Review of Social Studies
Gender and Migration

London Centre for Social Studies
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Editorial Office address: LCSS, 4th floor, Cornhill House, 59-60 Cornhill, London, EC3V 3PD, UK
Tel.: 0044 (0) 20 7936 3118
Website: http://www.rossjournal.co.uk
ISSN No. 205–448X (Online)

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REVIEW OF SOCIAL STUDIES

Gender and Migration

London Centre for Social Studies
Published in London, United Kingdom
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A Gendered Analysis of Refugee Peacebuilding: 
Transnational Networks for Peace

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Abstract

This article analyses the activities of three refugee women’s organisations from Tibet, the Sudan, and Burma/Myanmar, concluding that it is strategically important to support women’s transnational networks and facilitate contact between diaspora, refugee, and local women’s organisations interested in conflict transformation. A gendered analysis of refugee peacebuilding capacity reveals gaps in peacebuilding capacity approaches that become evident when female diasporas are the focus of the research. The women’s refugee organisations show the capacity for transnational bridge building, that is, the capacity to build and sustain networks across geographical, social and political boundaries with the aim of bringing about nonviolent social change.

Keywords

peace building, gender, refugee, Myanmar, the Sudan, Tibet, capacity

Introduction

In the last decade, the advocacy of global women’s movements at the United Nations created a global mandate to include all women in peacemaking, peacekeeping, and peacebuilding and the protection of women through UN Security Council Resolution 1325 and several other related resolutions. National Action Plans for the implementation of UN Security Council Resolutions on Women, Peace and Security followed in 46 countries around the world. In 2010, the Canadian government introduced Canada’s Action Plan. However, refugee women were not included in Canada’s Action Plan as partners in peacemaking. They were mentioned only in sections referring to protection and post-conflict reconstruction. Instead, the Action Plan discusses refugee women in the way that refugees are often referred to, that is, as passive victims in need of humanitarian aid and also as post-agreement returnees. As such, refugee women are not made an integral part of peace making efforts.

In this paper, I argue that with the support of the international community, refugee women’s organisations can develop transnational bridge building
capacity, which makes them important partners for peacebuilding\textsuperscript{1} in the context of protracted conflict. This study analyses the activities of three refugee women’s organisations from Tibet, the Sudan, and Burma/Myanmar. These organisations show the capacity for transnational bridge building, that is, the capacity to build and sustain networks across geographical, social and political boundaries with the aim of bringing about nonviolent social change. Transnational bridge building encompasses: 1) the organisational capacity to develop, operate, and sustain both local and transnational social networks; 2) the capacity to address conflict constructively within their grassroots constituencies, communities in conflict, and transnational networks; and 3) the capacity to lead social change, that is, to empower.

A gendered analysis of refugee peacebuilding capacity reveals gaps in current peacemaking approaches that become evident when female conflict-generated diasporas\textsuperscript{2} are the focus of the research. Although the literature on diaspora peacebuilding is growing with the recognition that in conflict-affected settings diasporas may act on the international stage\textsuperscript{3}, many models of peacebuilding capacity do not take into account the unique potential for, or the challenges of, refugee peace activities. Studying the capacities of diasporas, as well as the broader political opportunity structures within the country of origin and the host country, is important for understanding the impact of refugees on any given conflict situation (Smith 2007). However, very few such studies exist and those that do tend to be gender-blind (Al-Ali 2007). Moreover, gender mainstreaming literature inadvertently reinforces images of the female refugee as a passive victim by focusing primarily on the protection rather than the potential agency of women, who, like the majority of refugees, are not in an emergency but are trapped in protracted refugee situations characterised by long periods of exile (Loesher et al. 2007). Despite the great variety of capacity, context, and obstacles, historical examples do exist of women’s refugee organisations leading peacemaking and/or post-agreement peacebuilding, such as in El Salvador and Cambodia (Fagen and Yudelman 2001; Kumar and Baldwin 2001).

This study contributes to gendered theory on diaspora peacebuilding capacity. It highlights the strategic importance of supporting women’s transnational networks, facilitating contact between diaspora, refugee, and

\textsuperscript{1} A broad definition of peacebuilding will be used that includes actions that directly affect peace processes as well as actions that can indirectly promote and maintain long-term peace.

\textsuperscript{2} Conflict-generated diasporas are defined as diasporas that originate in conflict and emerge through forced migration.

\textsuperscript{3} A literature review of diaspora peacebuilding literature is beyond the scope of this chapter. Suggested reading includes: Bercovitch 2007; Cochrane, Basar and Swain 2009; Loesher et al. 2007; Pirkkalainen and Abdile 2009; eds. Smith and Stares 2007; Werbner 1999; Zunzer 2004.
local women’s organisations interested in conflict transformation. The transnational networks solidified transnational and grassroots leadership, provided the women with the resources to resolve conflict in multiple contexts, and equipped the women to lead peaceful change. As such, without support for the transnational networks, transnational bridge building may not have been possible.

**Defining Transnational Bridge Building Capacity**

Studying the actual activities of refugee women’s organisations reveals the peacebuilding potential that refugee organisations can develop over time with the assistance of both international governmental and non-governmental agencies. The study of three women’s refugee organisations – the Tibetan Women’s Association (TWA) headquartered in India, the Sudanese Women’s Voice for Peace (SWVP) based in Kenya, and the Women’s League of Burma (WLB) located in Thailand – shows the capacity of women’s refugee organisations for transnational bridge building. Transnational bridge building is defined as the capacity to build and sustain networks across geographical, social and political boundaries with the aim of bringing about nonviolent social change/conflict transformation. Transnational bridge building encompasses the organisational capacity to develop, operate, and sustain both local and transnational social networks, the capacity to address conflict constructively within their grassroots constituencies, communities in conflict, and transnational networks, and the capacity to lead social change, that is, to empower. Bridge building is thought to be a unique and important aspect of diaspora peacebuilding.

**Grassroots and Transnational Organisational Capacity**

The organisational capacity of diaspora organisations are critical for understanding the extent to which diaspora communities can engage in peacemaking (Sinatti 2010; Zunzer 2004) Over the years, all three organisations learned how to develop and sustain organisations that impact the lives of thousands of women. This included setting up organisational structure, developing and training leadership and staff, obtaining funding and other material resources, identifying goals and constituency needs, and creating programs often in very challenging foreign contexts overcoming enormous obstacles. Each organisation developed the capacity to deliver services in more than one geographical or national context setting up branches or services in numerous locations within host countries. All of the organisations focused on gender specific needs – from maternal health, to counseling for survivors of rape and torture, to income generation projects.
for women. Offering services and training to many women created a grassroots constituency that gave all three NGOs a strong grassroots base.

Moreover, each NGO developed the capacity to work transnationally in the international arena. All three organisations learned how to build and use transnational networks, connecting with transnational diasporas, North and South, national political groups (sometimes conflicting), both international governmental and non-governmental organisations, and global women’s movements. This transnational networking required gaining an understanding of international frameworks, such as the human rights, women’s rights and/or equality conventions (e.g. CEDAW), and how to use them in their own context. This helped them to build transnational coalitions and alliances with other NGOs in global women’s movements and transnational issue-focused networks based on common grievances and indigenous documentation. Working transnationally meant familiarising themselves with international organisations, specifically the United Nations. Furthermore, they learned how to communicate globally using websites, email, cell phones – and in new languages. Finally, they developed the capacity to write proposals for NGO and government funders in foreign countries adapting to foreign organisational structure, agendas, and values.

**Conflict Resolution Capacity**

The second key aspect of transnational bridge building is conflict resolution capacity. The capacity to create and maintain both grassroots and transnational networks is not enough to define transnational bridge building capacity because conflict parties may also become adept at grassroots and transnational networking; peaceful strategies of engagement are critical (Sinatti 2010; Zunzer 2004). Each of the three organisations developed the capacity to address conflict within their female constituencies, refugee communities, and with their partners internationally. All three increased their capacity to negotiate at the national constitutional level and two of the NGOs received gendered legal and constitutional training from international sources.

Moreover, refugee women’s organisations learned how to build strategic relationships and connections with people in different languages, material circumstances, education levels, and with differing convictions, identities and values across national boundaries, a capacity critical for conflict resolution (Porter 2007). Each NGO increased their skill in collaboration. “…Collaboration becomes an indicator of the ability and willingness of a particular diaspora group to discuss, negotiate and overcome ideological, ethnic or religious differences and cleavages that might be at the basis of
conflict situations in the country of origin” (Sinatti 2010: 19). Building coalitions requires the ability to find common ground and set agendas, pinpoint values and decision-making systems that resonate broadly, build social infrastructure, and develop mechanisms or ways of resolving conflicts that arise within the networks (Snyder 2003). Finally, the three organisations increased their capacity to strengthen cultures of peace by using cultural resources and reinforcing values that reduce violence and normalise nonviolent responses to conflict.

**Leading Social Change: Empowerment**

The third transnational bridge building capacity focuses specifically on conflict transformation. Conflict transformation addresses the roots of conflict moving beyond the cessation of conflict (Lederach 1997; Rupesinghe 1998). Empowerment, Lederach (1997) maintains, is at the heart of peacebuilding capacity. Each of three NGOs provided leadership in the transformation of society by working to improve the status of women altering structures and relations at the root of the conflict. The transformative leadership of TWA, inspired Butler (2003) to argue that, “as a women’s organisation and a part of the Tibetan nationalist movement, TWA spans culture and politics in a way which is unique within the exile community, and is therefore particularly well placed to consciously contribute to, or even lead, community debate about the way in which the Tibetan exiles might integrate cultural survival and political progress in the coming years – both at the local and the global levels” (Butler 2003: 232).

Each refugee women’s organisation worked to improve the status of women, learning long-term strategies and processes at the individual, family, community, and structural levels – all critical to women’s empowerment (Kabeer 1999). Their work involved increasing formal and informal education levels of refugee women (and children), which in turn increased their status in the family and in the community. Grappling with cultural values under attack and foreign rights-based and gender equality frameworks, they offered training that expanded their constituencies’ thinking about gender roles and new opportunities for personal and community development. Despite overwhelming obstacles, they attempted to create a political voice for their constituencies that had been marginalised. Directly and indirectly, they improved their involvement in decision-making within the community through domestic violence intervention, camp governance structures, governments-in-exile, peace negotiations and constitutional development. Their empowerment work was ambivalent; that is, in the context of forced migration, strategic life choices that clearly narrow rather than expand (Rajasingham-Senanayake 2001). Nevertheless,
even as some refugees faced lack of health care, malnutrition, rape, and so forth, the organisations led social change in their communities.

**Methodology**

Following is an analysis of the transnational bridge building capacity of the three refugee women’s organisations\(^4\). The three organisations were chosen for different reasons although what they have in common is that they have all persisted for nearly two decades in the context of protracted conflict (the ethnic organisations that make up the WLB existed nearly a decade before the coalition formed). The Tibetan refugees are cited as the most ‘successful’ refugees and are waging a nonviolent, political struggle for the liberation of Tibet. I was introduced to the SWVP in Senegal in 1994 at the African Regional Preparatory Conference for the 4\(^{th}\) UN World Conference on Women, and am thus familiar with the NGO (Snyder 2003). In 2007, I conducted qualitative research with women from Burma in exile in refugee and migrant worker camps and became familiar with the work of the WLB (Snyder 2011). Each of the organisations is situated in a complex and unique context but all three exhibited similar capacities although to varying degrees. For the purposes of this paper, I will highlight each capacity with an analysis of a different organisation, rather than covering all three capacities for each organisation.

**Transnational Transnational Bridge Building Part I: Capacity for Grassroots and Transnational Organisation of the Tibetan Women’s Association**

Tibet was occupied in 1949 by China, when thousands of soldiers from the People’s Liberation Army (PLA) took over the independent country in order to unify the ‘motherland.’ The Tibetan Women’s Association (TWA) was born out of an act of political resistance – the Tibetan Women’s demonstration of March 1959 – a supportive act to the larger male dominated uprising in Lhasa. Although founded in the 1980s, it represents the continuation of a women’s movement started in 1959 by women ‘martyrs’ (Thonsur 2004). TWA is the only Tibetan women’s organisation in exile. It is a mass organisation with a membership of over 10,000 women and 38 regional branches in India and abroad. TWA’s stated goals include to raise public awareness of the abuses faced by Tibetan women in Chinese-occupied Tibet and to feature the contributions Tibetan women make toward the preservation and promotion of the distinct religion, culture and identity of the Tibetan people (Tibetan Women’s Association 2014).

\(^4\) This paper does not attempt to provide an evaluation of the impact of the NGO activities as this would require additional data not available at this time.
Although autonomous from the government in exile, it started by establishing its legitimacy and usefulness as a support organisation (Butler 2003).

TWA has played an important role in the national struggle against the occupation of Tibet bringing women in as active participants. As a result, other goals such as gender equality sometimes become secondary to the larger nationalist cause. According to Kunchok, a TWA employee, the Dalai Lama established gender equality for the Tibetan people so gender requires less attention (Thonsur 2004). Nevertheless, their goals include ensuring women’s access to educational information, health care, family planning and childcare. Preserving and promoting Tibetan religion, culture and identity are central to their work. Their tailoring projects assist women and girls from disadvantaged families and new arrivals with income generation. TWA also provides social services to single parents, the disabled, and the sick and elderly (Thonsur 2004). Most importantly, TWA offers specialised settlement services to escaped Tibetan nuns and has founded educational institutions and nunneries that have dramatically increased the formal and theological education of the nuns. Since the 1987 uprisings, young nuns have demonstrated in and organised many public protests. Fifty percent have been arrested and subject to imprisonment without trial and to severe torture (Havnevik 1996).

Grassroots and Transnational Organisational Capacity

The TWA epitomises the organisational capacity to build and operate social networks in and across local and global contexts. According to Butler (2003), no women’s organisations existed in Tibet prior to Chinese occupation. Tibetan women learned how to set up NGO structures and developed skilled female leadership over the years – beyond the valued symbolic leadership of the Tibetan elite and the Dalai Lama’s family. Despite cultural constraints around self-promotion, they devised their own election process that represents their ethnically and regionally diverse membership. They initiated programmes and campaigns such as the Beijing campaign. TWA learned how to raise funds; the sponsor a nun programme that finances the Tibetan Nuns Project supports the health healing and education of escaped nuns in India. Furthermore, TWA found the structural, material, and managerial resources to deliver services to women in settlements across India and Nepal. They provide assistance to new refugees, health and educational services for women and children, and income generating programmes, in addition to the specialised support for refugee nuns. Moreover, they communicate with their chapters around the world and coordinate TWA events like the Tibetan Women’s National Uprising Day.
The result is a strong grassroots organisational base in India and Nepal that has survived for nearly 30 years.

At the same time, the TWA developed the capacity to work transnationally in the international arena. Their capacity is perhaps best exemplified by the story of how they became the first Tibetan group to protest on Chinese soil at the 4th UN World Conference on Women (FWCW) in 1995. TWA’s goal in attending was threefold: 1) to raise awareness of women inside Tibet; 2) lobby UN bureaucrats, national government delegates and NGO representatives for support for the right of Tibet women in exile to attend Beijing and passing resolutions to that effect; and 3) to impact the official document to include wording that would assist Tibetan women. Their strategies included petitions, appeal letters, lobbying, networking and documentation in addition to attendance at all 20 major preparatory meetings and conferences for Beijing (Butler, 2003).

Through their efforts to attend the official FWCW and the parallel NGO Forum in Beijing, TWA became experts in understanding and navigating the United Nations structure. Although both the application for UN accreditation and for registration at the Beijing NGO Forum were unsuccessful despite years of letter writing and lobbying, ten Tibetan women, now citizens of Western countries, applying as members of sympathetic non-Tibetan NGOs, did obtain visas. Upon arrival in Beijing, nine Tibetan and six non-Tibetan supporters immediately formed a Tibetan Women’s Delegation with their own letterhead, media and materials for distribution. The demonstration staged by the nine Tibetan women on September 1, 1995 is perceived by Tibetans as the first Tibetan protest on Chinese soil and received more international media coverage than any other group.

Operating effectively at the UN meant learning how to use the conceptual framework developed by UN and government agencies and women’s organisations over the 20 years since the first UN World Conference on Women in Mexico City in 1975. TWA needed to present evidence and express its concerns about the situation of women in Tibet within the context of the 1979 UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the 1985 consensus document, Nairobi Forward-Looking Strategies for the Advancement of Women. As a result, TWA built up a substantial and unique body of knowledge about the situation of women inside Tibet. TWA’s first of three reports compiled earlier documentation of human rights abuses, specifically the torture used by security forces and prison authorities against Tibetan Buddhist nuns in the resistance movement (Lawasia 1991; Schwartz 1994).
The third report, which documented the economic, social and cultural conditions inside Tibet that forced women to escape in the mid-1990s, used refugee interviews requiring a high level of technical skill in research, writing, editing, design, and production.

TWA’s political strategy required transnational coalition and alliance building. In order to build coalitions, they needed to demonstrate their cause on the one hand and on the other acknowledge and understand the injustices suffered by other women. Moreover, the alliances had to be based on issues formulated in the unfamiliar language of UN documents. Isolated in India, TWA discovered that their cause was one of many struggles. According to a TWA leader:

I learned a lot by attending the different international gatherings, how we as women should work together, not just as a Tibetan but, you know, work with the whole international women’s community, and then exchange our ideas. We actually felt that Tibetan women only suffered a lot inside Tibet but that’s not true. After getting involved with these women from other sections, I learned that suffering is taking place in all parts of the world (Butler 2003: 187).

As a result of the coalition building, the Tibetan Women’s delegation framed their grievances as the consequence of foreign occupation and its negative effects on women’s lives. Together with their international allies, they succeeded in persuading government delegates to include more than ten references to women living under foreign occupation in the Platform for Action (PFA) (Butler 2003).

In addition to alliances with women’s groups around the world, TWA mobilised politically active Tibetan women in exile outside South Asia, forming a new transnational network. Some of the women were members of TWA chapters but others were members of Tibet Support Groups (TSGs) – independent organisations of Tibetans and non-Tibetan supporters. For example, TWA garnered material and political support from the International Campaign for Tibet and the International Committee of Lawyers for Tibet (Butler 2003). The TWA President, designated the International Campaign coordinator, provided symbolic leadership for the network as the legitimate representative of Tibetan women in exile and of Tibetan women inside Tibet (as first responders to current women refugees from Tibet). It proved challenging to represent diaspora whose life experiences varied profoundly from those of the majority of Tibetan exiles in South Asia, including the leaders themselves.

Developing the capacity to communicate and thus to strategise transnationally with their Western and Tibetan networks was very difficult. At the local grassroots level, TWA officials worked in a context
characterised by poor and erratic communication systems, Tibetan as the common language, and lack of access to governmental and non-governmental structures of the host society and to the international media. On the other hand, Tibetan and non-Tibetan women living in the West are unified by more or less instantaneous telecommunications technology, a common language (English), and operate in similar and relatively open governmental and non-governmental structures and a global media (Butler 2003). Often the Tibetan women were pressured by Western supporters to proceed in ways that were not comfortable or natural in an effort by Westerners to offer expert knowledge and skills on the UN process. TWA overcame many obstacles, learning how to operate in a style and using a strategy that would meet the expectations of Western Tibetan women and supporters.

**Transnational Bridge Building Part II: Conflict Resolution Capacity of the Sudanese Women’s Voice for Peace**

For more than two decades civil war between the government of Sudan in Khartoum and armed opposition movements has divided the predominantly Arabic-speaking, Muslim North from the Black African Christian and Animist South. During the war, the Sudanese Women’s Voice for Peace (SWVP) was one of the most prominent women’s organisations representing women from southern Sudan (Abusharaf 2009; Chimbura 2007; Horst and Leeuwen 2005; Hunt and Posa 2009; Mazuranna and McKay 1999; Snyder 2003; Nebenzahl 2003). Based in Nairobi, SWVP evolved from a meeting of wives of political leaders organised by an East African NGO, the People for Peace in Africa. They were asked to approach their husbands to break an impasse in negotiations but the women decided they wanted to form a Sudan-wide women’s movement for peace, emphasising the central role of women in the resolution of the conflict. In 1994, the group founded the SWVP. They saw themselves as a part of a larger movement for the self-determination of Southern Sudan.

In its first year, SWVP organised several events on the plight of women and children in the war with modest support from NGOs. With support from the Swedish Life and Peace Institute and from UNIFEM, the NGO was launched internationally at the FWCW in 1995. SWVP developed a three-step approach to empowering women through training, establishing local capacities for peace, and advancing participation in conflict resolution and the promotion of a culture of peace. Their goals included: networking and reconciling with grassroots organisations; promoting peace negotiations; developing information banks on the impact of the war; and initiating women’s self-help projects in food production, healthcare delivery and
income generation, specifically for refugee women (Snyder 2003). In the late 1990s, SWVP attracted a large grant from the Netherlands Ministry of Foreign Affairs for a programme it lacked the organisational capacity to carry out, resulting in withdrawal of international support (Horst and Leeuwen 2005). But SWVP persevered, earning numerous awards and international acclaim for its leaders.

Conflict Resolution Capacity

SWVP members developed their conflict resolution capacity early in their history through conflict resolution skills and gender participation training. The Wajir Peace and Development Committee, a community-based group in northeastern Kenya composed primarily of women, assisted the SWVP in making critical international links during its formation so that the fledgling organisation could obtain non-violence training, office support and funding (Anderson 2000). In the early 1990s, Life and Peace Institute formed a partnership with SWVP that produced a training manual and materials for peacebuilding and conflict transformation training and civic education at the grassroots community-level across the Sudan. Teody Lotto, a SWVP founder, describes how they trained women trainers:

> When we come to an area we ask the women to select the women with influence in the village. These leaders are trained in non-violence and reconciliation, so they can train others. We teach women to promote traditional peacemaking, to bring different villages to forgive one another (Anderson 2000: 36).

Lotto maintains the trainings and workshops led to village women feeling empowered to begin dialogue with guerrilla leaders who were raping, looting and burning houses.

Early on, SWVP initiated and participated in grassroots peace conferences that strengthened traditional conflict resolution mechanisms. SWVP participated in the People to People Peace Process, which culminated in the Wunlit Nuer-Dinka Peace and Reconciliation Conference. By 1999, the peace process had ended the bloody hostilities between the Dinka and Nuer peoples of south Sudan exacerbated by the 1991 split in the SPLM/A. When the New Sudan Council of Churches (NSCC) mediation efforts between military leaders did not succeed, NSCC began a grassroots peacemaking process focused on tribal chiefs, traditional religious leaders, and women. A number of accounts indicate it was the female members of NSCC, also SWVP members, who began the grassroots peace efforts taking a leading role (Duany 2001; Hunt and Posa 2009). Women from both sides of the split continued to visit one another, maintain communication and provide a
forum to discuss issues that affected their communities (Kelleher and Johnson 2008; Palmberg 2004).

With the support of NGOs and governmental organisations, SWVP and its members dramatically increased their capacity to negotiate. Prior to the formal peace negotiations, Sudanese women were invited to a peace forum in Maastricht, Netherlands sponsored by the EU, OAU, the Arab League, and the UN to begin lobbying for the participation of women in the Intergovernmental Authority on Development (IGAD) peace process (Abusharaf 2009). As a result, during the 2002 Machakos Protocol peace talks, many women’s organisations registered as observers with the sponsor, IGAD, and presented technical papers to negotiators. However, they were not formally invited to the negotiations. Nevertheless, a delegation of women travelled to where the discussions were taking place. Once there, they sang and danced loudly until a mediator emerged from the conference. Refusing to leave, their leaders were finally allowed in as observers (Chimbiru 2007). Despite their efforts, the women had little impact in 2002. Even the female SPLM/A delegates (including SWVP founder Awut Deng Acuil), recruited at the last minute, were ridiculed and intimidated by seasoned politicians (Itto 2006). They did, however, influence the policies concerning women in the Government of Southern Sudan, which officially supports women’s equality.

In 2003, when the Government of Sudan (GOS) prevented women from boarding a plane to take them to the Naivasha peace talks in Kenya, women from the South joined Northern women to formally protest their exclusion, once again, from the peace process. Once in Naivasha, women’s organisations were forced to present their recommendations to the parties by pushing them under the closed doors of the negotiation room (Abusharaf 2005). In November 2004, two months before the final Comprehensive Peace Agreement (CPA) was signed in January 2005 in Naivasha, the US-based Institute for Inclusive Security (IIS) rallied Sudanese female peacebuilders and government delegates in Washington, D.C. (Abusharaf 2009). Despite their efforts, the women’s organisations were excluded from the CPA. The Norwegian Ministry of Foreign Affairs and later IIS and UNIFEM, sponsored two more conferences. The women drew an unprecedented amount of attention to women’s issues in the reconstruction of the Sudan at the 2005 Oslo conference (Danbolt et al. 2005). In her opening address to the 2008 consortium, UN Deputy Secretary General Asha-Rose Migiro stated that the women’s contributions were critical to progress in Sudan and highlighted their priorities (Koppell and O’Neill 2008).
In addition to negotiation skills, SWVP developed the capacity to forge common identities across enemy lines and look for common ground with Northern Sudanese women and between Muslim and Christian women (Tripp et al. 2009). SWVP developed strategies to bring ordinary Muslim and Christian women together because they saw that they face the same problems of displacement, poverty and lack of education; for example, they arranged annual meetings at the embassy in Kenya occasionally facilitated by the Dutch government. When asked what it is like relating to women from the North, Deng stated in an interview:

To be honest, it's not easy. When we meet, we scream and shout at each other for the first two days. Then on the third day, we say, this is enough. We make them understand that the government and the successive governments of the north have been very oppressive towards the people of the south. They have been killing our children and taking our children to war (Majtenyi 2003: 1).

Building common identities required finding common ground as women as well as learning to accept differences (Okwaci cited in Nakamoto 2006).

SWVP’s capacity to collaborate is evidenced by years of collaborative work with Sudanese women’s groups, regional networks including Sudanese diaspora in Kenya, Egypt, and northern Sudan, and global movements. For over fifteen years, these activist networks, often including women from North and South, travelled the world with international support, advocating for peace and drawing international attention to ‘the forgotten war’ (Snyder 2003; Wilson and Sughrue 2010). Beginning in 2007, My Sister’s Keeper Sisterhood for Peace Initiative, with the support of USIP and IIS, brought women’s diaspora to the Sudan to link with Sudanese grassroots women building trust and developing collaborative problem solving skills.

**Transnational Bridge Building Part III: Leading Social Change – Capacity to Empower of the Women’s League of Burma**

Since its independence from Britain in 1947, Burma has experienced civil war and authoritarian military rule. After independence, armed communist and ethnic groups that maintained they were under-represented in the 1948 constitution challenged Burma’s fledgling democratic government. The autonomy promised to minority states was never granted. In the 1990s on the Thai/Burmese border, women from Burma developed a grassroots network of women’s NGOs that grew out their experiences of gendered conflict. Mary O’Kane (2006) has documented how women’s experiences as refugees, migrant workers, and student activists made them more aware of gender relations. In the refugee camps, women leaders noticed the male control of political and military decision-making and weaponry, women’s
experience of rape and sex abuse, increased domestic violence, and growing maternal and infant mortality. Female activists, who had helped to organize the 1988 non-violent uprising led by Aung San Suu Kyi, were told they could become medics or teachers. Migrant women were called to hospitals and police stations over and over again to assist women in sexually, physically, and psychologically abusive situations. Their heightened awareness led to the formation of ethnic women’s associations (O’Kane 2006).

Eventually, in 2000, the women’s activities led to the formation of the WLB, bridging differences among the twelve ethnic women’s organisations. WLB connected with global women’s movements, networking on issues such as trafficking of women. Although the international connection meant renewed opposition from male political leaders, participating in global networks presented many opportunities including the experience of attending UN international and regional conferences. Currently, WLB offers training and services in refugee and migrant worker camps and documents the status of key gender issues including maternal health, HIV/AIDS and gendered violence, focusing primarily on rape by the Burmese military. The aim and the objectives of the WLB are: 1) to work for women’s empowerment and advancement of the status of women; 2) to work for the increased participation of women in all spheres of society; and 3) to work for the increased participation of women in the democracy movement, and peace and national reconciliation processes.

**Leading Social Change: Empowerment Capacity**

WLB has exhibited leadership for social change, empowering women at the individual, family, community, and national levels. Over the decades, the women in the camps have increased their political influence and agency by forming collective gender-based organisations and by joining together across ethnicities to consolidate their power. They have equipped their gender-based grassroots constituency with human rights, women’s rights, leadership, and conflict resolution training that has enhanced their status in the community and opened up new opportunities. They have influenced informal and formal community decision-making processes. They have sought international support and attention, gaining leadership experience and knowledge and alliances with funders that increased their resources. They have documented and published their grievances, strengthening their position. Moreover, the WLB has learned to use global mandates such as UNSCR 1325 and CEDAW as leverage with their male counterparts in the governments in exile and in their communities as they pursue gender
equality agenda. As such, WLB illustrates the third aspect of transnational bridge building capacity – leadership for social change.

The WLB network provides additional social resources through the trainings that increase the informal power of some women in the camps and create discursive alternatives for many (Snyder 2011). At the individual level, many of the women experience an increase in confidence. According to Amartya Sen (1993), women’s own perception of their value is as critical to increased empowerment as is their perceived value by others. As a result of the services (social resources) provided by indigenous women’s organisations, they have been introduced to new ideas and opportunities that changed their perceptions of what was possible and brought about new confidence. Fundamental changes in perception are indicators of an inner transformation (A. Sen 1999; G. Sen 1993; Kabeer 2001).

At the family or household level, the trainings provide informal educational opportunities that the women felt increased their status. The trainings had an impact similar to that of formal education, increasing their status in the eyes of their husbands and, in their minds, changing perceptions of equality in the marriage. Their increased informal power assisted them in their negotiations with their husbands when it came to further attendance at trainings and camp meetings (Snyder 2011).

Furthermore, the trainings initiated the use of human rights/women’s rights discourse altering perceptions of gender relations and gender roles. The existence of gender equity is disputed in the Burmese context (Khiang 1984; Spiro 1993; Belak 2002). The military government claims that women in Burma are equal to men in contrast to contemporary analysis that indicates the authoritarian, conservative, military regime undermines women’s status and independence (Mills 2002). Nevertheless, the women maintained that the new rights-based discourse changed their expectations of what was possible and/or desirable. Now it was within the realm of possibility that their husbands take over typical female household chores and support their increased mobility in order to attend informal educational events available to them in the camps (Snyder 2011).

Although their own families had been too poor to send them to school for long, education for their daughters was a viable option in the camps, which Kishor (2000) maintains is a direct indicator of empowerment. Rates of literacy for Mon and Karenni women, which are between 50 and 60 percent, generally decrease with age, indicating that more young women have gained access to education (Burmese Border Consortium 1995). In farming communities, women’s literacy in their mother tongues was considered
unimportant and women are thought to belong in the home, meaning a
girl’s education is seen as a waste of resources (Belak 2002). Moreover, the
government discourages literacy in ethnic languages. The women believed
that their communities now validated the importance of education for both
boys and girls indicating, in their minds, a shift in value preferences (Snyder
2011).

At the community level, the women felt newly empowered by the change in
community level procedures that put the women’s NGOs at the forefront of
family conflict resolution and changed attitudes and responses towards
domestic violence in three ways (Snyder 2011). First, the conception of
domestic violence transformed from a private family issue to a social
problem. Domestic violence is now seen as a threat to the community as a
whole. Second, the camp procedures and structures for responding to
domestic violence altered how it was dealt with in their villages at home.
The procedures differed from camp to camp but all of the systems involved
women at the forefront. Third, women are now encouraged to speak up
about violence in the home. A Karenni NGO leader maintained, “Women
suffer from domestic violence. Before that [in Burma], they didn’t speak out
because they were shy and afraid of their husbands but now they share with
their friends how they suffer.” (Interview with Mae Hong Son, April 2007)5

The structure of the refugee and migrant worker camps opened up new
opportunities for women to participate in community governance (Snyder
2011). The refugees experience a high level of autonomy running many
components of the camp assistance and governance programs (Bowles
1997). Nevertheless, the international NGOs (INGOs) that support the
camps have influenced camp structure. The INGOs require a quota of
women to be elected to the camp committee providing a few women with
leadership roles. According to a female Karen camp committee member:

> Men are cooperating with women and giving women a chance to work and advice
> on how to work. This means equality. The advantage of women’s leadership is that
> women understand women more (Interview with Mae Sariang, May 2007).

In addition, women’s NGOs and women’s sections played an active and
important role, which in turn presented some opportunities for women in
terms of employment, community participation, and training.

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5Some of the women thought domestic violence decreased as a result of the trainings. I am unaware of
camp-specific data that would confirm or refute their perceptions. An estimated 60 percent of Karenni
women in the Mae Hon Son Camp were exposed to gender based violence with domestic violence the
most common form of violence (Ward 2002).
At the national level, with international assistance, WLB successfully advocated for the inclusion of a 30 percent quota for women in the Draft Constitution for a Democratic Burma and recognition of Burma’s obligations under CEDAW. In 2002, the Swedish International Institute for Democracy and Electoral Assistance, held workshops with the leaders of WLB and several other women’s NGOs, and invited senior male movement leaders in order to strengthen the capacity of women to participate in and shape the national reconciliation process. As a result, WLB was included in the development of the Proposal for National Reconciliation. Later, WLB put their 2006 training in international law to use at the constitutional convention of the Burmese Government in exile. According to Yee Htun, “No other organisation was as prepared as we were, and we blew them away and this time many men couldn't just dismiss us” (Htun cited in Global Justice Center 2007: 1).

Conclusion

This study of women from Tibet, Sudan, and Burma in exile reinforces the need to strengthen women’s transnational networks, facilitating contact between diaspora, refugee, and local women’s organisations interested in conflict transformation. Examining the transnational bridge building capacity of the three organisations shows how they developed strategic transnational networks that allowed the organisations to become partners in peacemaking and in conflict transformation. Over the long term, as refugees in the context of protracted conflict, each organisation was able to develop on their own and with the assistance of international governmental and non-governmental organisations, the capacity to build and sustain networks across geographical, social and political boundaries with the aim of bringing about nonviolent social change.

Each organisation demonstrated aspects of transnational bridge building capacity. Over the past twenty-five years, TWA built a mass grassroots organisation and expanded their networks transnationally to the Tibetan diaspora and non-Tibetan supporters in order to heighten international awareness of and influence on the nonviolent transformation of the conflict in Tibet as well as gendered aspects of the conflict. SWVP, since its inception in 1994, has trained women in conflict resolution skills, initiated and participated in regional grassroots reconciliation, built bridges across enemy lines using their identities as women, set up and joined numerous transnational women’s coalitions, and developed skills essential for participation in national level peace talks. WLB, since 2000, has offered services and trainings and become both informally and formally part of community and national decision-making processes increasing the social
resources and informal power of their constituency, challenging gender roles, and setting the stage for future constitutional reform in Myanmar/Burma.

As refugee diaspora organisations are more fully recognised as key players in peacemaking and conflict resolution, ongoing research will assist with exploring important questions about refugee participation given the complex and very diverse circumstances that they face. Understanding how women refugees affected by armed conflicts may help to facilitate peacebuilding not only addresses some of the needs of refugees but also develops the new theory, policy and practices necessary to address contemporary ethno-political conflict.

References


Overcoming obstacles through hidden nuptial paths: Foreign Muslim purported spouses marrying in Italy

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Abstract

Adopting the viewpoint suggested by Hidden Islam, this article offers a glimpse of some tortuous (partly) concealed nuptial paths followed by foreign Muslim intended spouses (regularly or irregularly) settled in Italy, and ponders whether Muslim spouses are rather ‘invisible’ to or ‘unseen’ by academia and state authorities. Moving away from Orientalist and ‘exceptionalist’ theories, the present essay touches on relevant socio-legal phenomena that remain largely a blind spot in previous publications. Relying upon field-collected data and focusing on the manners in which Muslim alien purported spouses overcome religious and legal obstacles when contracting (shariʿah-compliant) marriages with civil effects on Italian soil, the proposed analysis discloses legal paradoxes and unveils manifold hidden strategies. Facing a dichotomic implementation of the right to marry, Italian Muslim communities and Muslim majority countries’ diplomatic premises may be impelled to creatively interpret state provisions, Islamic laws and Muslim norms. Strategically manoeuvring across diverse state legal systems and unveiling disguised loopholes; non-European Muslim purported spouses can thus be regarded as validly married in compliance with Italian laws. Additionally, Muslim majority countries’ laws intended to impede inter-religious nuptial unions, as well as domestic European state provisions aimed to tackle polygamous and sham marriages, can be skilfully managed selectively registering a (civil and/or shariʿah-compliant) nuptial union in diverse legal systems.

Keywords

Europe, Islam, Italy, Marriage, Muslim Majority Countries

Introduction

In May 2014, Hidden Islam was published and few months afterwards this photographic book on Italian Islām was granted the Author Book Award 2014 at the Rencontres d’Arles. Nicoló Degiorgis - the author - spent five years (2009-2013) in bringing to light Islamic worship places hidden in the North-eastern Italian landscape. Concealed temporary makeshift Islamic places of worship were revealed in warehouses, shops, supermarkets, apartments, stadiums, gyms, garages and disco. As elucidated by Parr

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(2014: 1), the photographed non-purpose built mosques were “so out of sight” that people could drive past many of these worship places without knowing they existed.

The pertinence of the adjectives ‘invisible’ and ‘hidden’ in describing European Muslims is well known in literature. Already in 2011, Cadé shed light upon French-Maghrebinian Islām hidden in the cinéma Beur and cinéma de Banlieue; with respect to Italy, Caridi (2007) fostered a debate describing “invisible Arabs” both in Arab and Western countries. The extensive empirical investigation I conducted among Italian Muslim communities during the past ten years further confirmed this. Not only Islamic worship centres may be almost invisible to non-Muslim eyes and/or non-Arabic speakers, but also sharīʿah-compliant nuptial paths can be similarly concealed.²

The present article considers Degiorgis’ photographic book as a starting point to further “lift the veil”³ on Muslim communities in Italy. Following Césari’s suggestions,⁴ this essay moves away from Orientalist theories (Said 1977 [2003]) and does not consider Muslims an “exceptional case”.⁵ Alien Muslim intended spouses are here not mystified or stereotyped, rather the socio-legal conducts of foreign Muslim fiancé/es are investigated in order to disclose legal paradoxes and manifold concealed strategies lying at the cross-roads of sharīʿah, Italian provisions, and laws of Muslim majority countries.

The proposed analysis specifically explores the manners in which Muslim foreign purported spouses may overcome religious and legal obstacles

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² The ethnographic qualitative data discussed in this article were collected as part of a Philosophy Doctorate in Law at the School of Oriental and African Studies, University of London. The thesis In the Shadow of Uniformity: Islamic and Muslim Marriages in Contemporary Europe was completed under the supervision of Professor Werner Menski, Professor Fareda Banda, Professor Lynn Welchman, and examined by Professor Marie-Claire Foblets and Professor Maleiha Malik. An earlier pilot survey in Italy was founded by the National Research Council of Italy (C.N.R.) as a part of a project entitled Radici antiche, identità nuova: matrimonio musulmano in Italia. For details see http://www.cnr.it/sitocnr/ICNCR/Attivita/PromozioneRicerca/IdentitaCulturale_file/GraduatoriaPG_07.html [Accessed 11.02.2015].

³ This expression is borrowed from Degiorgis’ book review published by The Guardian. See O’Hagan (2014). Following the international media coverage and the discussion appeared on The Guardian, a second workbook was published in November 2014: this is aimed to chart the topographic locations of the photographed makeshift places of worship. See Degiorgis (2014b).

⁴ This scholar highlights that researches on Western Muslims shall avoid the “snare of exceptionalism” (Césari 2007).

⁵ Since the 1990s - see for instance Gellner (1992) - the word ‘exceptionalism’ has been increasingly associated with Muslim states and communities. Despite early critique (e.g. Zubaida 1995; Fuller 1997), the term is currently undergoing a revival of popularity in academia. An increasing number of publications evaluates and discusses to a certain extent ‘Arab’, ‘Islamic’ and/or ‘Muslim’ exceptionalism with specific reference to democracy in Muslim majority countries. See inter alia, Filali-Ansari (2005); Clarke (2006); Allawi (2009); Pasha (2009); Beinin and Vairel (2013); Mabry (2015).
when contracting a marriage with civil effects on Italian soil. Building upon face-to-face semi-structured interviewees, document analysis and observational techniques conducted between 2004 and 2014, tortuous (partly) disguised nuptial paths followed by alien Muslim purported spouses settled in Italy are brought to light.

**Italian Islām and unspoken dichotomies**

The Introduction of *Hidden Islam* denounces that “Islam is still not formally recognised by the state”. Parr (2014: 1) continues pinpointing that the right to worship without discrimination is enshrined within the Italian Constitution and Islām is the second largest religion after Catholicism. Nonetheless, according to the famous British photographer “consent to build a new mosques is never granted”, particularly in Northeastern Italian regions, therefore “only eight official mosques exist in the whole country”. As a result, Muslim communities “have accumulated a huge number of makeshift and temporary places of worship” (*ibidem*).

In fact, an uncounted number of partly invisible Islamic worship places exist in Italy. In 2007, the Italian Chamber of Representatives (Camera dei Deputati 2008: 69) reported 774 Islamic worship centres. Two years later, the research conducted by Allievi and Ethnobarometer (2009: 33) counted 661 non purpose built mosques and 3 purpose built mosques. According to the last edition of the *Yearbook of Muslims in Europe*, “there are over 700 places of Islamic worship (including prayer houses, Sufi prayer halls, etc.) mostly in the Northern and Central Italy” (Coglievina 2013: 357). The figure is approximate and constantly changing since the registration of a worship place in official records is not compulsory in Italy.

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6 The interviewees were selected combining area sampling, stratified random sampling, accidental sampling and snowball techniques. The same qualitative semi-structured research interview pattern was followed with every informant; the lexicon was properly adjusted to the respondent as well as the language (e.g. the interviews were generally conducted in Italian language, but in some cases it was necessary to use Arabic terminology). The informants could choose to be interviewed anonymously, or using a pseudonym, or to be identified. Personal details and data concerning the national belonging of the parties as well as the interviewed diplomatic personnel are not reported in order to protect the participants given the highly sensitive nature of the released information. For details on the employed interview method, see *inter alia* Spradley (1979); Mishler (1986); Fontana and Frey (1994, 2000); Rubin and Rubin (1995); Hollway and Jefferson (2000); Sarantakos (2005).

7 The research design for this study was developed relying upon the methodology suggested by the following scholars: Gold (1958); Denzin (1994); Lofland and Lofland (1995); Ringer (1997); Bryman (2001); Weinberg (2002); Berg (2004); Banakar and Travers (2005). The analysed research documents include private nuptial certificates, legal marriage acts, unpublished court proceedings as well as confidential legal, administrative and religious material. The employed observational techniques range from participant to non-participant observations.

8 On this see also Allievi (2003).

9 Nonetheless, local exceptions exist. For instance, in 2013, the commune of Milan created a specific register for religious associations and organisations (*Albo delle Associazioni e Organizzazioni Religiose*...
Analogously to the right of Islamic worship, the right to marry of alien Muslim partners may be challenged by the Italian legal system. On the one hand, domestic and European black letter laws protect the right to marry and form a family. Article 29(1) of the Italian Constitution recognises the rights of the family as a natural society founded on marriage. The same approach reverberates through the contemporaneous wording of the Convention for the Protection of Human Rights and Fundamental Freedoms and its Protocols. Article 12 ECHR indeed stresses the right of men and women of marriageable age to marry and to found a family. Similarly, article 9 of the Charter of Fundamental Rights of the European Union recognises the right to marry and to found a family as granted by domestic laws.

On the other hand, alien Muslim partners may be de facto impeded to contract a civil marriage in Italy. As a result, Italian Muslim communities and Muslim majority countries' diplomatic premises are impelled to creatively implement religious and state provisions. Overcoming some of these nuptial obstacles implies enacting partly concealed remedies as well as unveiling hidden loopholes in the Italian legal system.

Marriages with civil effects

In Italy, the provisions of the Civil Code regulate civilly valid marriages of foreign nationals. In compliance with article 116 of the Italian Civil Code, two requirements are to be satisfied. First of all, the celebration of the marriage shall be preceded by the publication (pubblicazioni) by the vital statistics officer. Secondly, an alien who wishes to contract marriage in Italy shall present to the vital statistics officer (ufficiale di stato civile) a

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11 Convention for the Protection of Human Rights and Fundamental Freedoms and its Protocols (Rome, 04.11.1950), as amended by Protocols Nos. 11 and 14, in Council of Europe Treaty Series, No. 5, 01.06.2010. This is generally addressed as the European Convention on Human Rights (ECHR) and entered into force on 01.06.2010 in its last amended form.
14 Articles 93-101 and 116(3) Italian Civil Code; articles 50-53, Decree of the President of the Republic No. 396 of 2000. From 01.01.2011, the publication is made online in compliance with Memorandum (circolare) of the Ministry of Interior No. 1, 05.01.2011; Memorandum of the Ministry of Interior No. 13, 21.04.2011; Memorandum of the Ministry of Interior No. 26, 28.10.2011.
declaration of the appropriate authorities of the country s/he is national of, showing that no impediments to the party’s marriage exists. This document is called *nulla osta* from the Latin expression *nihil obstat*.

A third requirement for foreign fiancé/es was introduced by article 1(15) of Law No. 94 of 2009. Amending article 116(1) Italian Civil Code, the Law 94/2009 stated that aliens are compelled to present to the vital statistics officer a document attesting their regular presence on Italian soil if they want to marry in Italy. This blanket prohibition to civilly marry for non-European nationals irregularly settled in Italy was eventually repealed in July 2011, when the Italian Constitutional Court declared unconstitutional the amended version of article 116(1) Italian Civil Code.16

The actual implementation of these provisions is investigated in the following sections, while also pinpointing the manners in which the right to marry of foreign - predominantly non-European - Muslim intended spouses is challenged on Italian soil.

**Publication and nulla osta**

In compliance with Italian laws, both intended spouses, or a person specially appointed by them for that purpose, are impelled to apply for the publication of matrimony to the vital statistics officer of the commune where one of the fiancé/es resides.17 If the spouses-to-be wish to marry in an embassy or consulate and one of the purported spouses is an alien resident, the vital statistics officer shall request the competent diplomatic premise to proceed with publication.18 In case the parties marry abroad before foreign authorities, then publication is not necessary.19 Alien (Muslim) intended spouses wishing to marry on Italian soil are thus impelled to ‘cause publication to be made’ under article 116(3) Italian Civil Code either when marrying in compliance with Italian laws, or in accordance with the foreign laws of the country they are national of.

The fact that the wedding celebration shall be preceded by the publication by the vital statistics officer is not problematic *per se* for foreign Muslim

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16 Constitutional Court, 20-25.07.2011 No. 245, Gazzetta Ufficiale 27.07.2011; Memorandum (circolare) of the Ministry of Interior No. 21 of 26.07.2011. See also infra the section entitled ‘Valid permit to stay and hidden loopholes’.

17 On the issues analysed in this paragraph see also Sona (2015).

18 Article 11 of the Decree of the President of the Republic 05.01.1967 No. 200 (1), ‘Disposizioni sulle funzioni e sui poteri consolari’ (1/circ), Gazzetta Ufficiale 19.04.1967 No. 98 SO. See also Legal Decree 03.02.2011 No. 71, ‘Ordinamento e funzioni degli Uffici consolari’, Gazzetta Ufficiale 13.05.2011 No. 110.

19 Article 13(2), Legal Decree No. 71 of 2011.
fiancé/es. Nonetheless, when this nuptial preliminary is combined with the second requirement - the *nulla osta* - alien Muslim purported spouses need to overcome a significant number of legal and religious obstacles in order to marry in Italy. Alien fiancé/es wishing to contract a marriage with civil effects in Italy shall indeed submit a document called *nulla osta* to the vital statistics officer. This certificate or declaration is to be translated into Italian language and notarised.\(^{20}\) In case the above mentioned document does not comply with Italian laws, or it is not submitted by the foreign fiancé/e, the vital statistics officer is not authorised to proceed with the publication of matrimony and therefore to marry the parties. The spouses and the vital statistics officer who celebrate the marriage without prior publication are indeed punishable by an administrative penalty in compliance with article 134 of the Italian Civil Code.\(^{21}\)

Non-Italian purported spouses can submit two different types of *nulla osta*: a document attesting that no nuptial impediments exist, or a certificate of legal capacity to marry. In case the foreign fiancé/e is national of a country bound by the Hague Convention relating to the Settlement of the Conflict of the Laws Concerning Marriage,\(^{22}\) or by the Munich Convention on the Issue of a Certificate of Capacity to Marry,\(^{23}\) s/he shall submit a “certificate of legal capacity to marry”. Non-European citizens, whose national country is not bound by these international treaties, shall submit a “no nuptial impediment declaration”.

In compliance with article 116(1) Italian Civil Code, the *nulla osta* is to be issued by the diplomatic premises of the foreign fiancé/e and it shall show that no impediments to the marriage exist ‘under the laws to which s/he is subject’. Originally intended as a measure against cross-national polygamous marriages,\(^{24}\) this Italian provision *de facto* undermines the right to marry of citizens of Muslim majority countries. And problems arise not in case of polygynous nuptial unions - which may in fact be valid in compliance with the laws of some Muslim majority countries - but in case of inter-religious marriages. Muslim majority countries’ legal systems have indeed the tendency to comply with *shari‘ah* with respect to nuptial impediments. Accordingly, inter-faiths marriages are limited. The *Qur‘ān*

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\(^{20}\) Certificates issued under the ICCS Munich Convention No. 20 are exempted from the notarisation requirement. See infra.

\(^{21}\) In the Italian legal system, the publication is an ‘impediment impediment’ to the celebration of a valid civil marriage.

\(^{22}\) See the Hague Convention of 12.06.1902; Available at: http://www.hcch.net/index_en.php?act=text.display&tid=13 [Accessed 08.11.2014].

\(^{23}\) See the International Commission on Civil Status (ICCS), Munich Convention No. 20 of 05.091980; available at http://ciec1.org/Conventions/Conv20Angl.pdf [Accessed 08.11.2014].

\(^{24}\) For an interesting discussion on polygamous unions in Italy, see *inter alia* Campiglio (1990); Di Gaetano (1999); Galoppini (2000).
prescribes that Muslims cannot validly marry idolaters and unbelievers. A Muslim man can validly marry a Muslim, Jewish, or Christian woman; whilst a Muslim woman can marry a Muslim man only. In some situations, Jewish or Christian purported brides can similarly be required or advised to embrace Islām in order to marry a Muslim man. According to a more restrictive interpretation, indeed, a Muslim man cannot validly marry a ‘woman of the Book’ unless they live in a shari‘ah-compliant environment such as a Muslim majority country.

Controversial situations therefore arise when a Muslim or a supposedly Muslim purported spouse wishes to marry a non-Muslim partner on Italian soil. Satisfying the nulla osta preliminary nuptial requirement can be very problematic for a fiancé/e who is a national of Muslim majority country; therefore his/her right to marry in Italy can be denied on the ground of his/her religious belonging. It is also worth mentioning that this limit affects Muslim as well as non-Muslim alien intended spouses. In effect, a national of a Muslim majority country can abandon Islām and embrace another religion and/or become an atheist. Empirical evidence however revealed that the future spouse’s religious belonging tends to be assumed relying upon the fiancé/e’s family name and given name. The diplomatic personnel of Muslim majority countries consulates and embassies I interviewed in Italy clarified that shari‘ah-compliant nuptial impediments apply in the competent Muslim majority country’s diplomatic premise on European soil when it is declared or it can be inferred that the purported spouse’s parents are Muslim. This assumption is usually made relying upon the fiancé/e’s personal names (patronymic, forename, surname), the (modest) behaviour of the intended spouses and the parties’ dress code.

Inter-religious marriages and effective strategies

In order to overcome the limit to civilly marry in Italy on ground of foreign religious impediments, both the diplomatic premises of Muslim majority countries, and the Italian judicial and administrative authorities have elaborated a number of remedies.

With respect to the former, empirical evidence unveiled that the embassies and consulates of Muslim majority countries may follow three different paths. Some Muslim majority countries’ diplomatic premises refuse to issue the nulla osta (case A); some embassies and consulates of Muslim majority

25 The Qur‘ān refers to Jews and Christians with the expression ahl al-kitāb, which means ‘people of the Book’. A Christian or Jewish bride is thus called kitābiyyah.

26 With respect to the employed research methodology, please see supra footnotes Nos. 5-6.
countries release a negative document (case B) or a conditional certificate (case C) of no nuptial impediments.

In the first scenario (case A), the Muslim majority country national purposed spouse is denied the certificate of no nuptial impediments to be submitted to the Italian vital statistics officer in order to civilly marry. The nulla osta is thus released only if and when the act of conversion to Islām of the non-Muslim partner - usually the fiancé - is submitted to the diplomatic personnel. Further specific requirements may regard the (Italian and foreign) Islamic worship centres and Muslim bodies authorised to release a proper shahādah certificate. In alternative possible scenarios, the nulla osta is issued by the competent diplomatic premise of Muslim majority countries, but this certificate is either negative or conditional. A negative declaration certifies that shari‘ah-compliant nuptial impediments do exist with respect to the fiancé/e who is national of a Muslim majority country (case B); as a result, the diplomatic authorisation for an Italian marriage with civil effects is denied.

The competent embassy or consulate can also release the nulla osta under some conditions (case C). Examining field-collected conditional certificates of no nuptial impediments released by the diplomatic premises of Muslim majority countries on Italian soil, two patterns were identified. First of all, a consulate or embassy may issue a conditional declaration of no nuptial impediments provided that the party engaged to the national of the Muslim majority country submits a certificate of conversion (case C1). The competent diplomatic premise of a Muslim majority country can thus demand the intended spouse to convert to another religious belief in order to marry. When the groom-to-be is the fiancé of a Muslim woman, he can be required to embrace Islām; when the bride-to-be is the fiancée of a Muslim man, she can be requested to embrace one of the three ‘Religions of the Book’. As second option, the competent diplomatic premise of a Muslim majority country releases the nulla osta. This document is however issued under the condition that the Muslim fiancée withdraws her right to register and record her Italian civil marriage with a non-Muslim man in the Muslim majority country she is national of (case C2).

The negative or conditional certificates of no nuptial impediments discussed above (cases B and C) cannot be accepted as a valid nulla osta by vital statistics officers. Foreign purported spouses appear thus to be impeded to

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27 For further details on the conversion of non-Muslim fiancé/e see infra.

28 This word comes from the Arabic verb shahīda, which means ‘to witness, to testify’; shahādah can thus be translated as ‘profession of faith’, and it is one of the five pillars of Islām. This word is also used to identify a person’s conversion to Islām. See Sona (2015).
contract a marriage with civil effects in Italy. In fact, the instructions of the Ministry of Interior clarify that any negative or conditional statement regarding the intended spouses’ religious belonging inserted in the certificate issued by the diplomatic premises does not prevent the marriage celebration between the parties. The Italian public order is thus violated in three cases: when a nulla osta is denied for religious purposes (case A); when a negative certificate of no nuptial impediments is issued on the ground of the religious belonging of the non-Muslim purported spouse (case B); when a clause of conversion of the non-Muslim fiancé/e is inserted as a condition for validity for the released nulla osta (case C1). Interestingly, the instructions of the Italian Ministry of Interior do not acknowledge the above-mentioned case C2. As a corollary of this ‘unseen’ nuptial path, no official provision exists in case a conditional nulla osta is released under the Muslim fiancée’s withdrawal of the right to register and record her Italian civil marriage with a non-Muslim man.

In cases A, B and C1, the examined approach of the Ministry of Interior is consistent with the position of the Italian judiciary. When the capacity to contract marriage of the non-Italian Muslim purported spouse is made subject to the religious belonging of his/her fiancé/e, then Italian tribunals order the vital statistics officer to proceed with the publication without the alien party’s nulla osta.

The procedure to implement these nuptial preliminary requirements is very detailed. If the vital statistics officer deems that s/he cannot proceed with the publication, s/he issues a certificate reporting the reasons for the denial. Against the denial, a compliant may be brought before the competent local tribunal. Article 100 Italian Civil Code adds that the judiciary can also be involved in case of reduction or omission of publication. If serious reasons occur, the intended spouses may indeed request a reduction of the publication period or even the omission of publication. According to article

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100(1) Italian Civil Code, the tribunal, having heard the public prosecutor, may reduce the period required for publications by a decree non susceptible of appeal and issued in chambers. The parties can also apply for the omission of publication giving assurance that their marriage is not prevented by any impediments specified by articles 85-89 Italian Civil Code. The tribunal’s assent to the marriage is not necessary and the vital statistics officer can proceed with the celebration of marriage without the publication only in case of imminent danger of death of one intended spouse, provided that the parties swear that there are no impediments susceptible of dispensation between them (article 101 Italian Civil Code). In the described case scenario, a marriage celebrated without publication is valid even if the spouses falsely declared the imminent danger of death of one future spouse.\(^{31}\) Although explicitly regulated, this last hypothesis seems a risky choice for alien (Muslim) intended spouses, and following this path is not necessary.

As discussed in the two sections above, in case of alien Muslim intended spouses, the combination of the shari‘ah-compliant limit of inter-religious marriages with the publication and the nulla osta requirements create religious and legal impediments to valid nuptial unions. Nonetheless, diplomatic premises of Muslim majority countries as well as Italian judicial and administrative authorities have elaborated a number of effective strategies to overcome these obstacles. In the examined situations, Muslim intended spouses were perceived and ‘seen’ by the competent state authorities in both Italy and Muslim majority countries, and therefore solutions were elaborated accordingly.

**Valid permit to stay and hidden loopholes**

As second nuptial preliminary requirement, (Muslim) foreign nationals purported spouses used to be compelled to provide a regular residence permit to the vital statistics officer in order to validly marry with civil effects on Italian soil. Article 1(15) of Law No. 94/2009 amended article 116(1) Italian Civil Code inserting a blanket prohibition to contract a civil marriage for non-European nationals who were irregularly settled in Italy. This rule was implemented from 2009 to 2011, when this provision was declared unconstitutional and was thus eventually repealed.\(^ {32}\)


\(^{32}\) See supra the section entitled ’Marriages with civil effects’. For further details, see Sona (2014: 125-6; 2015). On the issues examined in this section and in the following two sub-sections entitled ‘Conflict of laws and a word of mouth manoeuvre’ and ‘Diplomatic premises and concealed remedies’, see also Sona (2015).
Although the request of the fiancé/es’ valid permit to stay was aimed to tackle bogus marriages contracted to grant a spouse’s visa to the irregularly settled party, the legislator overlooked two loopholes in the Italian legal system. In fact, field-collected data brought to light hidden nuptial paths and temporary partly concealed strategic manoeuvres. An effective *escamotage* to overcome the legal obstacle of the regular permit to stay of a foreign intended spouse was found in conflict of laws principles. Islamic worship places and diplomatic premises of some Muslim majority countries strategically elaborated additional partly concealed remedies against the Italian discriminatory provision. When a regular permit of residence or domicile was the condition to be part of a civilly valid marriage in Italy, alien Muslim fiancé/es were in effect still able to contract marriage in compliance with some foreign laws and *shari’ah*. These two possible alternative nuptial paths were thus followed by purported spouses who were prevented to marry by Italian laws, as analysed in the following two sub-sections.

**Conflict of laws and a word of mouth manoeuvre**

Non-European national intended spouses irregularly settled in Italy - although impeded to marry in compliance with Italian law from 2009 to 2011 - were entitled to contract marriage according to the laws of European/non-European states and/or Muslim majority countries. These nuptial unions could have been celebrated when both parties were either abroad or on Italian soil. The latter scenario encompasses marriages perfected in foreign diplomatic premises and proxy nuptial unions. These two forms of marriages are indeed valid with civil effects by virtue of the Vienna Convention on Consular Relations and the Italian Civil Code.³³

In order to overcome the legal obstacle of the regular permit to stay, irregularly settled alien Muslim purported spouses elaborated alternative partly hidden strategic manoeuvres. Soon after the enactment of Law No. 24 of 2009, the possibility to marry in another European state characterised by a less demanding immigration provisions became the favourite solution of irregularly settled Muslim purported spouses. Accordingly, the number of marriages contracted in an enclave microstate surrounded by Italy - San Marino - exponentially grew.

³³ See respectively, article 5(1F) of the Vienna Convention on Consular Relations (Vienna, 24.04.1963), *United Nations Treaty Series*, Vol. 596, p. 261; and article 111(2) Italian Civil Code. In compliance with the Legal Decree No. 71 of 2011 (article 16 (1 and 2)), proxy marriages can also be perfected by Italian Consuls provided that the intended spouse is not resident in Italy. See Legal Decree 03.02.2011 No. 71, ‘Ordinamento e funzioni degli Uffici consolari’, *Gazzetta Ufficiale* 13.05.2011 No. 110.
Empirical investigations clarified that the procedure was straightforward.\textsuperscript{34} San Marinian marriage law requires the intended spouses to satisfy conditions that are very similar to Italian nuptial preliminaries and few differences exist. In San Marino, the purported spouses shall sign a notarial act and four Italian nationals shall witness the wedding celebration; the foreign spouse is however not compelled to submit a valid permit to stay in order to contract a marriage with civil effects. The marriage deed is also automatically transmitted between San Marino and Italy, and the marriage act perfected in one of these two countries is instantly valid in the other one. When registered in the Italian official marriage record, the San Marian nuptial act is not further examined by the Italian administrative authorities;\textsuperscript{35} the potentially irregularly settled status of a non-European fiancé/e is thus completely overlooked. As a consequence, spouses married in San Marino are almost immediately regarded as civilly married also in the Italian legal system.

It is also worth mentioning that the Italian Law No. 94 of 2009 prohibited the marriage celebration of an irregularly settled person; the publication and the registration of the marriage were however not precluded. Accordingly, irregularly settled non-European spouses married in San Marino were thus able to submit an application and obtain a valid permit to stay for matrimonial reasons in Italy. Skilfully manoeuvring across the provisions of two diverse but connected European legal systems, and relying upon private international laws, the legal nuptial obstacles based on the valid permit to stay were overcome. In addition, the irregularly settled spouse’s reunification claim was then legitimised on the ground of the very same marriage that, despite being originally prohibited by Italian laws, was thereafter recognised as valid if celebrated in San Marino.

While remaining invisible to Italian state authorities, the ‘San Marinian loophole’ was soon identified by Muslim fiancé/es and widely employed in order to contract civilly valid marriages. This clever strategy however instigated a spiral of exploitation. Irregularly settled Muslim fiancé/es increasingly took advantage of the examined loophole, and soon San Marino authorities became aware of that process. Accordingly, the number of marriages steadily grew as well as the nuptial fees. Since January 2010, a Delegated Decree increased San Marino’s marriage fees and the wedding

\footnotesize{\textsuperscript{34} With respect to the employed research methodology, please see supra footnotes Nos. 5-6.}

\footnotesize{\textsuperscript{35} Articles 38(1) and 39(1) of the Law 06.06.1939 No. 1320, ‘Esecutorietà della Convenzione di amicizia e buon vicinato stipulata in Roma, fra l’Italia e la Repubblica di San Marino il 31 marzo 1939’, in Gazzetta Ufficiale 16.09.1939 No. 217.}
cost eventually ranged from 300 to 1,000 euros for two non-San-Marinian purported spouses.36

The examined strategic remedy was originally a word of mouth solution. I first discovered this *escamotage* while queuing in corridors of diplomatic premises. Conducting empirical investigation, I was provided the contact details of reliable notaries in San Marino; I was also given suggestions on manners to save money for the overnight stay (*i.e.* in Italian closer cities such as Rimini) and on the less expensive day to get married (*i.e.* Thursdays).

Within a short time, this formerly hidden nuptial path became evident. Instructions on the procedure to follow in order to marry in San Marino were increasingly reported on immigration websites and forums.37 Some of these nuptial unions were claimed to be actual sham marriages.38 Consequently, a big debate arose between the Italian and San Marinian Ministries of Interior. Between April and October 2011, San Marino’s registrar office halted these marriage celebrations;39 and this decision was described as a ‘political solution’ so as not to antagonise Italy.40 Serious implications for the two countries’ relations were even foreseen.41 San Marinian authorities claimed to have informed the Italian government about the growing number of non-European purported spouses who were getting married in San Marino.42 It has been suggested that Italy did not raise this issue, since non-European fiancé/es marrying in San Marino tended to belong to a medium/high migration target; therefore, these irregularly settled persons were not as “irregularly present” in the country as others non-European nationals on a lower income (Bertucci, 2011).

In real terms, it appears that both Italy and San Marino kept a blind eye with respect to this nuptial *escamotage* until these marriages were not as

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37 See *inter alia* San Marino press release (2010c; 2011); A.P. (2010); Corriere Immigrazione (2010); Sebastiani (2012).


39 During spring and summer 2011, I personally attempted to contact the San Marino registrar, but the telephone lines were constantly disconnected.


41 See *inter alia* San Marino press release (2010a) and Libertas press release (2011a).

‘hidden’ and ‘invisible’ as they used to be. Speculations and critique emerged on both sides and, as a result, alien (Muslim) intended spouses were not able to marry in San Marino for few months. From July 2011, the Italian blanket prohibition to contract a marriage with civil effects for irregularly settled non-European nationals was however repealed, therefore marrying in San Marino was not any longer necessary.

**Diplomatic premises and concealed remedies**

Similarly to irregularly settled alien (Muslim) purported spouses, some diplomatic premises of Muslim majority countries and some Islamic worship places adopted strategic techniques in order to overcome the legal obstacle of the fiancé/e’s regular permit to stay. My empirical investigations disclosed two alternative possible paths, which were implemented to counteract the discriminatory provision of Law No. 24 of 2009.

The first solution was found in *shari’ah* and entailed the collaboration of diplomatic premises with Islamic scholars. When the regular permit of residence or domicile was a condition to be part of a civilly valid nuptial union in Italy, irregularly settled non-European Muslim fiancé/es were still able to marry in compliance with *shari’ah*. Foreign Muslim partners were thus contracting Islamic-only and/or Muslim-only marriages.43 These nuptial unions were either privately solemnised or perfected in some European/Italian Islamic worship centres. Although only the *shari’ah*-compliant marriages perfected in the Rome mosque were supposed to be acknowledged as civilly valid nuptial unions by the diplomatic preemies of Muslim majority countries;44 some consulates and embassies recorded as valid Islamic-only and/or Muslim-only marriages.

The registration of Islamic-only and/or Muslim-only marriages *de facto* acknowledged the legal validity of these *shari’ah*-compliant nuptial unions in the legal systems of some Muslim majority country. Accordingly, these Islamic-only and/or Muslim-only marriages became potentially recognisable transnational nuptial unions in the Italian legal system. The irregularly settled party was thus able to validly marry, although impeded to do so on Italian soil and according to Italian laws.

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43 An Islamic marriage is a nuptial union solemnised in compliance with the Qur’an, the Sunnah and other sources of Islamic law that depend upon the parties’ Islamic denomination, Sunni madhhab and Shi‘i branch. A Muslim marriage is a *shari’ah*-compliant marriage that is valid in the eyes of a local Muslim community (*e.g.* a *fāihūh* marriage) or the laws of a Muslim majority country.

44 The Rome mosque is the seat of the Centro Islamico Culturale d’Italia (C.I.C.I.), the sole Muslim organisation in Italy that has been recognised as a non-profit corporation (*ente morale di culto*). See Decree of the President of the Republic 21.12.1974 No. 712, ‘Riconoscimento della personalità giuridica dell’ente “Centro Islamico culturale d’Italia” con sede in Roma Via A. Casella n. 51’, *Gazzetta Ufficiale* 10-11.01.1975 No. 10, p. 1.
The consequences of this strategic technique were thus similar to the ones analysed in the previous sub-section with respect to the marriages perfected in San Marino. The irregularly settled partner was allowed to claim a spouse’s visa on the ground of his/her shari‘ah-compliant marriage, which was valid with civil effects in a foreign country and therefore recognised as a valid transnational nuptial union by the Italian legal system.\(^{45}\) This inventive although tortuous solution bypassed the Italian marriage impediment relying upon the nuptial legitimisation with civil effects of an Islamic-only and/or Muslim-only marriage as granted by Muslim majority countries’ diplomatic premises.

The second remedy to overcome the legal obstacle of the fiancé/e’s regular permit to stay was found in the non-implementation of Italian laws. In compliance with the Vienna Convention on Consular Relations, embassies and consulates can act as notary and civil registrar as well as perform certain administrative functions. Foreign diplomatic premises shall satisfy two requirements: they do not interfere in the internal affairs of the receiving state, and they respect the laws and regulations of the host country.\(^{46}\)

Accordingly, when the purported spouse’s valid permit to stay was regarded as a condition to validly marry in Italy, the same document was requested by some foreign diplomatic premises in order to release the *nulla osta*.\(^{47}\) Empirical evidence indicated that, from 2009 to 2011, some diplomatic premises of the Muslim majority country national fiancé/e required the valid permit to stay of the intended spouse in case s/he was an alien settled in Italy.\(^{48}\) When a national of a Muslim majority country was not able to prove his/her regular stay in Italy, the certificate of no impediments to his/her marriage was not released by the competent foreign diplomatic premise. In these cases, the alien Muslim purported spouse was denied the *nulla osta* by his/her diplomatic premise not on the ground of the non-shari‘ah-compliant religious belonging of his/her fiancé/e (as discussed above) but because irregularly settled on Italian soil.

In order to cope with these situations, some embassies and consulates began to issue the *nulla osta* requested to civilly marry in the Italian commune notwithstanding the irregular presence on Italian soil of the non-European fiancé/e. In these cases, the diplomatic premises used to discourage the Muslim majority country national spouse-to-be from attempting to marry

\(^{45}\) Provided that his/her married partner was a European national or owned a valid permit to stay.  
\(^{46}\) Articles 5(1F) and 55(1), Vienna Convention on Consular Relations.  
\(^{47}\) On the *nulla osta*, see supra the section entitled ‘Marriages with civil effects’.  
\(^{48}\) With respect to the employed research methodology, please see supra footnotes Nos. 5-6.
with civil effects in Italy. If the purported spouse insisted in requesting the certificate of no nuptial impediments, the *nulla osta* was eventually released provided the fiancé/e hand-wrote and signed (sometimes also with his/her thumbprints) a declaration of non-liability of the embassy or consulate. In July 2008, when inquiring about the consequences of this hidden remedy, the personnel of a Muslim majority country consulate explained that the decision was

left to the [Italian] commune’s good heart. What happens we [diplomatic personnel] do not know. Maybe the commune doesn’t check the fiancé/e’s valid permit. Does the Italian commune turn a blind eye… and forgets to ask for this document? Will the fiancé/e’s submit a forgery? We don’t know. We can’t know. But [our] citizenships (sic) continue to apply for *nulla osta*, therefore…

According to my informants, some Muslim majority countries’ diplomatic premises ignored the manners in which alien Muslim purported spouses would have contracted a valid marriage with civil effects in Italy; nonetheless, they continued to release the *nulla osta* when the parties insisted. Empirical evidence thus unveiled that strategic remedies - aimed to overcome legal obstacles manifestly affecting alien (Muslim) intended spouses - were creatively invented by irregularly settled Muslim fiancé/es. Some of these techniques were perceived and supported by diplomatic premises; others remain unknown and partly invisible also to the competent authorities of Muslim majority countries. A further deeper layer of concealed nuptial paths thus existed, but it has not been unveiled yet.

**Conclusions**

As elucidated by Parr (2014: 2), *Hidden Islam* “provides a fascinating glimpse of hidden world and leaves the conclusions about this project entirely in our own hands”. Although on a more modest scale, this article adopts an analogous viewpoint and pursues a similar goal.

Going beyond black letter laws and investigating the actual interpretation and implementation of legal norms, the proposed analysis offers a glimpse of some tortuous (partly) concealed nuptial paths followed by foreign Muslim intended spouses (regularly or irregularly) settled in Italy. The present article touches on relevant socio-legal phenomena that remain largely a blind spot in previous publications. Whereas the legal implications of a growing Western Islamic presence have been discussed in-depth since the mid 1980s in Northern European countries, in Italy an articulated debate on (predominantly migrant) Muslim communities began only during

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49 See *inter alia* Nilesen (1992, 1999).
the 1990s. At international level, Italian Islām is investigated in a limited number of comparative publications, whose focus ranges form the situation of Muslim communities (i.a. Open Society Institute 2002a, 2002b; Roggero 2002; Coglievina 2009, 2013) to the legal treatment of Muslim minorities (i.a. Allievi and Castro 2000; Aluffi 2004) with specific attention to integration (i.a. Jasch 2007; Toronto 2008) and mosques’ problems (i.a. Saint-Blancat and Schmidt 2005; Allievi and Ethnobarometer 2009). Legal issues related to Muslims families settled in Italy are unfortunately a neglected topic, therefore the international academic arena remains almost silent with respect to sharīʿah-compliant ways to tie and untie the marriage knot on Italian soil. Domestic scholarship scrutinises Islamic and Muslim marriages approaching Italian legal and administrative authorities (e.g. Campiglio 1999, 2008; Mancini 2003, 2006, 2008; Albisetti 2008); nonetheless, fieldwork data are rarely collected and investigated and, as a result, the hiatus between law in the book and law in action grows. It should be mentioned that, in the last decade, excellent anthropological studies have been published on Muslim women (i.a. Lano 2002; Campani 2004) and female (mostly Moroccan) migrants in Italy (i.a. Salih 2000; 2003; 2008). Adopting a gender perspective, these works are predominantly focused on identity (re)creation processes and experiences of displacements, consequently only tangentially discuss the issues examined here.

The growing interest in trans-national and cross-national migratory patterns linked to marriages was thus not matched by a parallel increase in socio-legal researches in Italy, differently form other European countries. Relying upon detailed empirical qualitative data, and focusing on the manners in which Muslim alien purported spouses overcome religious and legal obstacles to contract (shari‘ah-compliant) marriages with civil effects on Italian soil, the proposed analysis thus contributes to the national and international debate on Western Muslim communities unveiling manifold hidden strategies enacted by foreign Muslim purported spouses marrying in Italy.

The first part of the article focused on the dichotomies that characterise Italian Muslim communities. The right to worship and to marry are enshrined in domestic and international black letter laws; nonetheless, the actual implementation of these rights might be challenging for alien Muslim

50 Amongst earlier publications see Musselli (1992).
51 For instance, the recently published essay collection edited by Giunchi (2013) focuses on Muslim family law in Western courts, however the Italian socio-legal scenario is not investigated.
52 I am here echoing Pound’s vocabulary (1910).
53 As far as the UK is concerned, see for instance Williams (2010) and Wray (2011).
purported spouses. As a result, Italian Muslim communities and Muslim majority countries’ diplomatic premises may be compelled to creatively interpret religious and state provisions. As disclosed by the conducted ethnographic investigations, nuptial obstacles are overcome either unveiling concealed loopholes, or skilfully manoeuvring across diverse state legal systems and religious provisions.

The second part of this paper addressed two prerequisites that (Muslim) foreign fiancé/es need to satisfy in order to validly marry with civil effects on Italian soil: the publication and the *nulla osta*. It was thus revealed that, although originally aimed as a measure against cross-national polygamous marriages, the request of a certificate of no nuptial impediments *de facto* undermines the right to marry of nationals of Muslim majority countries. In particular, in Italy, the capacity to contract a civil marriage of a (non) Muslim fiancé/e can be limited by *shari‘ah* and can be denied because of the intended spouses’ religious belonging.

It is however possible to overcome the limit to civilly marry on ground of foreign religious impediments. Italian judicial and administrative authorities elaborated a number of remedies intended to facilitate inter-faith marriages of foreign Muslim fiancé/es. Embassies and consulates of Muslim majority countries, on the other hand, may impede inter-religious civil nuptial union of (supposedly) Muslim foreign national parties. This happens when the *nulla osta* is not issued, or when a negative or conditional certificate of no nuptial impediments is released. In these cases, the combination of the *shari‘ah*-compliant limit of inter-faiths marriages with the publication and *nulla osta* requirements create religious and legal impediments to valid nuptial unions. Foreign Muslim purported spouses can nonetheless decide to follow the path of a civil-only marriage, which might not to be recognised and recorded as a valid nuptial union - and thus remain invisible - in a Muslim majority country.

The third part of the present article brought into focus a blanket prohibition to contract a marriage with civil effects for irregularly settled non-European (Muslim) intended spouses. Although declared unconstitutional and eventually repealed in 2011, twofold reasons supported the analysis of this provision. First of all, in the aftermath of Law No. 94 of 2009, irregularly settled alien Muslim partners as well as the diplomatic premises of Muslim majority countries developed and implemented a number of clever effective strategies to overcome this nuptial impediment. Secondly, the Italian discriminatory norm leads to a paradox. Originally aimed to tackle marriages of convenience contracted to grant a spouse’s visa to the irregularly settled fiancé/e, the prohibition to marry for irregularly settled
partners *de facto* fostered the process of unveiling legal loopholes and developing creative manoeuvres. As a result, irregularly settled spouses were eventually able to claim an entry clearance for family reasons on the ground of the very same marriage that was originally prohibited by Italian laws, but thereafter ‘seen’ and recognised as a transnational valid nuptial union.

The discussion disclosed a number of alternative (partly) concealed strategies. In order to overcome the legal obstacle of the regular permit to stay, irregularly settled alien Muslim purported spouses began to skilfully manoeuvring across the provisions of two diverse but connected European legal systems. Marrying in an enclave microstate surrounded by Italy, and relying upon private international laws, Muslim foreign intended spouses identified a loophole in the Italian legal system and followed a relatively invisible nuptial path to contact a civilly valid marriage when impeded to do so by Italian laws.

Diplomatic premises of Muslim majority countries and Islamic worship places were similarly resourceful in developing strategic techniques intended to overcome the legal obstacle of the foreign fiancé/e’s regular permit to stay. An effective remedy was found by some consulates and embassies of Muslim majority countries in recording as valid Islamic-only and/or Muslim-only marriages. These formerly legally invisible *shari‘ah*-compliant nuptial unions were thus regarded as valid marriages in the legal systems of some Muslim majority country. By virtue of conflict of laws principles, the above-mentioned marriages were then ‘seen’ and acknowledged as valid nuptial unions with civil effects also on Italian soil. As additional remedy, some diplomatic premises of Muslim majority countries released the *nulla osta* to irregularly settled Muslim purported spouses when the party insisted. The manners in which these irregularly settled non-European Muslim intended spouses contracted a valid marriage with civil effects in Italy remain however unknown. This indicates that a deeper layer of invisible nuptial paths exists; but it was not disclosed also to the competent authorities of Muslim majority countries.

It can thus be inferred that, when on Italian soil, foreign Muslim purported spouses may creatively overcome legal and religious nuptial impediments following marriage paths, which can be skilfully concealed to the legal systems of Muslim majority countries and/or European states. Although both academia and state authorities currently overlook these nuptial strategies, the implications are abundant. First of all, the fact that Italian state authorities ignore the existence of loopholes implies fallacious legislation and contradictions. As discussed above, legal provisions aimed
to tackle cross-national polygamy de facto affect the right to marry of nationals of Muslim majority countries. Accordingly, Italian judicial and administrative authorities were impelled to elaborate legal remedies not to violate national and international laws. Similarly, a legal amendment enacted to prevent sham marriages de facto fostered manoeuvring techniques across diverse European and non-European legal systems. As a result, (shari’ah-compliant) nuptial unions originally prohibited on Italian soil were soon recognised by virtue of private international laws principles.

Secondly, the Orientalist and exceptionalist divide between ‘West/Europe’ and ‘Islamic/Muslim’ cannot be applied to European Muslim family issues. As clarified, on Italian soil, marriages are found at the crossroads of shari’ah, Italian and European provisions, and laws of Muslim majority countries. Accordingly, a more complex scenario is to be painted. In particular, various marriage options coexist. As revealed by field-collected data, alien Muslim spouses may indeed choose to be part of a non-shari’ah-compliant inter-faith marriage; or they can opt for a civil-only marriage; or they may be part of a Muslim-only and/or Islamic-only marriage; or they can avoid registering an Islamic/Muslim/civil nuptial union in their own Muslim majority country of origin. This socio-legal conduct might stem from personal considerations or be compelled by the diplomatic premises of a Muslim majority country.

Although invisible at first sight, multiple intertwined alternative paths coexist in the legal arena in which at least three competing legal cultures are to be identified: European legal systems, Muslim majority countries’ legal systems and Islamic/Muslim traditions. With respect to hidden marriages, foreign Muslim purported spouses marrying in Italy are proven to be resourceful in overcoming religious and legal obstacles to valid nuptial unions through the identification of disguised loopholes and strategically manoeuvring across various legal systems and traditions. The key issue remains whether the ‘hidden’ socio-legal conducts of Muslim purported spouses in Europe - and specifically in Italy - are rather ‘invisible’ to or ‘unseen’ by academia as well as state authorities.

References


Overcoming obstacles through hidden nuptial paths, Sona


Overcoming obstacles through hidden nuptial paths, Sona


Bilingualism and Gender in the Literature of Iranian Women in the Diaspora

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Abstract
Some years before and after the Islamic revolution in Iran in 1979, a huge number of Iranians migrated to western countries due to social and political problems. There is a significant body of literary and autobiographical works by Iranian female writers in the Diaspora during the last 50 years. The early works are mostly social and political, as writing about the private life of female subjects has been taboo for Iranian women, even in exile. These women’s literary writing has been analysed in western academia to get a closer view of the political and social conditions in Iran before and after the Islamic revolution. However, in the last two decades, more literary works have been concerned with the private aspect of the lives of the characters in the Diaspora and the (trans)formation of their gendered identity. As reflected in some of these works, bilingualism leads to identity crisis and social conflict for the female characters and narrators. As there is a huge population of Iranians living in the English-speaking countries, there is a great number of diasporic memoirs and literary works of Iranian women in English, embodying identity and gender issues. However, there have been only a few critical works on the subject of language and gender in the recent literary and autobiographical works of Iranian female writers in the Diaspora. This article examines the relationship between bilingualism and female characters’ identity formation in the late literary productions of Iranian women in the Diaspora, using post-colonial theories of bilingualism and gender. In this research, the poems published in the anthology Let Me Tell You Where I’ve Been: New Writing by Women of the Iranian Diaspora, edited by Persis M. Karim (2006), and the full text of four memoirs, extracts from which are included in this work, are chosen for the case study due their focus on bilingualism and gender from different aspects.

Keywords
diaspora literature, bilingualism, hybrid language, gender generations, instrumental investment

Introduction
In the last 50 years, a large population of Iranians has left for western countries in search of better social and political conditions. The most

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1 Special thanks are due to Prof. Dr. Philip Kreyenbroek, director of the Institute of Iranian Studies, University of Göttingen. His expertise and advice has been extremely valuable, and without him this project would not have been possible. Besides, my special thanks go to my friends and family, all of whom have given me encouragement, love and support throughout.
studied literary works of the Iranian Diaspora are social and political ones by authors who migrated as adults a few years before or after the Islamic revolution. However, these works, and the studies carried out on them, have not provided us with adequate information and analysis of the relationship between the language and the gendered identity of the characters and narrators. The recent literary works and memoirs of Iranian female writers in the Diaspora reflect the (trans)formation of gendered identity and the linguistic and cultural hybridity of the diasporic characters. This hybridity and these problems of identity become more significant in the case of women, as they are doubly colonialised, according to Spivak’s term, due to discrimination as colonial subjects in the Diaspora and gender subordination within patriarchy (Spivak 1994: 103).

In this research, the poems published in the anthology *Let Me Tell You Where I’ve Been: New Writing by Women of the Iranian Diaspora*, edited by Persis M. Karim (2006) and the full text of four memoirs entitled *Lipstick Jihad: A Memoir of Growing Up Iranian in America and American in Iran* (Moaveni 2006), *Saffron Sky: A Life Between Iran and America* (Asayesh 2002), *To See and See Again: A Life in Iran and America* (Bahrampour 1999), and *Funny in Farsi: A Memoir of Growing Up Iranian in America* (Dumas 2004), are analysed using post-colonial and postmodern theories of bilingualism and gender. In the selected poems and memoirs the narrators tell us about the significance of the mother tongue in preserving identity and the role language acquisition plays in integration. Hybridity in terms of language, as a consequence of the in-between identity of the female characters, is another theme of these works. All of the selected memoirs refer to a journey between Iran and the United States, and the experience of oscillation between two cultures and languages.

Bilingualism affects the identity formation of the female characters, through their investment in the second language, their social life and their generation. The female characters and the narrators belonging to the first generation of immigrants are expected to stick to the mother tongue and national values and transmit them to the next generation. Anthias and Yuval-Davis, (1993: 113) state that:

Women and their sexualities emerge as significant markers and perpetuators of these [insider/outsider] boundaries, and by extension as sources and sites for transgressing the said boundaries. Moreover, they point to at least three elements that bring out central aspects in the lineaments between the constructions of nations, ethnicities and boundary formation in and through the control of the feminine body. Namely: i) as biological producers of the ‘collective’ [race/nation/ethnic group]; ii) as boundary markers and therefore reproducers of these boundaries; iii) as transmitters of culture and the ideological reproduction of collective symbolisms.
The female characters and narrators of the first generation are considered the protectors of the value system of the community of Iranians in the Diaspora. However, this causes a lack of interest in language acquisition for these characters. Lack of previous adequate education, which facilitates language acquisition, and insufficient contact with the new society and language, are other obstacles that some of the first-generation female characters in these works face. However, the female characters of the second generation eagerly learn English in order to integrate into the new society.

The fight to retain one’s own identity via language is an important theme in the works in question. The use of English is significant in some of these works as in parts the writers and female characters use Persian grammar in English, or even include Persian words written in the Roman alphabet, which are completely meaningless to an anglophone reader. This puts the language of the text somewhere between Persian and English, between the language of the characters and that of the host-language readers.

However, for them, English is not just associated with marginality and otherness. It is the language of modern and free countries and it therefore gives the subjects a sense of security when they express their inner conflicts in this language.

Bilingualism and Gendered Identity

One of the first requirements of a life in the Diaspora for these female characters is to learn the language of the host country so as to communicate and belong. The process of learning and using this second language affects and is affected by the gendered identities of the characters, their community and the generations to which they belong. Language seems more arbitrary to them in comparison to the characters who do not experience the Diaspora and bilingualism. As Pavlenko and Lantolf (2000: 169-170) put it:

The ultimate attainment in second language learning relies on one’s agency […]. While the first language and subjectivities are an indisputable given, the new ones are arrived at by choice... [through] a long, painful, inexhaustive, and, for some, never-ending process of self-translation.

The expectations of the community to which the subject belongs affect her identity and her investments in cultural capital. The reactions of the characters to the expectations of the community in terms of language use play a great role in second language use, as Menard-Warwick and Ehrlich have found in their research, admitting the importance of the gendered identity of female characters in language acquisition: “[L]anguage learning is not so much mediated by ‘the way that gender identities and gender
relations are constructed in (a) community’’ (Ehrlich 1997: 430, in Menard-Warwick 2009: 72), “but rather by the way that individuals respond to the gendered expectations that are placed on them by their families and communities” (Menard-Warwick 2009: 72).

The community of Iranian exiles and their families expect the female characters to preserve the mother tongue and the national values instead of passing the boundaries of the community by learning the language, fearing the destruction of the patriarchal structure of traditional families and the community. But to belong to the new society, the subjects need to learn the second language and communicate actively with the new world. Otherwise they will undergo marginalisation and inferiorisation. Responses to the gendered expectations, however, are also constructed and instructed by the power relations in the society and the generation to which the subject belongs. Below I will try to clarify the significance of generation and community in the gendered identity and language learning of female characters in the works mentioned.

Generations

The motivation of the female characters to learn the new language is related to their investment in a community. As Norton and McKinney (2011: 75) puts it:

The construct of investment, first introduced by Norton […], signals the socially and historically constructed relationship of learners to the target language, and their often ambivalent desire to learn and practice it […]. Norton argued that, if learners invest in a second language, they do so with the understanding that they will acquire a wider range of symbolic and material resources, which will in turn increase the value of their cultural capital.

The investment in the community is different for the first and second generations. The first generation invests in the community of family and Iranians in exile or back in Iran. The community they invest in does not find it necessary or even appropriate for them to speak the language of the new country and blend in. However, the second-generation female characters invest in the community of natives of the host country, as they have more contacts in school or university. This community invites them to learn the language in order to belong.

As Norton and McKinney say, “[A] language learner’s motivation is mediated by investments that may conflict with the desire to speak, or, paradoxically, may make it possible for the language learner to claim the right to speak” (Norton & McKinney 2011: 84). The community of Iranians in the Diaspora expects the female characters of the first generation of exiles
to preserve the mother tongue and teach it to the next generation. This leads to a lack of interest in second language learning. Lack of basic education, which would facilitate language acquisition, and lack of enough social interactions, are other complications that these characters struggle with when learning English. However, the female characters of the second generation learn the second language willingly, as they have more social contacts in the new world and develop integrative motivations. Below, the role of community and the expectation of language learning and its difficulties for the two generations of female characters in the case study will be discussed in greater detail.

First Generation

As transmitters and protectors of the value system of the community, the female characters of the first generation of immigrants are obliged to stick to the mother tongue and the traditional roles of a woman. However, as Norton and McKinney have shown, these communities and their expectations are imaginary:

An extension of interest in identity and investment concerns the imagined communities that language learners aspire to when they learn a language [...]. Imagined communities refer to groups of people, not immediately tangible and accessible, with whom we connect through the power of the imagination (Norton & McKinney 2011: 76).

Although imaginary, the needs of these communities limit the female characters in their access to new life forms and language in the host country. Again Pavlenko and Norton write:

Norton (2000, 2001) has incorporated Wegner’s (1998) views into the study of second language learning and education, suggesting that learners have different investments in different members of target language community, and that the people in whom the learners have the greatest investment may be the very people who provide (or limit) access to the imagined community of a given learner (Pavlenko & Norton 2007: 670-671).

The limitations that the community imposes on the first generation female characters are laid down in the name of preservation of their gendered identity. This causes a lack of interest in language acquisition. In Dumas’s work the narrator claims that her mother never learned English well enough to able to read the book she wrote. This was due to the gendered roles of a mother in a traditional Iranian family, not leaving enough time and motivation for her to learn the language of the host country.

My mother’s English prevented her from reading the book. I did, however, let her know what I had written. She gave me her blessing but had a few questions. “Did you mention that I never left you with a babysitter, even though I could have?” Did
you mention that I nursed you for over two years and how difficult you were to wean? Did you mention how I was always at home when you returned from school, that you never came home to an empty house?” Although none of the above made it into the book, any mother who gives her blessing to a memoir that mocks her accent has the right to tell the world that I was a pain to wean (Dumas 2004: 191).

However, investment in the imagined community of Iranians is not the only reason for preserving the mother tongue. Lack of education that facilitates language acquisition is another aspect that is closely related to gender roles and the expectations of the female characters. Dumas writes:

The problem was that my mother, like most women of her generation, had been only briefly educated. In her era, a girl’s sole purpose in life was to find a husband. Having an education ranked far below more desirable attributes such as the ability to serve tea or prepare baklava (Dumas 2004: 5).

The mother did not receive an education as a young girl. Her gendered role and function in the community did not require or allow her to acquire the average education the male subjects of her generation and social class could get in the same town in Iran. Therefore, as a middle-aged woman in the Diaspora, having the chance of learning a new language, she lacked the basic knowledge that would facilitate it. Having looked reflexively at language through the study of her own language and basic knowledge of English, offered at Iranian high schools and universities, could awaken her curiosity, motivate her to learn this language and facilitate the process of learning.

Another significant barrier for language acquisition in the first generation of exiles is lack of sufficient contact with the new society and language in the roles of housewives or employees in family businesses. Norton, in her research on immigrant women, analyses this issue as follows:

In theorizing the gendered nature of the immigrant language learner’s experience, I am concerned not only with the silencing that women experience within the context of larger patriarchal structures in society, but also with the gendered access to the public world that immigrant women, in particular, experience. It is in the public world that language learners have the opportunity to interact with members of the target language community, but it is the public world that is not easily accessible to immigrant women.... [E]ven when such access is granted, the nature of the work available to immigrant women provides few opportunities for social interaction (Norton 2000: 12-13).

Lack of social relations or having limited access to English-speaking society is a major obstacle in learning the second language for the female characters of the first generation. Their traditional role as mother and wife offers them fewer opportunities for social interactions than men or members of the second generation. They are mostly busy with taking care of the family, and
their relations are limited to neighbours and hairdressers. In *Funny in Farsi* the characters depend on the husband and father to be the link to the new world. Therefore, there is no need to participate in social life and learn the language and culture.

Moving to America was both exciting and frightening, but we found great comfort in knowing that my father spoke English. Having spent years regaling us with stories about his graduate years in America, he had left us with the distinct impression that America was his second home. My mother and I planned to stick close to him, letting him guide us through the exotic American landscape that he knew so well. We counted on him not only to translate the language but also to translate the culture, to be a link to this most foreign of lands (Dumas 2004: 8).

However, the English that the father speaks is limited to academic terms and usages. Throughout the work, the daughter declares her independence from the father by learning English when she goes to school, and she becomes more involved with the native community. Yet, this was not possible for the father as an engineer using English only in his workplace. The mother was never able to learn the language properly and spoke English with mistakes, which led to misunderstandings and inferiorisation. She also had to use her daughter as a translator or limit her relations to the community of Farsi speakers. The narrator writes, “I no longer encourage my parents to learn English. I’ve given up” (Dumas 2004: 12). In *Iranian and Diasporic Literature in the 21st Century* Grassian explains: “While she never directly states it, it is possible that Dumas has come to this resigned position because of the difficulties that she and her parents have faced while trying to assimilate” (Grassian 2013: 130).

As mentioned above, the female characters of the first generation of exiles in the memoirs and literary works under discussion have an instrumental investment in second language acquisition. The community they associate themselves with is the community of Iranians in the Diaspora with the patriarchal structure expecting them to preserve and transmit national identity and mother tongue, fearing the ‘possible selves’ that the female subject may become in the new cultural and linguistic space. Lack of basic education and social contact are other reasons for problems in second language learning in the first generation of exiles. However, the second generation of female characters is more motivated to learn English than the previous generation due to the integrative investment. Below, instances from the works and an analysis of the reasons for this phenomenon will be given.
Second Generation

Unlike the female characters of the first generation of exiles, those of the second generation are eager to learn the language and culture of the host country. The need to belong in the new world is greater in the second generation, as they are more involved in social life. They try to form identities in the Diaspora that are different from those of the first generation. These new identities require changes in the attitude towards language. As Eckert and McConnell-Ginet declare, these changes are the results of the social conditions:

The linguistic changes are not something that have [sic] simply washed over the younger generation; they are the result of girls’ finding ways of constructing kinds of selves that were not available to earlier generations. They are the result of social and linguistic strategies (Eckert & McConnell-Ginet 2004: 329).

While the first generation of female characters has an ‘instrumental’ motivation for learning English in the Diaspora, the motivation of female characters of the second generation is ‘integrative.’ Norton and McKinney use the definitions of these terms given by Gardner & Lambert (1972):

Instrumental motivation references the desire of language learners to learn an L2 for utilitarian purposes, such as employment, while integrative motivation references the desire to learn a language to successfully integrate with the target language community (Norton & McKinney 2011: 74).

The integrative motivation of female characters of the second generation of exiles is due to the need to belong in the new world. They do not want to live a life in-between as their parents do, and would like to experience equality in English-speaking society. The power relations included in the knowledge of the second language persuade the characters to learn the second language and consider the mother tongue as a burden. Zjaleh Hajibashi in her poem Where Does My Language Lie? describes this condition metaphorically:

[...]
where I lie with which language
unspeakable
duplicit
took me
draws me
twice
subdued

deeper into my other tongue’s mouth another tongue

mine

to

mute

not saying

this

not

saying (Karim 2006: 43)

The speaker may feel guilty for inferiorising her mother tongue, but she finds no other way to fight the marginalisation imposed on her by society. The duplicity the character faces in her identity is manifested in the two languages, the two tongues, and she finds no other way than to mute the mother tongue. Asayesh, in her memoir, also refers to this issue when the female character feels inferiorised and marginalised in the society and wants to defend her status by speaking unaccented English and rejecting her Iranian self.

Let me speak a sentence loaded with colloquialisms. See, I am fluent in English! I have no accent! I’m like you. Don’t consign me to the trash heap, where the unforgivably different belong. Don’t look at me as if I were an animal at the zoo, an object of curiosity and spurious compassion.

This inner dialogue fills me with shame, yet I am helpless against it. I have become a party to my own disenfranchisement. The worst part of being told in a thousand ways, subtle and not, that one is inferior is the way that message worms itself into the heart. It is not enough to battle the prejudice of others, one must also battle the infection within (Asayesh 2002: 210-11).

To the character ‘Gelareh’ in this work, belonging in the new world means rejection of the language and membership of the community of Iranians. She does not find herself alone in this. Throughout the narrative, she meets other female characters of the second generation who avoid using the mother tongue and reject their Iranian identity. Asayesh continues:

The need to belong is a powerful thing. It pits those of us who are children of other worlds against ourselves and one another.

It made the Iranian clerk I encountered a few years ago at Bloomingdale’s, in Rockville, Maryland, stare coldly when I spoke to her in Farsi. She rang up my sale without a word. A few months later, when an Iranian handed me the numbered tag
I took into the dressing room of another department store, I was careful to thank her in English. I pretended that I did not recognize the almond skin, arched eyebrows, and glossy hair of a countrywoman (Asayesh 2002: 210).

Of course, knowing the language without understanding the culture to which the language is bound would not reduce the sense of inferiority and marginality in the subjects. Asayesh claims elsewhere that:

It didn’t matter that this second time in America I spoke English. If anything, my extensive vocabulary contributed to making me an outcast. I did not understand about fitting in, I did not know what it meant to be cool (Asayesh 2002: 103).

This sense of powerlessness and inferiority causes resistance to learning the mother tongue and national culture. These struggles and resistances to defend the subject against the sense of being different in terms of language and, by extension, identity, are strongest when the subjects are in the community of school and college. They need to be accepted and belong. They try to avoid in-betweeness by sticking to the dominant language and culture and ignoring the expectation of the family or community of Iranians to learn the mother tongue and national values. However, this does not mean that the mother tongue and culture can be completely ignored. Menard-Warwick, using the ideas of Davies and Harré (1990: 48) and Weeden (1987), explains that despite social conditions, the characters are able to make decisions regarding their participation in a discourse.

Like Weeden, they [Davies and Harré] explore how discourses define the people who use them in terms of subject positions, that is, socially recognisable categories. However, they also emphasise that human beings can make choices in regards to their discursive participation, choices that often stem from an individual’s ‘history as a subjective being, that is, the history of one who has been in multiple positions and engaged in different forms of discourses’ (Menard-Warwick 2009: 38).

Female characters of the second generation establish a need and choose to belong to the Iranian national identity and mother tongue as adults, because they have overcome the feeling of inferiority that is associated with them. The speaker in Parissa Milani’s poem American Again knows that the key to belonging is the language and that she cannot be considered Iranian if she speaks English or Farsi with an English accent. Therefore, she chooses silence and needs the community of Iranians to accept her. However, she knows that this will lead to suffocation. She will miss the right to speak and the freedom associated with American society. She wonders if it is possible for her to return to her American self and language whenever she wishes.

I am Iranian until I open my mouth. Then
I am American.

But if I promise to not even breathe
through my mouth, will you take me in?

Will you take me to the Caspian Sea
and tell me it’s always been so close?

[...]

Will you understand when
it gets hard for me to
breathe easy and I become


This double identity and belonging to two different languages and worlds lead to in-betweenness and, paradoxically, belonging to neither language nor culture. In her poem Tales Left Untold, Aphrodite Desiree Navab describes this situation using the metonymy of ‘tongue’ for language:

My tongue is twisted
My tongue is tied
My tongue is torn with all the lies
Each time I turn it this way and that
An unfamiliar sound spins its way out
One half screams for the other to come
The other half stands there completely numb
One half knows not what the other half speaks
One half scorns what the other half seeks
My tongue, it trips me
Leading me there
Trapping me in the storyteller’s snare
One half leaves while the other half stays
One half sees what the other betrays (Karim 2006: 287).
The character’s identity is torn in two, and each half has its own language. The two selves and tongues, however, are in need of each other, although they are never at peace. This oscillation between two languages and identities can lead to a constant fear of losing one half while sticking to the other. The characters are scared of the people they may become, the ‘possible selves’. As Pavlenko and Norton say, citing Wegner and Markus & Nurius:

>[Possible selves] represent individuals’ ideas of what they might become, what they would like to become, and what they are afraid of becoming, thus linking cognition, behavior, and motivation. For both Wegner and Markus and Nurius, possible selves, linked to membership in imagined communities, shape individuals’ present and future decisions and behaviors and provide an evaluative and interpretive context for such decisions, behaviors, and their outcomes (Pavlenko & Norton 2007: 670).

The character Gelareh in Asayesh’s memoir tries to reduce her fear of the possible selves she or her children may become by insisting on transmitting the national identity to the next generation (mostly the daughter as her continuation) through teaching the mother tongue. Asayesh writes:

I know that language is the lifeblood of culture. Language is the self, reflected and clothed in nouns and verbs and adjectives. Without Farsi, the Iranian in Mina will shrivel up and die. Even as I think this, I know that my greatest fear is of my own inner shriveling, not Mina’s. In guarding Mina’s heritage, I guard my own, for they are linked. My daughter, this piping voice in my house speaking the words I learned at my mother’s knee, is a lifeline to my first self […]. I feel like a beached whale, slowly drying up (Asayesh 2002: 213).

The national identity of the subject is here deeply associated with the mother tongue. As Elahi writes in *Translating the Self: Language and Identity in Iranian-American Women’s Memoirs*:

>These images (a beached whale, the inner self shriveling up and dying, the self as the victim of erosion) represent a relatively static sense of identity but a dynamic sense of language. They naturalise the self as inert, and lead Asayesh to fall back onto fairly rigid distinctions between Iran and America (Elahi 2006: 470).

The narrator in Asayesh’s memoir does not believe in hybrid identity and draws a clear line between Iranian and American identities. This is also the case when it comes to languages. Although she refers to language as fluid, this does not mean that her two languages can dissolve each other. “Language, I remind myself, is fluid. What is lost can be regained. This time next year, when we go back to Iran, it will be the English words that take a back seat. Bilingualism, like biculturalism, is a seesaw” (Asayesh 2002: 213). The oscillation that the character experiences in terms of identity is extended to the languages she speaks. As Elahi puts it:
For Asayesh, language is (or languages are) both seesaw and sea; their access to truth and the richness of their textures can only be experienced in an alternation between one and another tongue, not in the space between or on one side alone (Elahi 2006: 470).

The character seeks to belong to both Iranian and American identities, but not a third hybrid one. The dominance of the Iranian self requires the oblivion of the American one; otherwise the character feels lost in the arbitrariness of the language of the Other. Asayesh describes this condition in this way:

Sometimes I wake up in the middle of the night, the words of my first language bursting into my mouth from some long-suppressed place. For days afterward, the English words feel like foreign objects on my tongue, metallic and cold, like the loose filling of a tooth. I walk around full of hidden despair until I manage once again to forget my childhood self (Asayesh 2002: 174).

To make a compromise and a relationship between these two languages, and consequently between the two selves, the main character in Moaveni’s Lipstick Jihad tries to translate from Persian to English. Translating provides the character with a chance to make a compensation between the two languages and therefore the two identities that are always in conflict with each other and leave the character in a permanent detachment, and, as she puts it, a “sense of foreignness.”

The urge to translate, this preoccupation with language I had dragged around with me, had been a resistance to the sense of foreignness I felt everywhere – a distraction from the restlessness that followed me into each hemisphere. If I could only have conquered words, purged from my Farsi any trace of accent, imported the imagery of Persian verse into English prose, I had thought, then the feeling of displacement would go away (Moaveni 2006: 234).

The female characters of the second generation of Iranians in the Diaspora, as reflected in the case study, live with a paradox and conflict between two selves and two languages, which is a result of bilingualism and biculturalism in the Diaspora. No matter how hard they try to preserve their linguistic selfhood, hybridity in language and identities is inevitable as an important consequence of the Diaspora. Below I will explain the characteristics of linguistic hybridity in the texts mentioned.

**Writing in the Language of the Other**

The stylistic characteristics of the works mentioned are quite significant. The authors have chosen to write in English as it is the language they have mastered as a written language in the American education system. Besides, writing in English can make their works accessible to a larger audience and their voices can be heard more widely. This means that they are writing for
the Other, using the language of the Other. But one of the most important reasons is the freedom they feel to write everything in English. However, this does not satisfy them, as they also want to make a connection with the members of the community of Iranians in exile. This will give them a sense of belonging and attachment. To overcome this paradox, they develop a hybrid language:

\[\text{Organic, unconscious hybridity is a feature of the historical evolution of all languages. Applying it to culture and society more generally, we may say that despite the illusion of boundedness, cultures evolve historically through unreflective borrowings, mimetic appropriations, exchanges and inventions. [...] Intentional hybrids create an ironic double consciousness, a collision between differing points of views on the world (Bakhtin 1981: 360).}\]

Hybridity, as Bakhtin says, is the fate of a language. The ‘double consciousness’ of female subjects in the Iranian Diaspora makes them create a hybrid language that is capable of transmitting their inner conflicts. They write in a threshold language, a variety of English that is enriched with Persian words and grammar and is understandable for the members of the community. It is a language that belongs to this community. On the other hand, it gives them the advantages of writing in English as a dominant language and language of freedom. Elahi, using the term ‘accented identity’ introduced by Taghi Modarressi in Writing with an Accent (1992) writes “The notion of accented identity, and specifically of accented writing, can help us understand how Iranian-Americans might transform the trauma of a language lost into the celebration of a self regained or reconstructed, a translation of identity into a new language or through a dialectical relationship between two languages” (Elahi 2006: 464). Below is a discussion of the dimensions of this accented language that the female characters of the selected literary works use, with their hyphenated and in-between identities.

Use of Persian Words and Grammatical Structure in English

The implied authors in the works mentioned have a specific usage of English, which includes Persian words or proverbs roughly translated into English. This enables them to write for the community they belong to, or would like to belong to - the community of Iranians in exile. As Eckert & McConnell-Ginet say in Language and Gender, each community has its own language use:

[\text{Patterns of language choice are built into the social fabric of the community. Speakers may borrow lexical items from one language to another, they may use different language in different situations and with different people, they may use more than one language in the same conversation - code-switching from one turn to another, or within sentences.}]

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These strategies make social meaning in much the same way as variation within the same language (Eckert & McConnell-Ginet 2003: 270).

Use of this language form gives a sense of separateness from the English-speaking American natives. This leads to the formation of a unique social identity based on the insider/outsider boundaries. Bahrampour writes, “It is fun to speak like this, to lazily pick the best words from each side and form a fused language you’d have to be one of us to understand” (Bahrampour 1999: 191).

Some instances of this fused language in the texts occur when the subject brings in Persian words with or without an introduction. This accented language is organic to the accented identity of the characters, as Modaressi suggests (1992: 7-9). Another very good example is that of Bahrampour:

My Farsi life swims darkly below my English life. It surfaces whenever I talk to anyone who is not from my school or my immediate family. The more I speak it, the more I notice I’ve picked up words I don’t remember having learned. In fact, there are some words I only know in Farsi, words my family uses no matter which language we are speaking. *Khash-khash* is a hard green oblong pod the size of my fist, which Ali and I split open to shake out handfuls of white seeds that pop between our teeth like tiny pearls. *Toot* is a musky purple or white berry that grows on trees, and *joob* is the trench between street and sidewalk that carries water through the city, getting slower and blacker the further south it goes (Bahrampour 1999: 50).

Discussing this excerpt from Bahrampour’s memoir, Elahi writes:

The implied authors resist translation as they believe this will blur the connotations of the word and its vocal characteristics. In contrast to Asayesh’s beached whale, Bahrampour’s Persian is almost like a shark (swimming darkly) below the surface of conscious speech (Elahi 2006: 471).

Through the language, the implied author tries to draw a line between those who belong to the community and can understand the language and those who are outsiders.

Moaveni writes: “I realized that some of my most integral parts resisted translation. It was only in not being able to transport them into another language that I saw how much they mattered” (Moaveni 2006: 68). This inability to translate or avoidance of translation differentiate the language of the diasporic subject from that of the Other, and reminds her how important these words are as metonyms for her Iranian self.

Even when the subject translates a Persian dialogue in English, she does not try to create a perfectly understandable text for the Other. On the contrary,
the translations keep the grammatical format of the mother tongue, the
proverbs are translated word for word and no equivalent is given as in
Bahrampour’s text:

To keep my head warm... [to keep someone busy]

Don’t be tired [Keep up the good work]

God take care of you. [God bless you] (Bahrampour 1999: 141, my translation)

The subjects try to enrich the English language by using Persian words that
do not have an English equivalent. The main character ‘Firoozeh’, in *Funny
in Farsi*, uses Persian words for familial relations as they are more exact than
the ones in English. And she continues using them throughout the memoir
as a normal word.

Growing up in Iran, I was surrounded not by snow or tanned people, but by
relatives. Not surprisingly, my native language, Persian, contains many more
precise words for relatives than does the English language. My father’s brothers are
my amoo. My mother’s brother is a dye-yee. My aunts’ husbands are either shohar
ammeh or shohar khaleh, depending on which side of the family they are from. In
English, all these men are simply my ‘uncles.’ Only one word describes their
children in English, ‘cousin,’ whereas in Persian, we have eight words to describe
the exact relationship of each cousin (Dumas 2004: 96-97).

Farsi is used as a resistance method against the Other language, English, in
some of the works of the case study. The characters use English in a
significant way: they use Persian grammar in translating a Persian dialogue,
or Persian words in English alphabets. This puts language somewhere
between Persian and English. This language is specific for the member of
the community of Iranians in exile, the community that the characters long
to belong to. Through this language the subjects can manifest their dual
identities properly.

However, for some of the female subjects of the selected literary
works of Iranian women in the Diaspora, English is not only associated with
inferiorisation and marginality. Their fluency in English and the freedom
connected with this language encourages them to write in English. Below I
will elaborate on this in more detail.

*Using English as the Language of Taboos and Secrets*

English for the implied authors of the mentioned works seems to be the
language in which they can write easily, as they are all educated in western
systems. They admit that, using English, they can talk about forbidden
aspects of Iranian culture. The reason may be the close association of culture
and language: the taboos in a culture are not to be performed by the members of the community and not to be spoken about in its language.

English has become an important part of the identity of the female subjects of, specifically, the second generation of exiles. It is through this language that they can express the inner conflicts between their two displaced selves. Their knowledge of Farsi is not sufficient to fulfil all their linguistic needs as they have learned it only in a domestic environment. One of the female characters in Moaveni’s work names it “kitchen Farsi,” a colloquial Persian limited to “Gossiping with family and whining to my parents,” with “no special fluency,” leaving the speakers “ill-equipped to hold abstract conversations with the highly literate” (Moaveni 2006: 89). The narrator of Moaveni’s memoir, with the same knowledge of Farsi, mentions that she uses English words in her Farsi conversations and makes a hybrid language to be able to communicate. But trying to speak pure Farsi she realizes “that without English, I, as I knew myself, ceased to exist” (Moaveni 2006: 89). As Elahi puts it “Moaveni tells us explicitly of the pain and violence she feels in losing a self that exists neither in the United States nor in Iran, but in the English language” (Elahi 2006: 472). English has become a part of the identity of the subject as much as Farsi, the mother tongue.

Another important reason for the sense of freedom in writing in English is the association of this language as the language of ‘the Land of the Free’, with security and liberty. The narratives associated with the mother tongue are mostly devastating while English reminds the subject of successful challenges to win freedom. Moaveni explains it in her work as follows:

[T]he very act of speaking English invoked a sense of freedom. It was the language in which I had fought many battles, but it was also the language of an alternative existence in which I never felt fear. It was unpolluted by the brutality of the things I heard and spoke about in Farsi, like arrests of activists and the killings of dissidents. Of course I wrote about them in English, but exported across the border of another language, their horror was somehow muted (Moaveni 2006: 89).

Fear, no matter how imaginary, is dominant in the mentality of the subject when she speaks in Farsi, while English reminds her of security. Therefore, she prefers to speak of her private life and social criticism in English to feel more at peace. However, even in private life and issues such as love and sexuality, Farsi does not help the character express herself. Moaveni writes:

I tried to explain, dismayed to see notions like ‘I need space’ evaporate into meaninglessness in Farsi. It was as though the soft, soap-opera lighting of English had been switched off, and replaced by the harsh, fluorescent glare of Farsi (Moaveni 2006: 68).
As the notions of love and lust are differently understood in the Iranian and American cultures, the vocabulary and expressions for them are untranslatable in the language of the other culture. Also the taboo words that are unspeakable in Farsi can be mentioned in English. This includes sexual talks, in Moaveni’s memoir, or use of swear words in Asayesh’s work. Gelareh, the narrator of the latter memoir writes: “I use too many swear words in English but know none in Farsi” (Asayesh 2002: 173). As swear words and sexual issues are taboos for girls in Iranian culture, the subject does not know the Farsi vocabulary for them. But since in the American culture in which they are brought up referring to these subjects is not gendered, the subject knows the proper expressions. The implied authors of the memoirs mentioned feel free to swear and talk about sex in English as their American selves, interwoven with English, allow them to do so, while their Iranian selves prohibit it.

The incapacity of family members to understand colloquial English gives the subjects a chance to use this language for their secret talks and writing. Gelareh in Asayesh’s memoir says: “By the time we returned to Tehran, English was the language in which my sister and I communicated best. It was the language of our private exchanges, our furious fights and games and bargains” (Asayesh 2002: 66-67). Speaking in English, the subject can benefit from the freedom achieved through her unique knowledge of vernacular English. The family members in Iran speak English very little or not at all. Therefore, they cannot observe and control the secret conversations of the two girls. So they can enjoy their freedom although they are living in a rather oppressive atmosphere for female characters.

As we have seen above, the implied authors and characters have a dual relationship with the English language. It detaches them from the community of Iranians in the Diaspora and Iran, but at the same time it is the language that gives them freedom to write about this community and speak of different aspects of their identity without fear. It is the language of modern and free countries and, therefore, it gives them a sense of security when they express their inner conflicts in this language.

Conclusion

Second language acquisition affects the identity formation of female characters of the recent literary works of Iranian female writers in the Diaspora. The generations to which the female immigrants belong are of great importance in language acquisition and use. As transmitters and protectors of the value system of the community, the female characters of the first generation of immigrants are supposed to preserve the mother
tongue. On the contrary, the female characters of the second generation are eager to learn the language and culture of the host country as an integration requirement.

The freedom the subjects feel when writing in English, enables them to use this language to express their inner feelings and identity concerns. However, they are also willing to use their mother tongue as the best means to represent their Iranian identity. As they are always in-between two cultures, they experience an aporia in their language choice. As Elahi argues, speaking of some of the works mentioned in this paper, “[T]hese narratives of self do speak in a language between; they are written with an accent, or, at the very least they narrate the process of losing that accent” (Elahi 2006: 479). This in-between-ness leads to the creation of a personal hybrid (English) language and finds a home in English by mixing it with Persian words and proverbs. This is the language they can belong to and express themselves with, the language of the third space they live in, the space in between, the threshold.

References


Returning ‘home’ after retirement?
The role of gender in return migration decisions of Spanish and Turkish migrants

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Abstract

This paper examines how gender plays a role in the decision-making processes of older migrants on where to live after retirement. It is based on 20 in-depth interviews with Spanish-born migrants and 56 in-depth interviews with Turkish-born migrants who spent their working lives in the Netherlands and returned to their country of origin or started moving back and forth between both countries after retirement. Existing studies on return migration have shown that women are often more reluctant than men to settle back in their country of origin, yet these studies also acknowledge that more in-depth research should be conducted on the role of gender in migrants’ decision-making on return migration. In this paper, we examine, firstly, why our female respondents were often more reluctant to return and how this influenced the decision-making processes of couples or families. Secondly, we analyse how the different citizenship statuses of the respondents (Dutch, Spanish, Turkish and/or European) influenced their decision-making and how citizenship interacted with gender differences.

Keywords

return migration, citizenship, gender, Turkey, Spain

Introduction

The moment of retirement provides migrants the opportunity to reconsider their country of residence since work obligations no longer tie them to the host country. Existing studies have shown that the decision-making process on where to live after retirement is highly gendered and that women are often more reluctant than men to settle back in their country of origin (cf. King et al., 2004). This paper examines how gender plays a role in these decision-making processes. It is based on interviews with Spanish-born and Turkish-born migrants who have spent their working lives in the Netherlands. We will discuss, firstly, why our female respondents were often more reluctant to return and how this influenced the decision-making processes of couples or families. In answering these questions, we will pay
special attention to caring roles and expectations, which are often gendered. Secondly, we will examine how the respondents’ citizenship status influenced their decision-making. As EU citizens, Spanish migrants can move freely between the Netherlands and their country of origin. The same applies to Turkish migrants who have acquired Dutch citizenship; they have the possibility to spend longer periods of time in their native country without losing the right to take up residence in the Netherlands again. By contrast, migrants with (only) Turkish citizenship lose their permanent resident status in the Netherlands when they stay outside the country for a year. We will consider the impact of those differences on the decision-making process on where to live after retirement and how it interacts with gender differences.

**Gender and (retirement return) migration**

Although retirement migration in general is increasingly studied, the experiences of post-retirement returnees are still largely under-researched, especially from a gender lens (exceptions include Ackers and Dwyer, 2002; Balkır and Böcker, 2015; Bolzman et al., 2006; De Coulon and Wolff, 2010; De Haas and Fokkema, 2010; Hunter, 2011; Krumme, 2004). Earlier studies on return migration to the Mediterranean region have focussed mainly on the return of working-age migrants and do not incorporate the experiences of post-retirement returnees in their analysis.

Recent studies on Turkish and Spanish return retirement migrants who have worked in a Northern European country show that older migrants often prefer to maintain a flexible migratory pattern (instead of returning permanently to their country of origin), because of a ‘duality of resources and references’ in both the country of retirement and the country where they spent their working life (Bolzman et al., 2006; cf. Krumme, 2004). Low cost flights between Northern Europe and the Mediterranean and cheap communication possibilities have made it possible to “exploit, maintain and continue to develop residential opportunities, social networks and welfare entitlements in more than one country” (Warnes and Williams, 2006: 1265). Although we assume that gender plays an important role in the decision-making processes on where and how to retire, gender is often left out of consideration in studies on return retirement migration.

King and his colleagues (2004) confirmed in a state of the art report on Gender, Age and Generations that the dynamics of return are highly gendered. They argued that, although men and women may yearn for
'home', women are often more reluctant to return to the country of origin because generally women do not want to give up their newly won freedoms and do not want to return to conservative social conditions (idem: 39). According to King and his colleagues, more in-depth research on the role of gender in migrants’ decision-making on return migration is needed as well as on how a (non-)return decision is taken within the family. A comparable conclusion was drawn by Mahler and Pessar (2006) who paid attention to the ways in which gender forms a key constitutive element of migration. They argued that more attention should be paid to the importance of gender in the negotiation of where and how to retire. According to Mahler and Pessar (2006) people do ‘gender work’. The term gender work refers to the fluid practices and discourses through which people negotiate relationships and conflicting interests. This raises the question of how a possible return is negotiated within the household setting between the husband and wife and broader family, and how gender influences this process.

**Citizenship from a bottom-up perspective**

In this paper, Spanish and Turkish return retirement migrants are compared. Both groups of retirement migrants have different citizenship statuses and consequently different rights and possibilities. Therefore, we will focus on the interrelation between the citizenship statuses of the retirement migrants and how this intersects with gender differences.

In citizenship literature, there is an ongoing debate on the changing form and nature of citizenship. According to some scholars, national citizenship is giving way to new, postnational or transnational forms of citizenship. For example, Soysal (1994) argued that European nation states have been extending rights which used to be reserved for citizens to noncitizen migrants, and that migrants’ claims for rights within host states are increasingly framed within discourses of universal human rights. Other scholars emphasise the resilience of national citizenship and its continuing relevance (see for example Faist 2001). However, it seems that a bottom-up perspective is largely absent in the citizenship literature. There are few empirical studies which examine what meaning citizenship actually has in people’s lives (cf. Jones and Gaventa 2002; Lister et al. 2003; Miller-Idriss 2006). An interesting exception is a study by Leitner and Ehrkamp (2006), based on ethnographic research among migrants from various countries of origin in Germany and the US.\(^1\) It analyses the values and meanings

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\(^1\) Leitner and Ehrkamp (2006) conducted interviews with Turkish and Kurdish immigrants in Duisburg, Germany, and with Somali, Sudanese, Vietnamese, Cambodian, Mexican and Central American immigrants in Minnesota, USA.
migrants assign to citizenship. Particularly relevant for our topic is their finding that the intersection of gender and national identity may lead to conflicting decisions about naturalisation. For example, whereas Turkish women in Germany and Mexican women in the US did not see a contradiction between their Turkish or Mexican identities and acquiring the citizenship of the host state, their male compatriots were more reluctant to apply for naturalisation because they felt it would betray their original national identity. This study also shows that national citizenship continues to be meaningful in migrants’ struggles for cross-border mobility, legal protection and access to social and political rights. Similar to Leitner and Ehrkamp (2006), we will examine what values and meanings (older) migrants attach to citizenship of the host country, paying special attention to (the intersection of) gender and nationality differences.

Methodology

This paper is based on semi-structured interviews with Spanish and Turkish return migrants. The interviews were conducted in the framework of different research projects. Böcker interviewed Turkish return migrants in 2009-2010 as part of a comparative project on retirement migration to Turkey. Gehring conducted interviews with Spanish and Turkish return migrants in 2012-2013 for her ongoing PhD research on retirement migration. The interviews with Turkish return migrants took place in Karaman, Kayseri and Ordu, Turkey, and in the Netherlands. The interviews with Spanish return migrants took place in Cadiz and Gijon, Spain, and in the Netherlands. The interviews followed a life history approach and focused on the different migratory decisions which the respondents had made over their life course. Specific attention was paid to the different social, legal, economic, and cultural factors which influenced this process as well as the negotiations between the partners and within the broader family.

Respondents were recruited through purposive snowball sampling. Organisations assisting return migrants in the Netherlands, Spain and Turkey brought us into contact with our first respondents. The main selection criteria were that respondents were retired in the sense that they had chosen or been required to give up paid work, they had spent (a large part of) their working lives in the Netherlands, and that they had returned to their native country Spain or Turkey upon their retirement for at least six

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2 The research was carried out in collaboration with Canan Balkır (Department of EU Studies, Dokuz Eylül University, Izmir). It was made possible by a grant from MiReKoc, the Migration Research Program at the Koç University (MiReKoc Research Projects 2009-2010). For the research report, see Balkır and Böcker, 2015.
months per year. We attempted to include migrants with different family and health status and migration patterns in both the Spanish and the Turkish sample. Most of our respondents had settled back permanently in Spain or Turkey, but we also interviewed migrants who divided their time between the Netherlands and their country of birth. Finally, as we were interested in the effects of different citizenship statuses, we attempted to include equal numbers of Turkish and dual (Dutch/Turkish) citizens in the sample of Turkish returnees.

The advantage of pooling our interview data is that we can make use of data from a larger number of interviews. However, this advantage is limited to the Turkish sample. We conducted 20 interviews with Spanish migrants and 56 interviews with Turkish migrants. Most of the interviews were with couples. Of the 20 interviews with Spanish migrants, 11 were with couples and 9 were with individuals. Of the 56 interviews with Turkish migrants, 30 were with couples and 26 were with individuals. Thus the total numbers of respondents added up to 31 Spanish and 86 Turkish respondents. The Turkish sample included 51 male and 35 female respondents. The Spanish sample included 15 men and 16 women. We were unfortunately not able to include similar numbers of male and female respondents in our Turkish sample. The main reason was that associations of return migrants and an organisation providing advice and guidance to return migrants brought us more easily in contact with male than with female Turkish respondents.

Interviewing couples was done partly for pragmatic reasons. It is easier to arrange a joint interview in a couple’s home than two interviews after another. Joint couple interviews tend to be seen as inferior to individual interviews. In our experience, the presence of both spouses often added to the richness of the data, as the husband and wife could react to each other’s stories and the researcher could observe the couple’s interaction (cf. Bjørnholt and Farstad 2014). This gave us some insight in differences in perceptions, preferences and power between husband and wife regarding their return decisions. However, one weakness of couple interviews was that differences of opinion were sometimes not revealed until one of the spouses left. We experienced a few times that a female Turkish respondent brought up a conflict or another delicate issue only when her husband had left the room for a while or during informal talks with the interviewers. The researchers overcame this issue by making sure that during interviews with couples there was a moment of informal talk with the women. The researchers being female enabled them to create these informal moments with the women to obtain insight into views with specific gender orientation. The male respondents seemed to feel fewer
restrictions to express their position and situation within an interview setting.

The ethno-national background of the researchers (who are both native-born Dutch) enabled the respondents to relate their stories to shared experiences and knowledge of the Netherlands. It seemed in particular that Turkish respondents felt less inhibited to talk about the concerns they had about losing their residence rights in the Netherlands than they would have felt being interviewed by (non-migrant) Turkish researchers.

A limitation of our data is that not all interviews were audiotaped, transcribed and translated verbatim from Spanish or Turkish into English. Some of Gehring’s interviews with Spanish and Turkish migrants were conducted with interpreters. The majority of these interviews were audiotaped and transcribed and translated together with the interpreter. However, these translations were not always verbatim. Mainly because of time and financial restrictions, Böcker, who speaks Turkish, did not audiotape most of her interviews with Turkish migrants. Instead, she took extensive notes during the interview, including as many verbatim quotes as possible, and transcribed and translated these notes immediately after the interview.

**Gender and the decision-making process**

In this section, we examine the dynamics between the actors who are involved in the decision-making process on where to live after retirement. Special attention is paid to the question of why women may be more reluctant to return permanently to their country of origin. The decision-making process does not end at the moment of (re-)settlement in the country of origin, but is a continuous process influenced by life-cycle events such as the death of a partner or deterioration of health. In these moments, migrants may reconsider their decision to return. They may also consider changing their migration pattern, for example because moving back and forth between two countries becomes increasingly difficult due to health reasons.

**Negotiation, discussions, and quarrels**

The migratory decision-making process of retired migrants concerns a process of negotiation, discussion and sometimes also conflict between the persons involved. One of the main issues in the negotiations and possible disagreements concerns the choice between a permanent return and temporary or seasonal stays in the country of origin. Generally speaking, the
interviewed women more often preferred a fluid migratory pattern with back-and-forth moves and the men more often expressed a preference to return permanently to their country of birth. In most cases, compromises were found and migratory patterns were negotiated between the partners. A fluid pattern with regular back-and-forth moves was often an example of a negotiated migratory pattern. Sometimes the couple could not agree on a common migratory pattern and as a result one of the partners already returned and the other partner continued to move back and forth between both countries. The following example shows how a husband and wife negotiated their mobility pattern:

The respondents are a Turkish couple. The husband has lived in the Netherlands since 1970, the wife since 1981. They became eligible for a Dutch state old-age pension in 2000. Since then, they have been spending half the year in the Netherlands and the other half in Turkey. During the interview, the husband explains why they did not return to their native country permanently, although that would have been his preference. He points out that especially his wife has a lot of friends in the Netherlands and that she likes the freedom she has here to go outside. In Turkey she stays more at home and their family visits them. In the Netherlands she goes out and does whatever she wants. That is why she doesn’t want to return to Turkey for the whole year. His wife had a bypass operation a few years ago and he doesn’t want to upset her in any way. So he keeps on travelling, although he actually doesn’t like to travel. (Interview with Turkish couple, pendular migrants, November 2009.3)

A few respondents hinted at quarrels they had had with their spouse about where and how to return to their native country. In most of these cases, the husbands wanted to return permanently, whereas the wives were more reluctant or wanted to remain in the Netherlands, as shown in the following excerpt from our notes of an interview with a Spanish couple:

The husband migrated to the Netherlands in 1972 and the wife followed soon afterwards. They both worked in the Netherlands until they returned to Spain. The husband wanted to return to Spain because he became disabled and could no longer work in the Netherlands. While talking about the decision to return the wife becomes emotional. She explains that she did not want to return permanently to Spain, because she didn’t want to be far away from her children and grandchildren. She had many discussions and quarrels about this with her husband, but she did not feel free to negotiate the return with him. In the end she felt forced by her

3 The interview was not transcribed verbatim. The excerpt is from the researchers’ interview notes. This also applies to all the following examples from our interview material.
husband to return permanently to Spain. Their daughter, who is visiting the couple at the time of the interview, explains that her father still lays down the law in their marriage. After returning to Spain, the wife went on holidays to the Netherlands and there she saw that her children were doing fine without her. After this visit she felt more at ease in Spain. (Interview with Spanish couple, permanent returnees, August 2012.)

This example shows that a return migration does not only affect the lives of the migrant(s) involved, but also influences relations with family members – mainly children and parents (when alive). The decision to return was often negotiated with close family members who may live in the Netherlands or in the country of birth, as the following example illustrates:

The respondents are a Spanish couple who lived in the Netherlands from 1962 to 2006. They returned to Spain after the husband became unemployed and the wife became disabled. During the interview, the wife explains that their son gave them his permission for their return to Spain. He told them: “Mum and dad, you both have worked very long and you made sure that we could have a good job. I’m a grown-up now. I studied at Utrecht University and I can take care of myself now.” She states that both their sons have a good life in the Netherlands and that she felt that she could return now. The husband adds that it hurts to leave children behind in the Netherlands, but that it would also be difficult not to fully enjoy the last years of their life. (Interview with Spanish couple, permanent returnees, August 2012.)

Permanent returnees, both male and female, emphasised that the decision to settle back permanently in their country of birth was not an easy one, because it meant leaving their family and friends in the Netherlands and leaving a country which had become familiar during the years they lived there. The decision to return permanently was particularly difficult for Turkish migrants without Dutch citizenship, because of the implications for their residence rights in the Netherlands. These migrants were aware that settling back permanently in their native country implied that they would lose their permanent resident status in the Netherlands. Spanish migrants, on the other hand, are not affected by this restriction. As EU citizens, they can make use of their free movement rights and take up residence in the Netherlands again also after a longer stay in their native country. We will elaborate on this topic and its gender implications in the section on citizenship.
Reluctance to return

As stated already, women tend to be more reluctant to return permanently to the country of origin than men. A broad range of reasons can be found for this reluctance. In this section, we discuss the three main reasons. First of all, similar to what was found in other studies, particularly Turkish women felt that they have gained more freedom in the Netherlands and are therefore more ‘at home’ there than their husbands. The social life of Turkish women may become more restricted upon their return, whereas their husbands may enjoy a richer social life and thus may find it easier to re-adapt in Turkey, as suggested in the following excerpt from our interview notes:

The respondents are a Turkish couple. They returned to Turkey in 2007 after having lived almost thirty years in the Netherlands. During an informal conversation which takes place when the husband is outside the room, the wife explains that she did not want to return to Turkey. However, because her husband had a very hard time in the Netherlands she decided that it would be better to return together. The first year after their return she felt very depressed. She explains that she felt freer in the Netherlands. “I had my own car, my own money, but here I have to ask my husband for everything.” She explains that it was much easier for her husband to build up a new network in Turkey, because he can go to a tea house, something which women, in her opinion, cannot do. She spent many hours inside the house during that first year. (Interview with Turkish couple, permanent returnees, January 2013.)

Whereas a return move sometimes implied a loss of newly won freedoms and status for women, for men the opposite was often true. Among our male Turkish male respondents, the wish to settle back permanently in their native country often seemed to have been triggered by forced unemployment (as a result of dismissal or disability), experiences of discrimination, humiliation or injustice and feelings of alienation in the Netherlands. When asked about their motives to return, many of these men referred not only to pull factors attracting them to Turkey, but also to push factors in their life in the Netherlands. Although our female respondents were in general more reluctant to return, some of them also stated that they preferred to return to Turkey or Spain because of language difficulties and feelings of isolation and alienation in the Netherlands.

4 Moreover, some Turkish women were younger than their husbands and a few were still working when the decision to move back to Turkey was taken.
A second reason why our female respondents tended to be more reluctant to return permanently than their husbands was the presence of children and grandchildren in the Netherlands. Although both men and women found it difficult to leave their children and grandchildren behind, for women this seemed to be more often a reason not to return permanently to Spain or Turkey. The following example shows how a Turkish couple negotiated these different needs:

The respondent is a Turkish man. He states that he would prefer to return to Turkey for good because in the Netherlands he is under great psychological pressure all the time. His wife does not want to return yet. She wants to wait until their youngest son is married and settled. However, she does not want to stop him, and he accepts that she wants to stay in the Netherlands for another six years or so. He told her: “Stay here for another six-seven years, find a girl for our youngest son.” He intends to come back to the Netherlands and stay with his wife for three months each year, as a tourist. His wife can come to Turkey and stay with him for about six weeks each year. So they will not be separated all the time. (Interview with Turkish man, about to settle back permanently in Turkey, January 2010.)

However, if one or more children live in the country of origin, the decision to return permanently was easier for both men and women, as shown in the following example. The respondents are a Turkish couple. They returned to Turkey in 2012. During the interview, they explain that the main reason was that they never managed to bring their disabled daughter to the Netherlands. The wife therefore always moved back and forth between the Netherlands and Turkey and the husband spent the summers in Turkey. After 25 years in the Netherlands, the couple decided to live permanently in Turkey so that they could take care of their disabled daughter. The husband states that the return was easier for his wife because she never stayed on a permanent basis in the Netherlands and all her family members are living in Turkey. (Interview with Turkish couple, permanent returnees, October 2012.)

This example illustrates a third reason influencing the decision-making process. It shows that care obligations and expectations also influence the choice for a certain migratory pattern. Although the social networks of both men and women often include family relations in the ‘home’ as well as in the ‘host’ country, caring roles and expectations and the involvement in informal care arrangements within the family are highly gendered. Baldassar, Wilding and Baldock (2007) showed in their work on transnational families that care can be exchanged across borders. Caring is not restricted to people who live in close proximity to one another. Yet the
way care can be exchanged is influenced and transformed by migration, geographical distance, borders and the passage of time, and certain forms of care do require proximity.

We found that families find creative ways through for example telephone contact, Skype and e-mail to maintain intense caring relationships. However, providing hands-on care requires proximity. Particularly our female respondents were often involved in providing care for grandchildren. This involvement, and the desire to remain involved in these informal care arrangements often led to a fluid migratory pattern in which the couple, or the wife alone, moved back and forth between the Netherlands and the country of origin, as shown in the following example:

The respondents are a Spanish couple. The husband migrated to the Netherlands in 1962. Two years later, he met his wife in the Netherlands and they got married. The wife explains that her husband wants to return to Spain next year, when he retires, but that she cannot go with him. She takes care of their granddaughter during two days a week. She cares for her during the six months that they are in the Netherlands. She enjoys doing it and their daughter does not have the financial means to pay for the kindergarten. She argues that she can think about a permanent move to Spain when their grandchildren are old enough. (Interview with Spanish couple, pendular migrants, July 2012.)

Post-retirement returnees move at a stage in their lifecycle which is often associated with an increased need to receive care themselves. This factor also influenced the migratory pattern of post-retirement returnees. For some couples, receiving care from their children was an incentive to stay in the Netherlands, yet for others it was a reason to return once again to the Netherlands. Notably, women who returned permanently to Spain or Turkey considered more often than men a final return move to the Netherlands when they would be in need of care or when their partner would pass away. With the Turkish respondents, the husband and wife sometimes gave different answers to the question of whether they would prefer to move back to the Netherlands in certain situations, as shown in the following example:

The respondents are a Turkish couple. They returned to Turkey in 2007, after having lived for more than thirty years in the Netherlands. During the interview, the wife states that, if her husband would die, she does not want to stay in Turkey alone, she would to go to her children in the Netherlands: “God knows, but I want to go to my children, if they [Dutch immigration authorities] let me, or the children should come here to stay
with me.” Her husband says he will stay in Turkey under all circumstances. (Turkish couple, permanent returnees, October 2009.)

Partly as a result of these differences, the decision-making process seems to be stressful and sometimes conflict-laden. Our male respondents often found it easier to decide to return to the country of origin while our female respondents more often preferred to maintain dual residences. Yet, this was only partly because they did not want to lose their new-won freedoms, as King et al. (2004) argued. Our interviews show that many women also prefer to move back and forth in order to enable access to a broader range of informal care resources and to maintain a transnational way of family life. For most Turkish respondents the decision to return permanently was particularly difficult because of their citizenship status. We will further elaborate on this topic in the next section.

Significance of dual or EU citizenship

In the past few decades, most Turkish-born migrants in the Netherlands have acquired Dutch citizenship. A large majority were not required to renounce their Turkish citizenship, thus becoming dual nationals (Böcker, 2004; Balkır and Böcker 2015). Spanish-born migrants, and migrants from EU member states more generally, have shown a much lower propensity to naturalise, even though they are generally allowed to retain their former citizenship (Böcker and Thränhardt, 2006). Migrants with Dutch or EU citizenship can move freely between the Netherlands and their country of origin. By contrast, Turkish migrants who have not naturalised lose their permanent residence status in the Netherlands if they remain outside the country for a year. In this section, we will examine how this influences the decision-making of the migrants concerned, and how it interacts with gender differences.

More than half of our Turkish respondents acquired Dutch citizenship while they resided in the Netherlands. Among our Spanish respondents, a much smaller proportion had naturalised. In both groups, practically all migrants who had not applied for naturalisation said they had not done so because they did not see (important) advantages in comparison with their permanent resident status or their Spanish (EU) citizenship. They argued that their permanent resident status or their Spanish citizenship gave them largely the same rights as Dutch citizens. Turkish respondents argued, moreover, that a Dutch passport would not protect them against discrimination. In hindsight, however, a few Turkish returnees regretted that they had not applied for naturalisation. They realised that a Dutch passport would have offered advantages over a permanent resident status.
In particular, it would have enabled them to spend longer periods of time in Turkey without risking to lose their residence rights in the Netherlands.

The following examples show that for Turkish migrants who are dual citizens, their Dutch citizenship is above all a source of freedom and security, enabling them to come and go as they want and guaranteeing them the right to return back to the Netherlands if things would not work out in Turkey.

The first example is from an interview with a Turkish man. He and his wife have dual citizenship. They applied for Dutch citizenship when he reached retirement age and they started to spend six months a year in Turkey. During the interview, he explains why his Dutch passport is fairly important for him: he can come and go whenever he wants; he can stay away for longer periods of time; and when he arrives back at Schiphol airport, the queue for EU citizens is always shorter than the other one, for non-EU citizens. (Interview with Turkish man, pendular migrant, January 2010.)

The second example is also from an interview with a Turkish man. He returned to Turkey alone; his ex-wife and their children and grandchildren all live in the Netherlands. He returned with a Dutch disability benefit. During the interview, which takes place a few months after his return, he explains that his Dutch passport is important for him because it ensures him that he can go back to the Netherlands if he loses his disability benefit: “They cannot throw me out.” He finds it reassuring to know that in case of need, he can go back and apply for social assistance in the Netherlands. He adds that in Turkey, without income, he would be on the street. (Interview with Turkish man, permanent returnee, May 2010.)

Another respondent, a woman, called her Dutch passport “a kind of insurance” against more or less foreseeable risks. She and several other returnees with dual citizenship said they would not have returned to Turkey without their Dutch passport. Particularly for female respondents, however, this had not only to do with retaining access to the Dutch welfare state, but also, or primarily, with maintaining family relations. Their Dutch passport assured them the easiest and most certain access to the country of residence of their children and grandchildren, as shown in the following example:

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5 This is not an imagined risk. We interviewed several returnees who had lost their disability benefit or had seen it reduced as a result of a re-examination years after their return.
The respondent, a Turkish woman, divorced, settled back permanently in Turkey in 2005, after having lived for thirty years in the Netherlands. She explains that without her Dutch passport, she would not have returned. Her daughter and grandchild live in the Netherlands. She wants to be able to board a plane to visit them without first having to apply for a visa. Her dual citizenship, her having two countries, also makes her feel rich. And whenever the situation in one country deteriorates, she can move to the other country. (Interview with Turkish woman, permanent returnee, April 2010.)

The Spanish respondents found it important, for similar reasons, to retain access to the Netherlands. However, Spanish migrants do not need Dutch citizenship to enjoy the same feelings of freedom and security since their Spanish (EU) citizenship provides them with these rights. They can visit the Netherlands with their Spanish passport (or just their Spanish ID card). One of our Spanish respondents commented on this:

The respondent, a Spanish woman, followed her husband to the Netherlands in 1973. She explains that the first years in the Netherlands were rather difficult. After their housing situation had stabilised and she had built up a supporting social network in the country, she started to feel at home in the Netherlands. Because of her social life in the Netherlands and her close relatives who were also living in the Netherlands, she did not want to go back to Spain. It was her husband who decided that they would return. She found it hard that she could not see her grandchildren growing up and to be separated from her daughter. However, six years after her return she feels happy in Spain. Twice a year she visits her children and grandchildren in the Netherlands, while her husband stays here. She can travel without restrictions, take her passport and go. (Interview with Spanish woman, permanent returnee, June 2012).

Respondents with only Turkish citizenship, on the other hand, were well aware that they would not be allowed to settle back in the Netherlands after a longer stay in their country of birth. This made the decision to return permanently such a difficult one for this group. For the respondents with dual (Dutch/Turkish) or Spanish citizenship, ‘permanent’ did not have the same, dramatic, connotation, even if they were aware that a return to the Netherlands may not be possible because of financial or other practical constraints.

Losing Dutch citizenship

Return migrants with dual citizenship may lose their Dutch citizenship if they do not have their Dutch passport renewed within ten years after their
return (and subsequently every ten years). Moreover, dual citizens may be required to give up their Dutch citizenship if they want to make use of the Dutch Remigration Scheme. This scheme offers older migrants from former recruitment countries who face problems in the Dutch labour market the option of returning to their country of origin. They receive a monthly allowance to help cover their costs of living and/or a lump sum for their moving expenses. However, they have to return for good. Migrants with permanent residence status lose this status, and naturalised migrants are required to renounce their Dutch citizenship. All Turkish users thus lose the option of moving back to the Netherlands. In this section, we focus on those who had to give up their Dutch citizenship.

Both among our Spanish and our Turkish respondents, there were returnees who had made use of the Remigration Scheme and who had been required to give up their Dutch citizenship in return for a remigration allowance. The Spanish respondents did not seem to be bothered by this requirement; they thought their EU citizenship provided them with equal and sufficient rights. As one of them remarked dryly: “I still have my Spanish passport.” The Turkish respondents, on the other hand, found this requirement difficult to accept and some felt aggrieved by it. They pointed out that they have lived in the Netherlands for many years, that they brought up their children there, that the Netherlands had become their second mother- or fatherland. Particularly male respondents also referred to their economic contributions, pointing out how many years they had worked and paid taxes in the Netherlands.

These Turkish respondents did not always explicitly mention – probably because it was so obvious for them – that together with their Dutch citizenship they also gave up the possibility of returning back to the Netherlands. This was different for the Spanish respondents, as was illustrated in an interview with a returnee who lost her Dutch citizenship because of the ten-years rule:

After having lived for six years in Germany, this respondent and her husband moved to the Netherlands in 1975. They obtained Dutch citizenship and became dual citizens. After returning to Spain she did not renew her Dutch passport because, as she explains, she does not need it anymore. During the interview she shows us her expired Dutch passport which she keeps in a nice box, along with pictures and other souvenirs from

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6 To be eligible for the monthly allowance, return migrants must be aged 45 years or older and must have been receiving a social benefit or pension for at least six months prior to their application. In 2014, the Remigration Act was revised. Eligibility requirements were tightened. The age to apply for a remigration benefit was increased from 45 years to 55 years. The lump sum for moving expenses was abolished.
the Netherlands. (Interview with Spanish woman, permanent returnee, May 2012).

This Spanish respondent expressed a merely symbolic or emotional attachment to her Dutch citizenship. The naturalised Turkish respondents clearly attached a different value or meaning to their Dutch passport. This value or meaning can also be grasped from what parents said about their children’s citizenship. The following two examples illustrate that Turkish return migrants attach great value to their children retaining Dutch citizenship; they want to ensure their children the possibility of returning to the Netherlands:

The first example is from an interview with a Turkish man. He returned to Turkey with his second wife and his youngest children in 2009. He and the children had dual citizenship. He had to renounce his Dutch citizenship to be eligible for a remigration allowance. He explains that he found it “a bit difficult”, because he lived for thirty years in the Netherlands. He states that he was also asked to hand in the passports of his children, but did not do this. So the children still have their Dutch passports. He intends to have them renewed every five years because the children may want to return to the Netherlands when they are grown up. (Interview with Turkish man, permanent returnee, May 2010.)

The second example is also from an interview with a male Turkish returnee. He returned to Turkey with his wife and daughter. He had only Turkish citizenship – he never applied for naturalisation in the Netherlands – but his wife and daughter were dual citizens. His wife had to renounce her Dutch citizenship when she applied for a remigration allowance for the family. He remarks that their daughter, who was only eleven years old when they returned to Turkey, also could not retain her Dutch citizenship. He and his wife feel bad about this. They are afraid that their daughter may blame them when she is grown up. They did not ask for her consent, she was too young. He points out that he is not interested in Dutch citizenship for himself, but he would like his daughter to get back hers. (Interview with Turkish man, permanent returnee, March 2010.)

The latter respondent was afraid that his daughter would later reproach her parents for having cut off the way back to the Netherlands for her. De Haas and Fokkema (2010) found, similarly, that sons of Moroccan return migrants tend to resent their fathers’ decision to return since it blocks their own chances of gaining admission to Europe.

As already explained, women are often more reluctant than their husbands to return permanently to their country of origin. As a compromise
solution, some couples settled for a fluid migration pattern. Another compromise is that the husband filed the application for a remigration benefit and gave up his Dutch citizenship, so that the wife could retain hers. In some cases, this compromise was explicitly negotiated between wife and husband. In other cases, it was a sort of tacit compromise between the husband’s wish and the wife’s reluctance to settle back in Turkey. We found much fewer examples of women who gave up their Dutch citizenship so that the family could return with a remigration benefit. In one case, this was because both spouses wanted to return, the wife even more than the husband, while the husband was more reluctant to give up his Dutch citizenship because of his political refugee past.

We also found quite a few examples of couples where the husband renounced his Dutch citizenship while the wife retained hers. Thus, gender differences may not only lead to conflicting decisions about naturalisation, as Leitner and Ehrkamp (2006) found with regard to Turkish migrants in Germany, but also to conflicting decisions about denaturalisation. As a consequence of such conflicting or compromise decisions, the husband and wife (and children) may have different citizenship statuses. Our interviews with Turkish returnee women who had retained their Dutch citizenship made it clear that these women attach great value to their Dutch passport, as a kind of insurance policy and because it offers them the easiest and most secure access to their children in the Netherlands. At the same time, they were aware that their husbands could no longer claim these citizenship rights. This raises the question whether these women experience this as something which empowers them or rather as something disempowering. It is difficult to say on the basis of the following two examples. However, both women presented their Dutch citizenship as a resource which they would use for the benefit of their husband or family, too.

The first example is from an interview with a couple. The husband had to hand in his Dutch passport; his wife and daughter retained theirs. During the interview, the husband explains that he found it hard to give up his Dutch citizenship, but he did it because he wanted to return. The wife says: “It is very important for me and I find it still more important for our daughter. You never know what will happen, one day we may want to return to the Netherlands.” She adds that her husband will have to stay here, in Turkey, but that she may be able to have him come over to the Netherlands after some time. (Interview with Turkish couple, permanent returnees, February 2010.

7 To be sure, fathers also wished to retain access to their children and grandchildren in the Netherlands. However, they saw this less often as a reason to stay in the Netherlands.
The second example is from an interview with a woman who returned to Turkey together with her husband. She still has dual citizenship, her husband renounced his Dutch citizenship so that they could make use of the Remigration Scheme. Asked whether her husband did not find this difficult, she answers: “As a matter of fact, he did, because it is a kind of insurance. If things go wrong, you can return to the Netherlands.” She adds that, in case of emergency, she can move back first, and apply for family reunification. (Interview with Turkish woman, permanent returnee, March 2010.)

We also found examples where the difference in citizenship status among the spouses was clearly experienced as awkward and limiting. Several couples were forced to cancel or change their plans to visit relatives in the Netherlands because the husband’s visa application was refused. In one case, the wife decided not to go either; in another case, she went alone. In both cases, the wife as well as the husband felt humiliated by the Dutch state.

Conclusions

Our paper confirms that the process of deciding where and how to reside after retirement is strongly gendered. Women tend to be more reluctant to return permanently to the country of birth. King et al. (2004) mentioned two reasons for this reluctance: (1) women do not want to lose their newly won freedoms and (2) they do not want to return to conservative social conditions. Our Turkish respondents also refer to those two reasons. Our data shows however that a third motive should be added which was important for both Spanish and Turkish respondents: the role of women within the family and the exchange of care. Both Spanish and Turkish women prefer to maintain dual residency in order to live a transnational family life and to provide and receive informal family care when needed (cf. Ackers, 2004). Spanish and Turkish retirement migrants negotiate their post-retirement migratory pattern within the household setting – between the husband and wife and within the broader family. This process can be conflict laden because of contradictory preferences of the husband and wife and/or close family members. The decision for a certain migratory pattern is thus a continuous process in which the people involved do ‘gender work’ while negotiating their different motives and possible conflictive preferences (Mahler and Pessar, 2006).

Our data show that decision-making processes are also influenced by migrants’ citizenship status. For naturalised Turkish migrants, their citizenship of the ‘host’ state is a source of freedom and security, ensuring
them access to family members there and guaranteeing them the right to return back if and when the need arises. For Spanish migrants, their EU citizenship fulfils the same functions. This makes the decision to return ‘permanently’ much less dramatic for these groups compared to migrants who are third-country nationals. The options of the latter group are constrained by the host state’s immigration rules. Although EU nation states have extended rights to third-country nationals which used to be solely reserved for citizens (see Soysal, 1994), many of these rights are territorially bound and cannot be exported to another country by noncitizens. Thus, a (hierarchical) difference with regard to access to rights continues to exist between citizens and noncitizen migrants when they leave the nation state where the citizenship rights were built up. Because (non-naturalised) Turkish migrants are faced with these consequences when they leave the Dutch territory, they often prefer to obtain a flexible migratory pattern in order to maintain access to Dutch citizenship rights. Furthermore, migrants’ perspectives on citizenship are influenced by gender differences. From a gendered view, again we found that particularly women value their citizenship of the host state or, for that matter, their EU citizenship, above all in terms of the access it ensures them to their children and grandchildren. Turkish women are therefore also more reluctant to give up their citizenship of the host state than Turkish men. These findings reveal new directions for return migration research as well as citizenship studies. It shows the relevance of including gender in the analysis when studying both fields of research, yet more research needs to be conducted in order to further map the intersections between gender and migratory decisions as well as gender and the perception of citizenship.

References


Consequences of Feminised Migration on Families: The Case of Filipino Women

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Abstract
The continued dependence on Filipino women’s migration by their families for their economic well-being has been leading to social change. Such change has taken various forms such as the restructuring of households, redefinition of families and gender relations and change in women’s status. Migration is deeply embedded in the context of family norms, therefore, making it essential to study its impact on the family left behind. Prolonged absence of the migrant woman from her family impacts the structures and processes of family life, reorganisation of households, parenting and childcare. It also affects the psycho-social roles of household members, husband-wife power relationships, and migrant mother-child relationships. Such findings are derived from a study of the life stories of fourteen Filipino migrant women who have worked as domestic workers in various parts of the world for six to twenty two years, and have since returned to the Philippines permanently. Returning home for the migrant women has meant re-establishing physical and emotional bonds with children and restoring fractured relationships with spouses. Conflicts and contradictions between them and the children have emerged amidst the pressures of prolonged absence from home and the desire to maintain a standard of living. For some women migrants, relationships with their husbands improved due to the increased value and status as a result of their economic contributions. They also exercised greater decision-making power in their households thereby changing the power dynamics.

Keywords
migration, families, return, empowerment, gender

Introduction
Migration presents a rich, complex and fascinating field of study. This is particularly true for a country like the Philippines, with its long history of generations leaving the country to work, live or settle elsewhere, and where this phenomenon has taken different forms over time. Official statistics estimate that out of the total national population of 100.6 million, about 3.8 million are temporary overseas workers and about 1.3 million are on irregular status, without valid residence or work permits in countries they work (Commission on Filipinos Overseas 2012). Migrant workers from the Philippines are in various regions of the world including Africa, East and South Asia, West Asia, Europe and in the America/Trust Territories. In
2008, Filipino migrant workers sent home a record $16.4 billion USD (Lema 2009), about 12 per cent of the country’s gross domestic product (GDP), or the total amount of goods and services produced by the economy (Dumlao 2008). This kind of emigration has been one of the means for the government to reduce financial problems, since remittances would become vital financial revenue to the Philippine economy (Asian Migrant Forum 1996).

The huge unemployment problem led the government to adopt aggressive measures to promote and maintain labour export. Hence, the Labor Code of 1974 formalised the promotion of overseas contract work as a strategy for addressing unemployment and foreign exchange requirements. Although it was meant to be a temporary strategy, over the years, successive governments have institutionalised the labour export programme rather than adopt measures and reforms to address root causes of unemployment (Center for Migrant Advocacy 2006). Furthermore, the export of Philippine labour, as a source of economic boost, remains unabated and through the years, women have increasingly dominated the scene. In 2007, the top occupational group for the new hires was household related work, of which 98 per cent were women, with the trend continuing (Philippine Overseas Employment Administration 2007). Hence, increasingly, over the years, labour migration from the Philippines has become feminised. Studies on the migration experience of women have shown that its effects on the women themselves are unclear, ambiguous and even contradictory (Boyd 2006; Lim and Oishi 1996; Parreñas 2006). Migration can be both exploitative and liberating, simultaneously offering new opportunities and horizons, as well as new forms, structures and processes of oppression and marginalisation.

At the household level, migrant workers’ remittances have been utilised mainly for education, housing, and day-to-day living expenses. Some studies have indicated that remittances do help lift households out of poverty (Pernia 2006). Consequently, many migrant households continue to send members to work abroad in order to maintain the standard of living and level of income to which they have grown accustomed. As a result, migrant workers spend several years away from the country and their families. Uncovering and understanding the consequences of the prolonged absence of women migrant workers is a topic worth undertaking, as it unveils major implications for the women themselves, labour export policy of the Philippine government and for Philippine society as a whole.

International labour migration is a complex phenomenon involving a myriad of issues. These issues are social, political, and economic, one
impinging on the other. The social issue is concerned with the implications of the growing numbers of women migrating. The political and economic issues involve the ambivalence in migration policy-making stemming from the economic imperatives on the one hand, and the desire to protect the welfare and rights of migrant workers on the other hand. The social, political and economic issues focus on the debates on the impact of remittances on poverty alleviation and sustainable growth and development, and the social consequences of migration.

The continued and prolonged dependence on migration by the Philippine government to address unemployment on one hand, and by Filipino families for their economic well-being on the other hand, has been leading to social change. This has been expressed through restructuring of households and redefinition of families and gender relations, as well as in the rise of a societal culture of migration. The culture of migration has bred an increasing dependence on women migrating to work in mainly gender-segregated occupations, with low status and low value, which in turn subjects women to vulnerabilities such as abuse and exploitation, and at times involve deskilling for educated and skilled women taking on such jobs. Such phenomenon is a characteristic feature of feminised migration.

**Feminisation of Migration**

One of the main features of a globalised economy is the increased employment of women workers in the world which have led to a ‘renewed surge of feminization of labour activity’ (Standing 1989:107). However, what this has meant is not only an increase in numbers of income-earning women. It has also meant deregulation of labour standards, flexible and more disposable work and lower labour costs.

The *ILO Report on Global Employment Trends for Women* (2007) states that women who work are often confined to less productive sectors of the economy with less likelihood of meeting the characteristics that define decent work, including access to social protection, basic rights and a voice at work. In addition, women earn less than men. Women workers face persistent problems of occupational segregation. Around the world, women are mainly concentrated in jobs seen as extensions of their caring and nurturing roles such as teaching, nursing, human resources and social services and tend to remain in lower job categories than men.

The feminisation of international labour migration has been most pronounced in the case of Asia and this constitutes one of the most significant economic and social phenomena of recent times (Lim and Oishi 1996). According to Wille and Passl (2001: 9):
International labour contracts are highly gendered. Women are nearly exclusively found in the service sector and domestic and care-giver work and entertainment work. The number of women in factories is also increasing but remains small in comparison to the service industry. Southeast Asia’s women, therefore take part in ‘specific female migration systems’ rather than being part of the same flows as their male counterparts.

It is important to determine under what conditions does feminisation of migration occur. Moreover, the impact of women’s status and gender equality on their propensity to migrate can be examined at three different levels: the larger society, the family and the individual. Societal factors include the capacity of the state to protect its members and their livelihood, state policy toward migration, and community norms and cultural values that determine whether or not women can migrate and, if they can, how and with whom (Boyd 2006). Migration values and motivations are shaped within families (Tacoli 1999; Zontini 2004). Families and households determine a woman’s position relative to other family members and influence her decision-making capacity and ability to access familial-based resources for purpose of migration. Women’s ability to move is also indicative of their autonomy and decision-making power within their households, particularly in terms of financial matters as in the case of Filipino women migrants (Oishi 2002).

State policies in which migrants are viewed as valuable sources of remittances may favour the migration of women and men alike. In the Philippines, long-standing patterns of female migration have normalised the continued migration of women as in the movement of domestics and nurses from the Philippines as well as of male migration as in the outflow of male seafarers (Boyd 2006). Moreover, as expressed by Asis (2002:69):

In the course of some 30 years of international migration, the state, the migration industry and migrant networks have laid down the groundwork and process of migration. Having been routinized, information about migration is available, migration has become acceptable (or even desirable) and the pathways of going abroad (including irregular channels) are already in place.

By the mid-1980s, a combination of key factors heightened the global demand and employment of Filipino women: rapid economic decline in the Philippines, growth in the international service sector demand in both Asia and the Middle East, declines in male labour demand in the Middle East construction sector and aggressive global labour marketing by Philippines’ government (Ball 2004).

From 2003 up to 2008, among the Filipino migrant workers, there were far more female service workers than female professional, medical and technical workers. In 2006, for example, there were only 24,046 women in
the latter category and 128,186 in the former category. In 2008, there were 21,717 women hired as professional, technical and related workers and half of these were nurses while 100,570 women were hired as service workers. In 2013, 164,396 women were hired as household service workers, compared to 16,604 nurses. Clearly, the majority of Filipino women hired to work overseas are persistently in the service sectors, majority of whom are domestic workers, caregivers and related workers (POEA 2013).

Feminisation of labour migration is not just depicted in the increasing numbers of migrant women workers. It is also predicated in the understanding of how the experience and implication of migration differ for women and men, who face different sets of constraints and responsibilities. It includes examining the context and the circumstances within which migration takes place and analysing the consequences of migration for women themselves, their families and society. This paper is devoted to analysing these consequences, particularly on the children they leave behind.

Migration and Family

Motivations for working abroad are shaped largely by family norms, values and aspirations. From this study, it appears that women’s migration is mainly compelled by the desire to enhance the family’s welfare and well-being (Asis 2002; Hugo 1995; Zlotnik 1995). It is pertinent therefore to determine whether migration has indeed benefited the family’s welfare or not. At the same time, the family itself is a gendered social institution, where relations are governed by the interplay of labour, power and emotions (Connell, 1987). Prolonged absence of the woman migrant, as the mother, the wife, the daughter, not only reconstitutes the family’s structure but also the dynamics of relationships amongst its various members (Zlotnik 1995).

Specifically, this paper seeks to determine how migration of the woman in the family affects the home, the family left behind, in terms of family structures and processes, gender roles and gender shifts occurring in the family where in the woman is away and becomes the breadwinner. It also examines the sense of security and insecurity that international migration brings and whether there are any differences between the male and female children in the way they are affected and how. It explains how the spouses left behind cope with the absence of the women as wives and mothers in the family structure. The paper finally seeks to determine how migration of the women in the family affected the status and decision-making role of the women.
Methodology

The life story method was used in this study of the migrant women workers. The life stories sought to unearth the experiences of migration from the perspective of Filipino women migrants. In the process, the life story enables one to understand fully the dynamics of change that migration has brought to bear on the lives of the migrant women and their families.

Findings of the study conducted from 2004 - 2005, are based mainly on the life stories of 14 Filipino women migrants performing mainly domestic work in various countries for a period ranging from 6 years to 22 years, who have since returned to the Philippines.

I have triangulated the main method of life stories and narratives with other methods such as focus group discussions, analysis of government reports and international agency reports, and the secondary literature review. Fourteen women migrants of varying civil status (single, married, separated or widowed), ages, and migration experiences are my key informants and narrators. A series of focus group discussions held in various parts of the country, in both rural and urban areas, with women migrants and members of families left behind, complement the life stories of the women migrants interviewed. Altogether, about 120 women, men and young people participated in the group discussions.

The home that has changed

The home that the migrant returns to has changed in both a literal and a figurative sense. In the Philippines, the once humble home of thatched roofs and local materials like bamboo or nipa, has now given way to a concrete abode, a source of pride, a symbol of achievement. For an Overseas Filipino Worker (OFW), a concrete house is a testimony to years of hard toil and labour in a distant land (Gardner 1995; King 2000). Inside these dwellings, one finds a family where one or even both parents are away for long years working overseas while children are left behind to the care of fathers, grandparents or other members of the extended family, usually women.

For some migrant women, there is no home to return to where relationships have disintegrated, the spouse has left or the children have started to lead their own lives. Some children left behind felt a sense of abandonment. Others faced difficulty in communicating with their mothers and felt distant. For many of the returning mothers in this study, restoring strained or fractured relationships was an immediate and paramount concern.
Change in family structure and dynamics of gender relationships

The Filipino family is in transition and according to Medina (2001), in recent years it has become difficult to define families, as significant changes in living arrangements are taking place. The phenomenon of overseas contract workers has given rise to incomplete households where one or both parents are absent, or to expanded households where children of such workers are cared for by aunts and grandparents or by friends and hired workers. In some instances, households would be headed by older children of migrant workers. The prolonged separation of families has brought about a radical change in family structures and the harsh reality is that while Filipino women work for families abroad, millions of Filipino children grow up without their mothers (Balana 2006).

Migration has clearly reconfigured families in both structure and transformed gender relationships. As Katy Gardner (2002:226) contends, ‘migration has multiple effects on gender relations… migration is inherently contradictory for it involves physical separation in a society which so greatly values togetherness’. When a woman leaves, her roles as wife and mother are drastically affected. In the Filipino society, much of the caring, nurturing and housekeeping roles rest with the mother. Therefore, her absence clearly creates a void in families and households, a void that often is difficult to fill. In her study of children of migrants left behind, Rhacel Parreñas maintains that children of migrant mothers express greater difficulties in their family life than children of migrant fathers do. This is because to the children and to the society as a whole, the caring act of extended kin ‘does not adequately substitute for the nurturing acts performed by their biological mothers’ (Parreñas 2006: 121).

In Ester’s story, her daughter felt abandoned for all the years that she had been away. Hence, the sense of abandonment is also gendered.

Ester was away for 23 years. Every year or two, she would return for a month’s visit at a time. When she finally returned home for good, all the children had grown. To her, the biggest initial adjustment was being with her husband at home and largely by themselves:

I felt strange eating with someone and a MALE. Back in Hong Kong, I was used to eating all by myself. I felt strange sleeping with someone and so for some time, I slept with my stuffed toys. I felt like I didn’t have a husband, just a friend. My youngest child, a son, who was now an adult wanted to sleep with me when I returned home. My only daughter felt abandoned all the years that I have been away.
Apart from re-establishing her physical and emotional bonds with her two younger children, Ester had to restore her relationship with her husband which was severely fractured during the early years of her migration journey. She argues that: “It is difficult if you are not able to forgive (referring to her husband’s infidelity). You cannot build (rebuild) a family if the father is absent.”

In the Philippines, the father is perceived as ‘the pillar of the home’ and the mother as the ‘light of the home’. This is a common metaphor designating the father as the breadwinner and the mother as the carer and nurturer. Therefore, for a home to stand firm and strong, the father and the mother should be present.

When Zeny, another one of the women in this study, returned, her daughters had grown into adults. They had become distant from her. Moreover, the older daughter was particularly angry at her for her years of absence. Unlike the other women who returned home in between their long years of work abroad, Zeny did not. In the interview she stated that it was difficult to get home leave from the hospital where she worked in, in the Middle East. Moreover, she wanted to save as much as she could and visiting home would have meant spending her savings. Zeny exclaimed:

My daughter gave me all sorts of problems when I returned. She stopped working. She got married to a jobless man. Later, she decided to have a child knowing that her health was not good. I used up all my resources to attend to her needs. I even purchased a tricycle for her husband so he could use it to earn some money rather than be in the company of friends who did nothing but get drunk. But what hurts me most is that my daughter does not respect me at all. She did not value what I have provided her. It was all for nothing.

In her narrative, Zeny expressed a resignation to the situation where she could no longer repair the breakdown in her relationship with her elder daughter.

Like Zeny, Siony returned to a home where relationships were strained. In the span of 22 years that she worked in Malaysia as a domestic help, she visited home only three times. She wanted to save so she could redeem the land she mortgaged to pay for agency fee when she first arrived in Malaysia in the 1980s. Siony desired to buy farming equipment and cattle to boost the earnings from her farm. When she finally returned, the 8 year-old son she left behind was now a man with a family. Siony did not like the woman her son had married in her absence and the two could not get along. She could not even show affection for her grandchildren. This hurt the son a lot. He felt rejected and unloved by his own mother.
Nora, on the other hand, stated that:

It took a week before my youngest child warmed up to me after I had come home for good. I did not witness his growing up. My family and relatives thought I was alright working abroad but it hurt a lot. Tiniis ko lahat para makaangat ng kaunti (I endured it all so that we could rise above poverty just a little bit).

Other people in the community think it is good to go abroad because of the economic benefits one derives. But it is difficult to leave your children when they are young. My children would ask me all the time during my yearly visits, “Ma, when are you coming home”?

Several women in the focus group discussions were disappointed when they finally came home because the home had changed in form, structure and ‘substance’. As one woman remarked:

When I came home, I expected my family to be complete and happy as before I left. We used to share our problems, eat our meals together, exchange anecdotes, share dreams. When I came home, each one is to her own life, there is no one to talk to at times, no one is at home. Things have changed. Something is now sorely lacking. What is important to me now is that I have returned after being away for eight long years.

Children left behind and impact of mothers’ return

Children left behind by migrant parents, particularly by migrant mothers have clearly been affected, whether materially or psychologically and emotionally. Specifically, my study shows that when the migrant mothers returned to their families, conflicts and contradictions between them and the children emerged in their lives.

Berto (Rita’s son) was five years old when his mother left for Hong Kong. He recalled that whenever his mother came home for a visit, he was ‘super spoiled’ by her and she brought loads of toys. Although his mother was away for 13 years, she visited him at least once a year. When asked how he coped with his mother’s absence, he replied:

I had gotten used to her absence. My grandmother took care of me very well. I was her favourite grandchild then; I had an aunt who was most special and most loving and later, I was also taken care of very well by another woman hired to look after me. She too was special to me.

Clearly, the female members of Berto’s family carried the burden of care in the absence of his mother and Berto felt secure in the love of his extended family. While this is a single instance, it appears to run counter to the dominantly-held notion by Filipino families that a mother’s care is
irreplaceable (Añonuevo and Añonuevo 2003). Observations and studies on migrants’ families point to a trend where increasingly, grandparents assume a big role in taking care of their grandchildren who are left behind. This phenomenon evokes difficult concerns for grandparents taking on such responsibility at a phase in their lives when they themselves need care and to be free of care-giving responsibilities (Dungo 2009). One grandmother shared during the focus group discussions, the financial burden (on top of her care-giving role) she had to carry when her daughter could no longer send enough funds for the children’s needs. She had to use her retirement money to provide for her grandchildren.

Life after Berto’s mother’s return to the Philippines became problematic. As Berto expressed:

> It was difficult when my mother came back as we no longer had enough money. We had arguments and fights over many things, both small and big. My mother remarked that I was so used to a good life and therefore, I needed to experience hard life. But I argued with her and said that she should not have returned yet since we needed money to complete my education. Finally, we both got tired of quarrels and so we reconciled and learned to live with each other again harmoniously.

While Berto was cared for by devoted relatives in the absence of his mother, Melinda recalls that when her mother (Manang) left for Saudi Arabia, she and her brothers were left to fend for themselves because their father had abandoned them even before her mother’s working abroad. ‘Nawalan kami ng dalawang haligi sa pamilya’ (‘We lost two pillars of the family’).

> Her brother shared the same sentiment.

> Even if we received money from my mother, it was a lonely life for us. There was emptiness around us. It is different if your parents are around to look after you and have someone to turn to when needed.

Melinda further remarked:

> My mother sent us money regularly but my brothers were always fighting and were gallivanting most of the time. Later on, my siblings and I realised how difficult life can be without parents and so we resolved to work hard and earn some money. What my mother sent was not much but we tried hard to budget it to meet our needs.

> Now that my mother is back, we are happier and life is a bit better for us. We have grown, we have our families and we have some source of livelihood. We now give our mother some money, she is much older now and so we need to look after her.

A conflict of values and attitudes has taken place in migrants’ families. The parent who is away believes that she is out there to fulfil the material needs of her children and her absence is justified so long as she can carry out this
role. The children, while they recognise their material needs and wants, put priority on their emotional and psychological needs especially when they are at the age of adolescence (Dungo 2009; Episcopal Commission et al 2004).

The children as a whole understood why their mother had to be away but all of them shared the difficulty of growing up by themselves. On the other hand, a few saw the absence of their mothers as an opportunity for them to develop.

A study on children and family showed that most children of OFWs experienced ‘emotional displacement’ due to the prolonged absence of one or both parents but more so with children of migrant mothers. The children of migrant mothers ‘reported feeling lonely, angry, unloved, unfeeling, afraid, worried…’ (Episcopal Commission et al. 2004:55). The adolescents in the focus group discussion revealed deep feelings of loneliness and alienation from parents. The study also points out that children of OFWs were in a better educational position compared to children of non-OFWs because they were enrolled in private schools, and had greater opportunities of participating in extra-curricular activities such as field trips, school programmes, and the like. Their migration indeed brought about economic and material benefits but at emotional and psychological costs to children and to the migrant women and mothers themselves. At the same time, Edillon (2008) concluded that such benefits may not be sustainable because children of OFWs are vulnerable to economic and psycho-social shocks.

In a similar investigation of children in Moldova left behind by migrating parents, Cezar Gavriliuc (2008) concluded that the parents’ departure affected not only the children’s material conditions but their emotional development, social relations and school performance. It is difficult to predict what might turn out to be the long-term consequence of such emotional deprivation on the children. A number of factors would come into play such as the age of the children when left behind, the quality of care of the carers especially by fathers left behind, community support and as Gavriliuc (2008) emphasised, the child’s preparation for an independent life.

Gina and Berto expressed that it could have been better for their mothers not to have returned home because at the point they did, they were not through with their college education, something that meant so much to them and to their parents as well. However, their mothers left to work abroad at a time when they were both very young, just about three years old.
so that the years of separation had caused pain to Berto’s mother and Gina’s father.

Gina further shared what she perceived were contradictions in their life upon her mother’s return.

At times, I had wished that my mother were still abroad, working so that I could continue with my studies and not only my brother. Every day, my mother leaves our house trying to sell real estate property. We ourselves do not have our own house and land. She does not have time for the house and she earns little. Because she is always away, it seems like she is abroad. But it is better for her to be abroad because then we would have sufficient money.

At the time the parents were working abroad, Berto felt secure emotionally and materially and Gina was secure materially, at least. However, when their mothers returned, financial insecurity set in. Both Berto and Gina faced difficulties in starting and completing their tertiary education. Hence, the impact of migrant parents’ return on the children would also be influenced by the timing of the return of the migrant mother and the life stage of the children. Working overseas, even as a domestic help, gives one a sense of security because of a regular income, in contrast to being back home, where unemployment is high or where labour is hired and contracted on a short-term basis. Therefore, upon return of the migrant worker, insecurity sets in for various members of the household.

Pressure on children to assume adult roles

Migration of parents, particularly that of mothers, places pressure on children to take over the caring responsibility in families where the father fails to do so. Therefore, the children suddenly take on adult roles in the absence of their mothers and/or parents.

Conrado, as the second child in his family and the brightest, was forced to grow up fast when his mother left to work abroad. He had to learn to manage the remittances his mother entrusted to him and not to the father who had left home for another woman. The family broke apart and care of siblings was split between maternal and paternal grandparents, dividing households and loyalties.

Alma, a 12-year-old, whose mother started working in Hong Kong when she was only one year old, expressed being trapped in a role she could barely manage. During the weekly telephone calls her mother made, she needed to account on how remittances from the mother were spent. She also spoke of being intimidated by her older brother as he would complain of the inadequacy of his weekly allowance set by their mother. Their father,
a soldier, was assigned in another province and he would visit them only once in three months. The children were taken cared by a woman hired by their mother. According to their caregiver, Alma and her brother fared poorly in school. The children pined for their parents often and every night, Alma insisted that the caregiver sleeps with her.

We can observe in Alma’s family how the burden of household care and management is shouldered by Alma herself and a hired caregiver. Alma’s mother herself is a caregiver in Hong Kong. Herein, one observes, the chain of care-giving roles, which Ehrenreich and Hochschild (2002) call the ‘global care chain’. It depicts a series of personal links between people of varied social class status based on the paid or unpaid work of caring. While the chain usually stops at the caregiver for families or children left behind, in Alma’s family, the chain extends to her because certain household tasks had been passed on to her by her mother.

The existing literature point out that children left behind are mostly cared for by female members of families, households and kin network (Añonuevo and Añonuevo 2002, Dungo 2008, Parreñas 2006). However, based on this research, it is argued that it is not always the case that the female members of the family shoulder the responsibility of looking after the children left behind. In some families, it is the older sibling or the child considered more responsible than the others (like Conrado or Alma) whether female or male, who usually took care of the younger siblings. The eldest child in the Filipino family is often regarded as the responsible family member who needs to look after the younger siblings especially when the parents are unable to.

In Edna’s household, the children learned to manage by themselves although the greatest burden fell on the eldest child, a son. Their father worked during the day when he could because he was often ill. Moreover, he indulged in drinking with his peers and was also merely contented with waiting for the monthly remittance from their mother. The eldest son had to cook, wash their clothes at times and even had to go to market for food provisions. Unable to cope with household responsibilities, he dropped out from high school.

The above stories demonstrate the various kinds of strains, burdens and displacements on children left behind by mothers and left with fathers who are unable or unwilling to take over the change in gender roles and responsibilities. The male and female children shared the burden of caring for the family even though the father was with them and not without psychological costs. Other children had to bear the emotional pain of their
father’s infidelity. Many have also been emotionally scarred so that even if children acknowledge and realise the economic value of an overseas job and even when their mothers have returned home, they still felt the emotional and psychological consequences of being left behind. These are the social consequences of migration which although are currently discussed within various sectors of Filipino society, seem to be accepted as given.

**Dynamics of gendered relationships between migrant wives and spouses**

Alice Pingol (2001), in a pioneering study, explored the changes that occurred in Filipino men left behind by wives who went overseas to work who have become the main providers in the family. She investigated the patterns of gender relations among couples whose lives have been transformed by global labour migration. Specifically, the study examined how the men dealt with traditional norms of masculinity which constitute being good providers, virile sex partners, and firm and strong fathers. Her findings showed among other things, that the husbands required psychological adjustments from being a main provider to that of a nurturer, and from being faithful and loyal despite their sexual deprivation. They had to be emotionally stable to sustain the emotional needs of their children. In the process, these men had to remake and redefine their masculinities. Another group of men could not cope well, had conflicts with in-laws, mismanaged remittances and entered into sexual liaisons. In this study, it was found that the latter group of men predominated. For example, returning home for Ana meant a separation from her husband who had been unfaithful and who had misused money sent to him while she worked in Taiwan.

Mila also returned to a home where she had difficulty living with a husband who continued to be unfaithful in her years of absence. Mila expressed:

> Upon my return I tried to pick up the pieces and put them back together but could not. He still wanted to embrace me but I no longer had any feelings for him. I have slowly killed all my feelings, no more love for him. I wanted to separate from him but my father prevented me. I ignored my husband often so that my feelings for him would just fade away. I refused to share a bedroom with him.

When Amy finally returned home after a total of 12 years abroad, she learned that her husband had mismanaged the funds which she remitted regularly. He had lent most of the money to his siblings to finance their overseas employment fees and other expenses and the money was never repaid. Amy rebelled and left home for about two months. When she returned, she demanded that the husband utilise the lump-sum payment he
received from the army upon his retirement then to purchase household appliances, to which he acceded.

Upon return from Malaysia, Edna learned that her husband had gotten involved with the woman she had hired to take care of the children. This revelation caused conflicts and miseries in their household. Edna also found out that the second son had run away and sought refuge in his grandmother’s house in the province area. Like Mila, Edna rebuked her husband for his infidelity and even asked him to leave the household. Her husband was repentant, but Edna could no longer bring herself to re-establish their marital relationship. Edna remarked: ‘The children have lost respect for their father. They only listen to me now’.

What are the implications of these fractured relationships which have been narrated above? The male spouses left behind were unable to cope with the wives’ absence from home and with the adjustments in their masculinity and/or sexual abstinence. Thus, they mismanaged funds or became unfaithful partners. The migrant wives with unfaithful husbands had to bear the emotional and psychological costs entailed. The children suffered too in the process. Another woman (Ana) turned to a more complicated relationship, and in the process lost the material rewards from her migration experience and the love of her children. While the relationships between returning migrant wives and their spouses were clearly destabilised, it is maintained that the women migrants were not passive women, as they demonstrated resistance and negotiated power relationships. Moreover, to some of them, their role and status in the households were enhanced.

**Enhanced Status and Decision-Making**

Marta Tienda and Karen Booth assert that evaluating changes in women’s position following migration is an empirical question to be answered based on concrete situations. In their effort to draw generalisations from existing literature, they maintain three possible outcomes in women’s status: improvement, erosion, and restructured asymmetries, meaning that ‘the relative position of women remains unequal vis-à-vis men, but the concrete circumstances of their position are drastically changed’ (Tienda and Booth 1991:56).

Six women narrators expressed that their relationships with their husbands improved due to the greater value and status placed on them for bringing about economic contributions to their families. Ester’s husband, Dencio, shared the following:
There has been a big change in our life. In the past, we lived in just one room of our extended family house. Now, we have a house of our own. Our children are educated. Two completed college. Our son, the engineer is now working abroad and is a big help to us, to the family. He desires to help in the education of his nieces and nephews.

Their husbands became more caring and considerate. The women exercised greater decision-making power in major concerns of the household as in investment matters: purchase of land, pedicab (tricycle), house construction. Such power stemmed mainly from their income earning capacity and sustenance to the family. Edna maintains that her relationship with her husband had always been egalitarian, but because migration enabled her to contribute greatly to the economic needs of the family, her decision-making role became more pronounced. For example, while abroad, she decided that her income from several months of work should be invested in a vehicle for income generating purposes. Upon return, large and small decisions on household and other matters fell mainly on her.

A few husbands took upon themselves responsibilities in household tasks when the migrant women were away working overseas and continued these upon return of their migrant wives. As shared by three husbands: ‘We had to make adjustments. It was difficult. You had to be both father and mother, cooking and washing clothes’.

One husband added:

I needed to be patient, to persevere. My wife and I had set goals in life and we wanted to attain them. I had a job but my earnings were not enough for the family’s needs and so my wife had to go abroad and work.

Nora, who now tends a small food catering business, commented that her husband helps her in running the business. He goes to the market and takes care of cutting up the meat and vegetables. Likewise, Nena’s husband helps her manage their small convenience store and food stall.

However, while sharing of household tasks and responsibilities continued upon return of the migrant women, based on my interviews and visits to some households, it was observed that the women were still the same persevering and hardworking women (as when they were abroad), undertaking all sorts of work to financially support their households which often were extended households.

The experience of overseas migration has raised the consciousness of the women of their capacity to earn and provide for their families and to successfully overcome the rigours of a migrant’s life. Hence, this strengthened their character and sense of autonomy. Women were further
empowered as shown by their ability to challenge gender norms and to negotiate with their husbands. For example, when husbands mismanaged remittances, the women sent such remittances directly to their responsible children as Nora and Ester did. In addition, Ester ensured that the properties she had acquired were placed under her children’s names rather than her husband’s. Others demanded equal sharing in meeting household needs and responsibilities. Two women sought separation from their unfaithful husbands. Clearly, these women have tilted the balance of power to their side, being in control and making key decisions in their lives, and thus, transforming the gender relations in all three aspects: labour (sexual division of labour), power (men’s domination and control in decision-making, access and control of resources) and cathectic (emotional and sexual attachments) according to Connell’s (1987) conceptualisation.

Conclusion

This study has shown that long years of international migration by women have clearly generated material benefits for families and non-material gains to the women migrants themselves. However, this research has also shown that the social consequences and costs on families and children left behind are deep and wide-ranging. The women migrants, though empowered at a certain level, had to face several social, psychological and emotional consequences of their prolonged absence from home.

This study points out areas for future research in the context of gender, migration and social change. In my investigation, I came across families with several members who have also migrated overseas, leaving behind their children and husbands. The Filipino society is now witnessing a new generation of migrant women workers. There is a need for longitudinal studies to show whether families’ situations and well-being progressively improved inter-generationally. My study also revealed the increasing numbers of women leaving from the same communities and clearly, the phenomenon necessitates an investigation into the social change occurring in such communities and how communities address the changes.

It is suggested that further research be made on the children left behind by both parents for overseas work and examine the long-term socio-psychological impacts on them. When these children grow up, do they also leave to go abroad and work? If so, what are their experiences? Finally, it is also recommended that a study be made on the implications for a society where caregivers are grandparents of children left behind by migrant parents.
References


Pingol, Alicia Tadeo (2001) *Remaking Masculinities – Identity, Power and Gender Dynamics with Migrant Wives and Househusbands*. Quezon City, Philippines: University of the Philippines, University Center for Women’s Studies.


BOOK REVIEWS


This volume brings together 53 chapters written by prominent scholars who influenced and led the debates on forced migration and refugee studies throughout the last decades. It is an excellent initiative, which not only provides a summary of past and present of this stream of research but also sheds light on the emerging debates that will dominate the field in the upcoming years.

The editors Elena Fiddian-Qasmiyeh, Gil Loescher, Katy Long, and Nando Sigona categorised the essays under important themes. Each part of the book is dedicated to a key topic and systematises the debates, with a number of essays approaching each theme from different angles. The introductory chapter analyses the reasons behind the growing interest in this field and emphasises the importance of studying refugees and forced migration in this era. The editors explain why this stream of research is now currently in transition and briefly touch upon the key debates. Looking at the findings of all chapters in this volume, the editors argue that, “the places where research with and about refugees and forced migration takes place are changing” (p. 13). Firstly, it is argued that the IDPs and refugees reside in the cities and it will not be enough to solely concentrate on refugee camps in order to better understand this forced migration phenomenon. There is also a growing trend in looking at internal displacement, which is a topic that has been overlooked for a long time in the literature. Secondly, the editors detect a major shift in terms of geographical as well as intellectual location and origins of scholars who conduct research on these topics (ibid). While most of the authors who have conducted impactful research have lived in the global North, this trend is currently changing and different perspectives find their place in the literature from all around the world. After introducing each part in the volume, they summarise the findings and provide a future research agenda in the last section. Therefore, this chapter also serves as a conclusion to this volume.

Part I, called ‘Approaches: Old and New,’ sets the scene for the upcoming themes. Including chapters from leading scholars such as Jerome Elie, Guy S. Goodwin-Gill, Matthew J. Gibney, Alexander Betts, Dawn Chatty, Finn Stepputat and Ninna Nyberg Sorensen, Karen Jacobsen, and Michael Collyer, this part provides the reader with a solid background on
forced migration and refugee studies for the reader. Each author explains theoretical approaches to this topic from various fields of social science such as anthropology, sociology, geography, and international relations. It is interesting to see how each discipline approaches the topic at hand from different angles throughout the last decades.

In Part II, the authors explain this phenomenon through a spatial and temporal lens. Oliver Bakewell focuses on encampment and self-settlement, Loren B. Landlau touches upon urban refugees and IDPs. James Milner provides an overview of the protracted refugee situations. Walter Kalin’s chapter delves into the topic of internal displacement and questions whether displaced people constitute a distinct category of concern for scholars and policy makers. Nicholas Van Hear puts emphasis on the hot debates on transnationalism and diasporas. In addition, he provides a lucid analysis of the proliferation of diasporas during the last decade. Stephan Scheel and Vicki Squire, in their essay ‘Forced Migrants as ‘Illegal’ Migrants,’ unpack the debate surrounding the framing of debates on migration and find that the use of these labels to define displaced people are integral to the governing of migration in general.

Part III focuses on the legal and institutional responses to forced migration, and constitutes one of the most crucial parts of this volume as it has policy relevance. Jane McAdam talks about how human rights law can protect the rights of refugees and people displaced due to forced migration. Gil Loescher touches upon the role of UNHCR when it comes to assisting refugees and displaced people. The following chapter by Susan Akram analyses the United Nations Relief and Works Agency for Palestine Refugees and puts special emphasis on the durable solutions in the Palestinian refugee problem. It is an important case study that provides rich empirical data in terms of understanding the situation of Palestinians, but it also helps us to locate this topic within a broader perspective in the framework of key discussions provided in this volume. Michael Barnett’s chapter deals with refugees and humanitarianism. Randel Hansen’s chapter ‘State Controls: Borders, Refugees and Citizenship’ takes the debate one step further and provides a state-centered perspective while other chapters focus mainly on international organisations. The chapter provides an excellent discussion on how nation-states handle these issues and how borders are central to the nation state. Consistently, Anne Hammerstad’s chapter on the securitisation of forced migration continues the previous discussion. Volker Turk and Rebecca Dowd underline the protection gaps, where they write, “The inadequacies in the protection afforded to refugees and other forcibly displaced persons where existing provisions of international law, notable international refugee law, are either not
applicable, non-existent, or inadequate in scope, or are not interpreted and/or applied in an appropriate manner” (p. 278). Alice Edwards and Laura Van Waas expand on this topic by bringing the situation of statelessness into the discussion. The authors make a definition of ‘statelessness’ and then point out the persistent gaps and discrimination in nationality laws. It is shown that discrimination or gaps in nationality laws can cause or prolong the condition of statelessness however there are some positive developments in the field, which promise amelioration of the situation of displaced people who suffer from this condition. Finally, Simon Russel and Vicky Tennant provide an outline of the debates about institutional mandates and responsibilities related to IDPs. This part includes essays that are highly useful in terms of understanding the capabilities and weaknesses of currently existing institutional and legal mechanisms that are used by international organisations as well as receiving states.

Part IV examines the root causes of displacement. Sarah Kenyon Lischer provides an overview of conflict and crisis generated migration by providing theoretical frameworks on this topic. Christopher McDowell’s focus is on development created population displacement, while Roger Zetter and James Morrissey shift the focus to the environment-mobility nexus where they discuss the links between environmental stress and mobility by giving examples from Bangladesh and Kenya. Bridget Anderson addresses the highly topical issue of refugee trafficking, which is a concern not only for academics but also for policy makers, state officials, as well as international organisations. She touches upon how the discussions on trafficking, which usually focus on child labour and prostitution, are framed in academic debates. The merit of the chapter is that it not only focuses on the victim related perspectives but also talks about the politics of trafficking by questioning the moral meanings that we attach to this topic.

In Part V (Lived Experiences and Representations of Forced Migration), Nando Sigona’s chapter takes a different turn and discusses the perspectives of political refugees. The chapter provides a solid discussion on victimhood and agency. Jason Hart’s chapter deals with issues related to children and forced migration, Elena Fiddian-Qasmiyeh provides a gender studies perspective on forced migration. Claudio Bolzman focuses on older refugees, which is an understudied topic in the literature. Mansha Mirza makes an original contribution by adding a different perspective with her chapter on disability and displacement. Alastair Ager examines the health related debates concerning forced displacement, while David Hollenbach, draws our attention to the religion-forced migration connection by focusing
on “the normative traditions of several monotheistic and Asian religious communities on the needs and rights of forced migrants” (p. 445). After offering valuable insights on various topics, this part ends with a well-written chapter by Terrence Wright on the media and representations of refugees and forced migrants. The author argues that in order to create a balanced representation of refugees and displaced people we should not solely rely on their access to technology. Instead we should also encourage a kind of journalism that produces balanced, accurate and meaningful reports that do not enforce prejudices and negative images of the refugees and asylum seekers (p. 470).

Part VI is dedicated to durable solutions. Katy Long starts with a chapter that offers explanations of why “conventional solutions to refugee and IDP crises can be said to have failed” (p. 475), and she delves into a discussion about whether refugees can be treated as migrants under certain settings. Lucy Hovil presents a chapter on local integration where she separately analyses de facto and de jure integration by giving examples from refugee situations in Africa. Laura Hammond, in her chapter ‘Voluntary Repatriation and Reintegration’, analyses the complexities of repatriation and return. Joanne Van Selm presents an overview of the debates on refugee resettlement. Both chapters lay out significant findings that may lead future discussions on these topics since there is a growing interest in return migration and resettlement especially among policy makers and nation state governments. The last chapter in this part delivers a sound analysis on burden sharing and refugee protection.

Part VII constitutes the empirical part of the volume and presents case studies that can shed light on the existing realities and challenges ahead. Each author contributes with an essay that provides an overview of a regional case study. These chapters offer empirical analyses but at the same time help the reader better internalise the previous chapters on theoretical discussions.

This volume fills a gap in the market, as it is a unique effort to offer an evaluation of past, present and future of the refugee and forced migration studies from such broad perspectives. It is an invaluable source for those who are new to refugee and forced migration studies, and it is a useful source for those already in the field who want to refresh their memories and revisit the current debates in a neatly prepared handbook. Each chapter contributes to key debates in the field and lucidly analyses crucial matters in this field. Some essays in this book will definitely re-energise debates related to the accommodation of refugees and their status in host countries,
as well as developing durable solutions to ameliorate the refugee situation in both home and host countries. From anthropologists to political scientists, from peace and conflict researchers to sociologists, scholars from different streams of research will all benefit from this lucrative compilation.

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Leila Piran's book is of particular importance to the understanding of Turkey's policing reforms, framed within the country's internal dynamics since the 1980s. In academia and policy circles, reforms in the police are usually believed to emerge either in the already stable democracies or immediately after a conflict settlement in which an independent third institution is also engaged. According to Piran, the timing and scope of Turkish national police reforms do not match with this definition. Turkish national police reforms have occurred following the 1980 military coup at the height of insurgency activities in Turkey. Furthermore, the European Union's (EU) impact on these reforms remains a relatively new phenomenon, deriving from Turkey's admission as a full candidate for EU membership during the 1999 Helsinki Summit.

From a historical perspective, Piran underlines that it was during the Tanzimat era that the Ottoman Empire first decided to turn its face to the Occident. In the first half of the nineteenth century, the dislocation of the Janissaries allowed the emergence of new police units in Istanbul in line with European standards. After the foundation of the Turkish republic in 1923, Mustafa Kemal Ataturk further implemented the Western model as the only choice for Turkey to emulate in terms modernisation in most domains, including policing. Long after Ataturk's death, Turkey was ruled by an elite who showed their allegiance to Kemalist ideology and had a desire for governance according to European norms. However, these efforts did not prevent three successive military coups from happening in 1960, 1971 and 1980. During the 1960s, the Turkish military elites, or the 'guardians' of the state posited to have intervened in politics to regulate Turkish democracy. In the ensuing years, the left-right polarisation, having reached a peak and created a climate of tension, was once again curbed by a military intervention a decade after the first. Finally in 1980, under the pretext to counter the rising Kurdish insurgency as well as the threat of communism, the military generals made yet another coup d'état, during which the army was mainly concentrated in areas where it was deemed necessary to combat the Kurds and communists, whereas the police was assigned to take hold of the rest.

Piran's central thesis is that the Turkish police was able to emerge as a 'professional civil force' in the early aftermath of the 1980 coup. Indeed, the Turkish prime minister of the time, Turgut Ozal launched a series of new police reforms, which allowed the Turkish police force to boost its
budget, receive special instruction on human rights at home, and participate in numerous training sessions abroad. However, these revamping efforts in the organisation of Turkish police did not prevent human rights abuses by the latter, particularly throughout the 1990s. Another important development was that the Turkish police moved from the control of the military to become dependent on the Ministry of Interior under Ozal's administration. According to Piran, these reforms were neither due to pressure from the EU nor solely by means of Turkey's NATO membership. In fact, Turkey would have been obliged to alter the organisation of its national police force based on domestic factors to keep its strong state tradition alive.

In 1999 Turkey was granted full candidate status to accede to the EU. This was also meant to be a reconsideration of Turkey's policing methods, in order to democratise the country and improve human rights. Accordingly, the period of pre-trial detention was reduced from fifteen to four days and persons subject to interrogation were allowed legal assistance and representation. Despite these measures, among others, there was still an increase in violence (though intermittently) in the Southeast of Turkey particularly from 2000 onwards. This proved that the Kurdish insurgency in Turkey was far from being over unlike Piran suggests, as well as the rule of law, which was far from being perfect. Based on her findings, Piran notes that the Turkish police force operates under a heavily centralised system, which is dismissive of regional differences and nuances inside the country. Besides, the judiciary is not fully independent vis à vis the state, resulting in a drift toward authoritarianism. Furthermore, the thorny issue of corruption arises as police officers are pushed to work long hours without much financial incentive from the government. Thus, the image of the Turkish police is ruined within Turkish society, affecting the content, speed and trajectory of police reforms whether domestic or EU-imposed. These conclusions are based on a two-stage piece of doctoral fieldwork research that Piran conducted during 2007 and 2008 in Turkey with 60 Turkish police officers, numerous deputies, lawyers, and human rights activists, in addition to journalists with relevant expertise on the subject.

On the other hand, Piran addresses the degree of normativity as well as simulation within the EU criteria. In this regard, Turkey is a good example as Turkish candidacy illustrates how these criteria might be unpredictable depending on the specific country context and beyond. From a comparative perspective, Piran uses the cases of EU accession for Bulgaria and Romania to further demonstrate the subjectivity inherent to the EU criteria. Whereas Bulgaria and Romania lag behind Turkey in most domains, they nevertheless obtained full EU membership by 2007. It can be
argued that geography and religious proximity, and to a further extent, cultural aspects shared with Europe have played a central role in both countries’ EU accession. In addition, Bulgaria and Romania did not have a Kurdish or a Cypriot issue to resolve either, which reminds the reader, once again, of the importance of domestic factors when implementing reforms.

Ultimately Piran's study attests that the police reforms in Turkey have materialised as a result of Turkey's own internal evolution since the 1980s. Nevertheless, the impact of reform programmes imposed by the EU shall not be totally dismissed. Piran's own fieldwork notes include how her interlocutors think of the EU proposals as leading in many ways for convergence with European norms.

By considering the endemic circumstances Turkey has undergo since at least three decades earlier, it is clear that Piran provides an original contribution to the understanding of Turkey's policing reforms.

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The role of religion in modern politics is topical and controversial; it (re-)surfaced as a collective identity marker after the Cold War, for instance, in the Balkans and the Muslim world. In State, Faith and Nation in Ottoman and Post-Ottoman Lands, Frederick F. Anscombe proposes that the relationship between religion and society is a recurring theme—he says it is was notable important theme in last 250 years of the Ottoman Empire and in the post-Ottoman nation-state building (in the Balkans and Arab world). The author also argues that scholars, politicians, and journalists in their analysis of post-Ottoman countries give too much credit to political nationalism over religious politics.

Anscombe explains that the Ottoman state was religious, and that its subjects were categorised, and self-identified, in religious terms. He points out that post-Ottoman nationalist politics were unsuited to addressing regional social realities and therefore caused a number of problems. A Turkish proverb is used to summarise this perspective, Balik bastan kokar (The fish starts to smell at the head).

This book fills in a gap in the literature, it helps us understand the role of religion in the late Ottoman Empire, and especially during the transition period when the Ottoman millets separated to became independent modern countries. Anscombe explores the role of religion in modern politics in three chapters. In the first chapter, he analyses the Ottoman era, with a special focus on the late Ottoman period. Then, in the second chapter, he examines the transition period, investigating the decline of the Ottoman Empire and the formation of new national states. In the last chapter, Anscombe analyses contemporary developments in the post-Ottoman lands, specifically referring to religious politics. The historical timescale and geography of the book is broad. It examines three important post-Ottoman territories: the Balkans, Turkey and the Arab lands.

In the first chapter Anscombe addresses the role of religious politics in the Ottoman Empire and the post-Ottoman lands. Islam played a crucial role in transforming the tribal Ottoman state system (the din-u devlet, the religious and dynasty state). Meanwhile, Anscombe explains Ottoman understanding of the political world as the Abode of Islam vis-a-vis the Abode of War. In addition, religious justice is highlighted as a source of social order and authority. These ideas are applicable to the Ottoman classical age and the latter years, continuing until the dissolution of the Ottoman Empire.
Anscombe discusses the transformation period under Sultan Mahmud II (1808-1838) as “breaking of the pre-modern Islamic State” (p.61). He then says the Ottoman State became a “reconstructed Muslim state” (p.90). This contrasts with other academics who propose that Islam as a political system generally proves incompetent. To legitimise the transformative politics of the Ottoman Empire, Anscombe explores the Hanafi School terms of ‘common good’ and ‘public interest’ in the context of empowering the Ottoman Empire (Abode of Islam), through a model of European organisation, against the European infidels (Abode of War); this topic forms the conceptual framework of the chapter. In contrast to the generally good relations between religious bodies and the Ottoman State, a break occurred here with the reorganisation of politics by the secular Young Turks.

In the second chapter, Anscombe considers the legacy of religion in post-Ottoman state-building, and the significance of nationalism for state authorities. In the redrawn borders of the post-Ottoman countries, new states required different ideologies to legitimise the borders and to persuade society. Nationalism spread rapidly as the ideological tool of choice among stronger states of Western Europe since the middle of the nineteenth century. It was also the principle cited by post-Ottoman states to legitimate their creation. Therefore, Turks, Arabs, Greeks, Bulgarians, and Serbians lived in a world shaped by nationalist interpretations of education, language, and the myth of nation.

The political authorities of the post-Ottoman countries knew the collective consciousness of their people had been shaped by their status as Muslim or non-Muslim, and that locality provided much stronger identities than ethnicity. Nevertheless, each post-Ottoman state in the Balkans promoted a particular national consciousness that “first begun in the Balkans and then in Anatolia at the last in the Arab lands” (p. 142).

Nationalism and state building in the Balkans were complex. Each new state was multi-ethnic, along with diverse religions and languages, making communal separation of peoples difficult. Furthermore, families had intermarried across different ethnic groups, and cultural differences between ethnic groups were nuanced with cultural cross-overs.

In post-Ottoman Arab lands, separated by Franco-British interests, the new states meant the construction of borders, for the flow or prevention of goods and people, where none had existed previously.

The old regime had rested upon the din (Islam) and devlet (the Ottoman Dynasty); the new modern state rested upon a more European form of organisation: the nation-state and government. Despite the new
secular system, clearly ‘Turkishness’ and its connection with Muslim identity were immutable components. Interestingly, only non-Muslim populations were perceived as a minority in Turkey according to the Lausanne agreement.

In the third chapter, Anscombe considers contemporary issues in world politics after the collapse of the Soviet Union, also loosely termed in the West as ‘the end of history’. This Western view is criticised, “rather the return of history and, indeed, of politics in post-Ottoman lands” (p. 219). In the Middle East, the war in Kuwait “seemed to mark the death not of socialism but of Arab solidarity, leaving a void into which Islamism grew” (p. 219).

In Turkey, the military and Kemalist politics have lost their power, while political Islam has risen up. In the Balkans, leftwing politics and class consciousness has diminished, replaced by identity and religious politics. It is unsurprising that religion remerged in politics, because nationalist regimes have failed both economically and politically across the post-Ottoman region—populations lost faith in nationalist leaders.

Anscombe concludes by pointing out that throughout the turbulent history of Ottoman and post-Ottoman lands, particularly in the past 250 years, “both the state and the majority of society perceived an urgent, existential threat to the empire because of its status as ‘The Abode of Islam’” (p. 292) However, there has been no basic consensus on the nature of threat in the post-Ottoman lands. Therefore, post-Ottoman lands experienced not only strong foreign foes but also domestic ‘threats’. These threats produced violence within territorial borders, which targeted civilians resistant to a non-consensus regime ideology.

This book is useful for anyone studying Ottoman history the post Ottoman states, Islam, or Islamic law, but may be too intense for new researchers as the structure of the book is thematic rather than descriptive. Still, Anscombe uses Ottoman and British archival resources and his expertise on the Ottoman studies and Balkans and Gulf regions gives a chance to analyse the regions in depth.

Although the primary focus is religion in the Ottoman and post-Ottoman lands, the book also considers whether the Ottoman Empire is compatible in Islamic terms, a point that Anscombe could have discussed further. Many scholars speak of the Ottoman Empire as state bureaucratic legacy of the Byzantine-Christian civilisation, while some Islamic scholars prefer to discuss the Islamic characteristics of the Ottoman Empire within the Islamic terms which are underestimated in the book.
Perhaps the most stressed element of religion in the Ottoman Empire is that it could not be changed, while the example of non-Muslim independent movements is undervalued by Anscombe who writes, “the empire saw almost no significant uprisings led by indigenous non-Muslims until the First World War” (p. 91).

Finally, this book achieves its goal in analysing the historical roots of current politics infused with religion. Despite speculation by some scholars about the Ottoman legacy in post-Ottoman lands, notably in the context of current politics, Anscombe asks historians and social scientists to rethink religious politics in Ottoman studies.

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