultural societies entails cognisance of the diverse values attached to, or associated with, different cultures and 'communities', but also judgment about what kind of difference, and how much, to recognise, formally and informally, in private and public. In the UK, over the last 40 years this has involved negotiating boundaries, often pragmatically: *hijabs* and turbans, yes, *jilbabs*, *niqabs*, *burqas*, perhaps not; freedom of expression, yes, incitement to religious or racial hatred, no; arranged marriages, perhaps, forced marriages, by no means, but not criminalised. The debate about marriage shows how such boundaries are drawn and a *modus vivendi* reached. In the British case (it may be different elsewhere, e.g. Modood & Ahmad 2007), there is no simple, top-down imposition of hegemonic authority, but an outcome that reflects a complex *rapprochement de force* in an emergent multicultural society.

Fourthly, knowing where to draw the line, or accept the line being drawn, is often very difficult, but forced marriages contravene the basic values of liberal democratic societies, with a strong belief in human rights. No 'cultural defence', as it is called, is possible. The great majority among minority populations accept this, while feeling defensive about the practice, and fearing demonisation. How, asks Razack (2004: 16) to 'name and confront violent practices' without 'feeding culture clash'? (see also Phillips & Saharso 2008). As Samad and Eade (2002: 112) argue, policy initiatives should be devised and applied in a 'sophisticated and subtle manner so that they do not provoke a diversionary debate on racism and Islamophobia' (see also Siddiqi in Werbner 2007).

Finally, another difficult question. It is sometimes hard not to sympathise with immigrant and minority ethnic men whose identities as husbands and fathers – their sense of masculinity – is constantly challenged, even denigrated. Samad and Eade's (2002: 109) comment on the elderly who 'appear exasperated by their inability to enforce or impose their decisions of marriage on young men and women' catches something of this. One wonders at the effect on private and public personae. Is it a factor in the attractiveness, for some, of Islamism and perhaps the widely reported hankering for sharia? In the end, such men may simply have to take their medicine, but their concerns should not be swept aside.

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Notes

- 1 On Continental Europe see, inter alia, Bartels and Storms (2008), Bredal (2005), Césari, Caeiro and Hussain (2004), Clark and Richard (2008), Hagelund (2008), Rude-Antoine (2005, 2007), Siim and Skjeie (2008), Strobel and Lobermeier (2007), Timmerman (2006) and Wikan (2002). In 2007, the EU launched the Active Against Forced Marriage initiative under the Daphne Programme in order to identify and disseminate best practices; conferences were held in Austria, Germany, the Netherlands, Turkey and the UK (Foreign & Commonwealth Office 2007; Felz & Triebl 2007).
- 2 The introduction to this volume and the chapters by Van Walsum and Riaño take up various aspects of these themes.
- 3 This chapter is largely an exercise in the ‘discursive ethnography’ of this contested site. It draws on a corpus of written and spoken materials (including more conventional ethnographic studies) to extract themes that protagonists addressed and observe how they addressed them. Special attention is paid to vocabularies, phrases, tropes and instances used in argument.
- 4 <http://www.islamonline.com/news/newsfull.php?newid=722>.
- 5 The Labour Government of the 1990s proved being sensitive to issues of concern to British Asians, who largely supported the government. One such example is 1997’s legislation to abolish the much-criticised ‘primary purpose’ rule.
- 6 The US Department of State (2005) employs similar language to differentiate between arranged and forced marriages, incidentally citing the same widely quoted statistics (15 per cent of forced marriage victims are male, etc).
- 7 Other organisations include the An-Nisa Society, Apna Gar (Asian Women’s Domestic Violence Project) in East London, the Asian Women’s Resource Centre, the Henna Foundation in Cardiff, Imkaan, Karma Nirvana in Derby, the Muslim Women’s Helpline, the Muslim Women’s Institute and the Muslim Parliament. There are many individual activists, Asian and otherwise. As Dustin and Phillips (2008) point out, minority women’s action groups have long been involved in campaigning on these issues.
- 8 <http://www.fco.gov.uk/servlet/Front?pagename=OpenMarket/Xcelerate/ShowPage&c=Page&cid=1094234857863>.
- 9 See also Khanum (2008). In 2008, the Forced Marriage Unit received approximately 1,600 reports and intervened in 420 cases.
- 10 The criminalisation of forced marriages has been enacted or is under active consideration in various European countries including Belgium, Denmark, France, Germany and Norway.
- 11 A proposal for legislation introduced by an MP, not a member of the government.
- 12 <http://www.justice.gov.uk/news/newsrelease260707c.htm>.
- 13 The proposals were implemented in November 2008.
- 14 Sanghera is a highly influential activist against forced marriages and violence

- against women. In 2009, she received a Pride of Britain award. See <http://www.co-operative.coop/Pride-of-Britain-2009/2009-winners/Special-Recognition--Jasvinder-Sanghera>.
- 15 See also Anwar (1998: 106ff), Basit (1997: 72-78), Bradby (1999: 157ff), Jacobson (1998: 162, 167), Phillipson, Ahmed and Latimer (2003) and Monica Ali's novel *Brick lane* (2003).
 - 16 Poulter (1998: 206-207) shows how 'coercion' and 'duress' have been interpreted in marriage cases, notably *Hirani v. Hirani* [1983] 4 FLR 232. In the case of *NS v. MI* [2006] EWHC 1646 Family Division, the court – employing the test established by *Hirani* – ruled that: 'The threats and pressure to which the petitioner had been subjected over a period of many months were such as to destroy the reality of her consent and to overbear her will'. The judge's comments are cited by Enright (2009: 340). See also Phillips (2003), Phillips and Dustin (2004) and Wilson (2007).
 - 17 <http://conservativehome.blogs.com/torydiary/2007/12/warsi-makes-fir.html>. See also <http://www.myislamweb.com/forum/showthread.php?s=8ec5d52c42e5e619c1af3a5841cce7d1&p=130039#post130039>. Ballard (2006: 6) comments how 'the notion that the spouses themselves (and most especially the bride) should also give her explicit consent is deeply embedded in Punjabi culture'.
 - 18 See Western Resistance (2006). Korteweg and Yurdakul (2009) cite many such examples. See also Enright (2009) and Wilson (2007). The Judicial Studies Board (2005-2008) warns against this conflation.
 - 19 The MAT was created in 2007 'to provide a viable alternative for the Muslim community seeking to resolve disputes in accordance with Islamic Sacred Law and without having to resort to costly and time consuming litigation' (<http://www.matribunal.com>). A video of speeches given at the launch of the MAT forced marriage initiative is available at http://www.matribunal.com/initiative_qa_sfs.html.

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