A proper wife, a proper marriage. Constructions of 'us' and 'them' in Dutch family migration policy

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Abstract

Migration policy is a product and producer of identities and values. This paper argues that discourses and policies on family reunification participate in the politics of belonging, and that gender and family norms play a crucial role in this production of collective identities, i.e. in defining who 'we' are and what distinguishes 'us' from 'the others'.

Tracing the development of political debates and policy-making about 'fraudulent' and 'forced' marriages in the Netherlands since the 1970s, we examine how categories of gender and ethnicity interact to 'other' transnational marriages and the women who engage in them. These practices of 'othering' legitimise restrictive reforms of marriage migration policies. Also, and no less importantly, they serve the symbolic function of defining Dutch identity, and showing that the government protects this identity.

Introduction

Until recently, migration scholars have tended to explain migration policy-making in terms of a rational balancing of economic interests, electoral pushes, and judicial constraints (e.g. Cornelius *et al* 2004; Guiraudon & Joppke 2001; Messina 2007). Such accounts left little if any room for the role of identity and cultural values in migration policy-making. However, since the 2000s, policy debates about immigration in Europe have 'culturalised': immigration policy has come to be discussed in relation to social cohesion, national identity, the limits of cultural diversity, and the alleged

'failure' of integration. In parallel, identity and cultural norms have become much more prominent factors in academic analyses of immigration policy (e.g. Kofman 2005; Adamson *et al* 2011). This paper aims to contribute to this literature by examining how migration policy-making is shaped by and contributes to constructions of collective identities and value systems.

Empirically, we focus on family migration policies in the Netherlands. In the context of the 'culturalisation' of migration policy debates, the migrant family has come to be represented as particularly problematic. Grillo (2008: 31) explains that the 'perceived "failure" on the part of immigrants to integrate is often laid at the door of their families, or rather their practices of family relations, and the (collectivist) principles (cultural, religious) which underpin them'. Family migration has become one of the most salient topics on the European migration agenda and increasingly restrictive reforms of family migration policy have been implemented in Austria, Denmark, France, Germany, Norway, the UK, and the Netherlands (Benarieh Ruffer 2011; Bock 2011; Eggebø 2010; Fair 2010; Wray 2011). Together with Denmark, the Netherlands is at the forefront of this restrictive turn: it was the first country to introduce pre-departure integration requirements, and its age and income requirements are among the highest in Europe. Moreover, the Netherlands plays an active agenda-setting and -shaping role in the European Union (Bonjour & Vink 2011).

Debates about family migration policies are shaped in fundamental ways by conceptions of what the roles of men and women ought to be, what marriage ought to be, what parenting ought to be, and what family ought to be (cf. Strasser *et al* 2009; Van Walsum 2008; Wray 2011). Such gender and family norms play a crucial role in the production of collective identities, i.e. in defining who 'we' are and what distinguishes 'us' from 'the others'. The impact and importance of family migration policies thus lies not only in the life-changing effects of the material conditions of entry and stay for migrant and bi-national families, but also in the way the discourses and policies on family reunification participate in the politics of belonging, i.e. in the construction of community and cohesion through processes of inclusion and exclusion (cf. Gedalof 2007; Myrdahl 2010). To investigate this latter aspect of the politics of family migration, we have made an inquiry into which constructions of

identity, boundaries, and belonging based on gender and family norms play a role in Dutch policies and debates on marriage migration.

We focus our inquiry on two categories that are represented as 'problematic' in Dutch debates on marriage migration: fraudulent marriages on the one hand, and forced and arranged marriages on the other hand.[1] As we will show, representations of gender and ethnicity interact in the problematisation of these marriages so as to produce specific dynamics of boundary work, i.e. representations of 'us' and 'them'. Tracing the development of debates about these types of 'problematic' marriages, since their emergence in the 1970s, allows us to identify how this gendered boundary work changed over time, and to place current debates in a historical perspective.

This article starts with an overview of the concepts and theoretical approaches of gender, family, and boundaries that have informed our analysis. It proceeds with an empirical investigation of policy debates and developments, focusing in a second section on the 'othering' of women in these debates, and in a third section on the 'othering' of marriage practices. Based on a constructivist approach to the study of policy-making (Schön & Rein 1994), we analysed selected documents from the parliamentary records: legislative proposals, government memoranda, and records of commission meetings and plenary debates in Parliament. We identify which gender and family norms and representations have shaped decision-making about marriage migration in the Netherlands, and how this has contributed to the construction of collective identities – 'us' and 'them' – within Dutch society.

1. Gender, family, and boundaries in family migration policies

The analysis we present in this paper draws on feminist scholarship on the relationship between gender, nation and culture. The 'legitimacy' of the nation requires constant reaffirmation of boundaries between 'us' and 'them', of a distinct national identity or 'whiteness' (Yuval-Davis 2008 [1997]; Stoler 2002).

Women in particular 'embody' the boundaries of the cultural or national community. Gender relations often come to be seen as constituting the "essence" of cultures, as ways of life to be passed on from generation to generation'. This extends beyond notions of femininity and masculinity to conceptions of 'home', 'including relations between adults and between adults and children in the family, ways of cooking and eating, domestic labour, play and bedtime stories'. Religious and cultural

codes concerning marriage and divorce are crucial in defining who belongs and who does not. Women carry the 'burden of representation' of the nation, as they are 'constructed as the symbolic bearers of the collectivity's identity and honour' (Yuval-Davis 2008 [1997]: 43-45, 67). They are to dress and behave 'properly', to keep 'cosy', 'proper' homes and to raise their children to be good citizens (Stoler 2002: 41-139).

Thus, the 'intimate domains – sex, sentiment, domestic arrangement, and child rearing' (Stoler 2001: 829) play a crucial role in the construction of ethnic and national identities, of categories of 'us' and 'them', and women are ascribed a special responsibility for guarding the boundaries.

A growing body of literature has demonstrated how gender norms and perceptions are at play in contemporary public and political debates about migration and ethnicity in Europe. In these debates, the image of the Muslim migrant woman as a victim of an oppressive culture is a pervasive presence. This Orientalist representation constructs the Muslim migrant woman and the Western woman as diametrical opposites: the Muslim migrant woman as oppressed by a patriarchal and violent culture and denied all autonomy, control over her sexuality, or access to public space; the Western woman as sexually liberated, independent, and emancipated (Lutz 1991). Thus, women are the vehicle for the representation of 'Islamic culture' as traditional, static, and rural, which allows for the construction of 'Western culture' as modern, dynamic, and progressive (Roggeband & Verloo 2007; Prins & Saharso 2008).

This feminist scholarship has inspired students of migration policies, especially those studying family migration policies in Europe, to explore the manner in which these policies construct notions of gender, nation and belonging. Pioneers in this field Bhabba and Shutter (1994) analyzed the complex interaction of gender and ethnicity in the historical development of British family migration policy, and the assumptions about women's dependence on men written into government policies. Scholars focussing on the recent restrictive turn in family migration policies in Europe have analyzed how discourses on gender, ethnicity, and nation are employed to mark boundaries between 'us ' and 'them' (Schmidt 2011). Family migration policy defines who belongs and thus who is entitled to a family life (Gedalof 2007).

These scholars have also demonstrated that gender is central in such discourses, producing notions of migrant women as victims of cultural practices such as arranged and forced marriages. These practices harm not only the women themselves but also the national self, since norms of gender equality and individual freedom are presented as crucial elements of national identity (Eggebø 2011). These analyses show that restrictive family migration policies are a central part of contemporary politics of belonging. Measures to combat forced marriages, for instance, have been referred to as a 'racial project' (Myhrdahl 2010: 104) which serves to protect and reproduce whiteness (Fair 2010).

Finally, the literature has demonstrated that family migration policies set norms about what a 'proper family' is (Strasser *et al* 2009). Migrant family practices are presented as breaking these norms, as 'embodying a set of 'unhomely family forms' which pose 'a potential threat to (…) social order' (Gedalof 2007: 88). This entitles the state to monitor 'the living room, the kitchen, the larder, the nursery and the bedroom' (Schmidt 2011: 258) and to pose obstacles to family migration and to certain transnational family practices. The paradox is that liberal values of equality, freedom and individualism have allowed for control of specific way of living, drawing a 'distinction between those who simply resided within the nation's borders and those who could claim to belong there' (Van Walsum 2008: 278).

This discussion of the literature illustrates how gender and ethnicity are interconnected: gender is also about ethnicity and ethnicity is also gendered (Crenshaw 1990). An intersectional approach allows us to explore how ethnicised and gendered categories interact to problematise not only migrant families but also, as we will show, mixed families. In debates on family migration policy, norms of gender and ethnicity serve not only to keep 'outsiders' out, but also to turn 'insiders' – either citizens with a migrant background or native[2] citizen women and men – into (partial) outsiders, without a legitimate claim to family life in the Netherlands.

2. 'Othering' women

This section explores how gendered and cultural norms about marriage and family have been, and still are, dominant in law and regulations and how these norms function to 'other' women – migrant women as well as Dutch native women – involved in international marriages.

Fraudulent marriages

Since the 1970s, Dutch family migration policies were partly based on the idea that marriages of Dutch native women with foreign men were so-called fraudulent marriages and, as such, aimed to circumvent restrictive immigration policies.[3] The first immigration law circular regulating control of fraudulent marriages, dating from 1975, referred exclusively to marriages in which men came to the Netherlands as family migrants.[4] As the Christian Democrat Deputy Minister explained during debates in 1980:

> It is the extreme cases where one concludes that it is not a real marriage. If one has been ordered to leave the Netherlands because one is illegal and claims to be about to marry at the moment the police are at the door, I do not believe that this is more than the fact that one has found a wife who can provide a residence permit. When a very young man meets a nice elderly prostitute whom he marries at the moment he has to leave the country, I have some doubts.[5]

And:

> I also know of examples of very difficult interrogations. E.g. the difficulty that during the interrogation the woman, in presence of the man, says she really wants to marry him, but after he is gone, she runs to the police saying that she did not mean it, but is so afraid of the man. (…) Most often it is Dutch women who marry an alien.[6]

In these quotes the Deputy Minister constructed contradictory images of women involved in fraudulent marriages; firstly, as prostitutes presenting sexually deviant behaviour as an indicator for fraudulent marriages. As Stoler mentioned, and as Luibheid (2002) has demonstrated for immigration control, sexuality is a central concern in the construction of 'otherness'. In the eyes of the authorities, prostitutes, whose moral behaviour of being paid for sex is already seen as questionable, seem likely to marry for practical or economic reasons, and to get paid for marriage. The

terms 'nice, elderly prostitute' however indicate that these women had no ill motives for concluding these marriages, or may not have been aware of entering into a fraudulent marriage. Secondly, women were presented as victims of a violent marriage they were forced into.

Furthermore, women are ascribed little agency. The foreign husband is the active agent: he finds a woman, meets a woman, marries a woman; the latter seems to be subjected to his actions. The Dutch woman in a mixed marriage is clearly not sexually liberated, independent and emancipated. As Stoler explained, women are to act properly to maintain the boundary between 'us' and 'them'. Dutch native women who entered a mixed marriage did not act 'properly' but made deviant choices, crossing ethnic borders in personal relationships. As a consequence, they lost the qualities attached to 'us' and were attributed the qualities of 'them'.

The image of women as victims of fraudulent marriages became even more prominent in 1994 when the Act for Prevention of Fraudulent Marriages was introduced. MPs feared that migrant men would 'abuse the future' of Dutch native and migrant women, to acquire a residence status they did not deserve.[7] Contrary to the earlier image of the Dutch prostitute, it was now feared that migrant women were forced into prostitution by fraudulent marriages. On the other hand, Dutch women who entered a fraudulent marriage, according to the Social Democrats, 'fell for it' as a consequence of 'recruitment practices', or in 'good faith', naively believing the migrant husband who only wanted a residence permit.

Both groups of women were denied agency. Both groups of women were represented as deceived. This representation as deceived victims was reproduced in later media reports about elderly Dutch women marrying younger Egyptian husbands, after which the Minister of Foreign Affairs stated that in such cases, 'the trust of Dutch subjects' was being abused, and Dutch authorities should inform them.[8]

Fraudulent marriages disappeared from the centre of political attention until, in October 2009, the centre-Left government Balkenende IV presented its plans on marriage migration, in which the terms 'fraudulent marriage' popped up twelve times.[9] It was stated that, although hard statistics were lacking, there was a strong impression that residence was a motive for arranged marriages. The Social Democrat party indicated that migrant women often became victims in fraudulent

marriages, because they were dependent on the husband, who was often violent. Again, the fraudulent marriage was ascribed to women as victims without agency. Here, the topics of fraudulent and forced marriages merged.

Remarkably, the plans did not mention Dutch native women at all in connection to fraudulent marriages. Binational marriages of Dutch native men however entered the debates for the first time, in two contradictory ways. On the one hand, the government mentioned 'some Dutch men seeking a docile traditional woman outside of the Netherlands to whom he is superior and who is sexually servile'.[10] Again, sexual practices are relevant in constructing these marriage partners as deviant from Dutch social norms. On the other hand, Dutch native men were explicitly excluded from the image of fraudulent marriages because many international relationships were sincere and it wasn't unusual for Dutchmen to fall in love while abroad, since 'love knew no borders', as the Social Democrats explained. The Socialist Party intervened on behalf of a Dutch seaman who met a 'very nice woman' while working abroad: 'Of course we have to prevent fraudulent marriages, but we are not going to make it difficult for these people, are we?'[11] The Christian Union mentioned the example of a Dutch man working for an international company in Thailand, who had to go through a 'whole procedure' to bring his wife to the Netherlands.[12] Contrary to Dutch native women with binational marriages, these Dutch native and predominantly highly educated men having married a migrant woman while working abroad were not included in the construct of fraudulent marriages. Just like in earlier decades, Dutch native men were thought to *belong* and therefore to be entitled to live their family life in the Netherlands. The Social Democrat Deputy Minister Albayrak, however, saw no reason to treat Dutch expats differently from other Dutch nationals. Although Dutch native men were excluded from the suspicion of fraudulent marriages in political debates, the policy applied to them all the same.

In the same period, fraudulent marriages were associated with 'Moroccans' and 'Turks' (Dutch nationals of Moroccan or Turkish descent) who were suspected of using the so-called *Belgium route*: making use of EU-migration law to circumvent national migration law.[13] A Dutch national who moves to another Member State can bring a non-EU partner into the country under the more liberal conditions of EU-law

on the free movement of persons. These advantageous family reunification rights are retained upon return to the Netherlands.

Minister Verdonk of the Balkenende II government claimed that a study had demonstrated that a considerable number of Dutchmen moving to Belgium, based on name and birth place, had turned out to be of non-Dutch descent.[14] However, in 2009, the Deputy Minister concluded that research did not confirm this claim and that most of these marriages were not fraudulent. Fraudulent marriages could occur however, according to the government, among EU-nationals.[15] As a result of these debates, controls on fraudulent marriages, in practice, seem to focus on EU-citizens with a third-country national partner.[16]

Forced and arranged marriages

In the discourse of Dutch right-wing and left-wing politicians, the notion of forced and arranged marriages is tied to a particular type of family migration, namely to the children of Turkish or Moroccan labour migrants bringing a partner from Turkey or Morocco into the country. The first debates about this type of marriage migration in the early 1980s were also the first debates about forced and arranged marriages. Until then, family migration was assumed to be a unique, finite inflow, which would end once all labour and (post-)colonial migrants were reunited with the families they had initially left behind. In the early 1980s, Dutch policy-makers discovered with dismay that so-called 'second generation migrants' did not marry a partner from the Netherlands, as they were expected to, but chose a partner from their own or their parents' country of origin. This opened up the frightening perspective of a potentially infinite chain migration. In the first half of the 1980s, the centre-Right government therefore attempted to introduce an income requirement which would apply only to marriage migration by second generation migrants. Part of the government's argument was that such a requirement would 'help prevent excesses with parents marrying off their often too young children'.[17] The reform was retracted after less than two years however because a broad parliamentary majority considered it contrary to the principle of equal treatment (Bonjour 2009).

In the 1980s and 1990s, Dutch politicians were reticent to publicly present migrants' cultural or family practices as problematic, out of a fear of feeding xenophobic sentiments among the population (Bonjour 2009). When the political

salience of immigration control started to rise in the early 1990s, debates initially focused on irregular migration, abuse of asylum law, and fraudulent marriages. Behind the closed doors of the ministries, however, forced marriages were a recurring theme from the 1980s onwards.

In the 1980s, debates focused exclusively on migrant men coming to the Netherlands to marry 'second generation' women. Just as in debates about 'fraudulent' marriages, male family migrants were viewed with suspicion. While it was 'natural' for a woman to follow her husband, a man who claimed to migrate for family reasons had to be hiding material motives. When arguing in favour of the income requirement, civil servants from the Ministry of Justice spoke about 'Turkish and Moroccan young men looking for a bride who will pave their way to the labour market' and about 'the very real possibility that the wellbeing of girls is sacrificed for the financial gain of their own family'.[18]

In the 1990s, the image of 'girls married off for a dowry whose level is determined by the value of a residence permit' for migrant men, as Christian Democrat Minister of Justice Hirsch Ballin put it, remained present in the background. It informed the introduction of a minimum age of 18 years and income requirement for Dutch citizens and resident migrants in 1993, and strengthened both Social Democrat and Conservative Liberal support for these restrictive reforms.[19]

In the course of the 2000s, however, 'import brides' replaced migrant grooms as the most unwanted category and as the all-but-exclusive focus of debates on forced and arranged marriages. Statistics showing that women made up the slight majority of family migrants – 60-65% between 1995 and 2004 (Netherlands Statistics 2011) – played a role here. In addition, this representation appears to have been fed by concern for migrant children's poor performance at school. In political discourse, this performance was directly related to the supposedly poor societal integration of their mothers, who were represented as low-educated women flown in directly from Morocco or Turkey, in all likelihood against their will. Thus, marriage migration was recast as importing 'bad' mothers.

What didn't change in the course of these last four decades was the representation of migrant women as passive victims of forced and arranged marriages. Politicians speak of the need to protect women from such marriage practices. They consistently refer to women as 'girls' and describe them as 'docile,

dependent partners'.[20] The centre-Left Balkenende government began its 2009 letter to Parliament setting out its family migration reforms with a reference to the autobiography of Fayza Oum'Hamed, married off from Morocco when she was 15 years old to live a life of imprisonment and abuse in the house of her family-in-law in the Netherlands. In this government's representation, 'fighting forced marriages' meant rescuing migrant women.[21] Just like in the discourses on fraudulent marriages, women are denied any agency.

This contrasts with the way Dutch politicians speak about male spouses in forced or arranged marriages, who are never described as in need of protection but who are, on the contrary, ascribed autonomous motivations for 'agreeing to marry girls from Anatolia'.[22] In fact, even in the context of debates on forced or arranged marriages, men are never perceived as 'forced': men are thought to have a choice, and therefore to have their reasons. We already saw that male marriage migrants in the 1980s were thought to use marriage to gain access to the Dutch labour market. In the 2000s, the government described Dutch men of migrant origin as 'consciously looking for unemancipated women abroad, because they find women in the Netherlands too emancipated'.[23]

3. 'Othering' marriage practices
Construing forced and fraudulent marriages as problematic categories involves construing a category of 'proper' marriage – 'Dutch' marriage – thus 'othering' marriage practices that deviate from this norm.

Fraudulent marriages
In the discourse on fraudulent marriages, marriage motives are a primary concern. Fraudulent marriages are constructed as based not on 'love', but on economic motives and the wish to acquire access to and residence in the Netherlands. Hence, the 1975-circular on fraudulent marriages said that a marriage could be assumed to be fraudulent if it was concluded at a time when the migrant husband was at risk of being expelled, e.g. because of illegal residence. A residence permit had to be refused when a marriage was 'non-real', meaning that it was concluded with 'the apparent motive to be able to remain in the Netherlands' (Bonjour 2009: 126). This construction of fraudulent marriages as concluded for reasons of residence and

economic gain was informed by the gendered notion that men were breadwinners and workers, while women were wives who followed their husbands (Bonjour 2009; De Hart 2003; cf. on similar developments in the UK: Bhabha & Shutter 1994; Wray 2011). Hence, it is no coincidence that the fraudulent marriage popped up as an issue in immigration law in the 1970s, when labour recruitment was stopped, and access to the Dutch labour market was harder to obtain than before. Marriage with a Dutch native woman was seen as a loophole to acquire such access.

The Act for Prevention of Fraudulent Marriages of 1994 stipulated that the motive of acquiring access to the Netherlands was unsuitable for the legal institution of marriage. Thus, marriage was ascribed an essential and moral character, as violation of this character was considered to endanger Dutch public order and to interfere with the foundations of the Dutch legal order.[24] It was the first time marriage motives became relevant for the validity of the marriage (Jessurun D'Oliviera 1998).

The 1994 Act defined a fraudulent marriage as a marriage in which 'the intent of the spouses *or one of them* was not to fulfil the obligations connected to marriage by law, but to gain access to the Netherlands' (art. 1: 71a BW, emphasis added). This definition allowed for the possibility that only one of the marriage partners wanted access to the Netherlands, while the other partner wanted a 'real' marriage. The image described above of the woman who naively 'fell for it' was written into this definition.

In the 2000s, the suspicion of fraudulent marriages was expanded to EU-Law. As indicated before, because of the growing relevance of EU-migration law, it was feared that many Dutch nationals with a foreign partner circumvented national immigration policies by moving to Belgium with their third-country national partners in order to apply for residence on the basis of the more liberal EU-laws on free movement. After their subsequent return to the Netherlands, EU-law still applied.[25] Fraudulent marriage was now thought to be aimed at obtaining not just residence, but also the status of an EU-citizen (cf. Wray 2006).

During the 1970s and 1980s, it turned out that it was difficult to prove that residence and economic motives were the sole motives for a fraudulent marriage. To solve these problems of evidence, the Act of 1994 provided a list of so-called 'objective indicators' to help authorities determine what constituted a fraudulent marriage. Such 'objective indicators' were: inability of the partners to communicate

verbally with each other, earlier short marriages of the partner in the Netherlands with foreign partners, a considerable age difference, or refusal of the partner in the Netherlands to live in the country of origin of the foreign partner. These indicators set norms for a 'proper marriage'.

The norms imply that the partners should share similarities. Differences in age, language, and culture are considered suspect. The partners are supposed to have had considerable time to get acquainted before they get married. When the fraudulent marriage re-emerged in the context of EU-law after 2004, it was announced that Dutch embassies would look for 'conspicuous strangeness' of partners for each other, although it was not explained what this 'conspicuous strangeness' entailed. Furthermore, 'unlikely combinations' of nationalities were mentioned as possible fraudulent marriages, such as Poles with Egyptians, or Bulgarians with Turks.[26] As before, social norms were used in the interpretation of what constitutes a fraudulent marriage.

The objective indicators also construct 'proper marriages' as love matches. The indicators refer to Giddens' notion of a 'pure relationship': a marriage based on love and equality, prolonged as long as it satisfies both partners (Eggebø forthcoming; Myrdahl 2010; Giddens 1992). This notion of a love marriage was central in control practices by immigration officials (De Hart 2003) and was made explicit in the political debates in 2010, when Dutch native male expats were exempted from fraudulent marriage because they fell 'in love'. As we have seen, love was never mentioned when talking about Dutch native and migrant women marrying migrant husbands. Apparently, only Dutch native men are capable of romantic love. And, because they are in love, they are part of 'us'.

Forced and arranged marriages

As we have seen, the suspicion of forced or arranged marriages has been a recurring theme in Dutch political debates about children of migrants bringing partners from Turkey or Morocco to the Netherlands ever since the 1980s. In recent years, however, political attention for this issue has increased exponentially, to the extent that 'guaranteeing freedom of partner choice' has become one of the stated primary goals of family migration policies of both the centre-Left Balkenende IV government (2007-2010) and the current conservative Rutte I government.[27] This focus must be

interpreted as part of the 'culturalist' turn in Dutch political debates, where cultural and religious diversity has come to be considered a liability for social cohesion (Bonjour 2009: 237-246). Debates about family migration tend to focus almost exclusively on marriage migration from Turkey and Morocco, even if 75% of marriage migrants came from elsewhere between 1995 and 2004 (Statistics Netherlands 2011). Presenting marriage migration as the product of 'deviant' cultural practices legitimises restrictive reform while offering politicians the opportunity to define and affirm 'Dutch' 'cultural codes' and thereby – intentionally or unintentionally – to construct 'boundaries of belonging' (Yuval-Davis 2008 [1997]: 48-49).

Dutch politicians use the terms 'forced marriage', 'arranged marriage' and 'marrying off' interchangeably, without distinguishing between the very different practices and experiences such terms may refer to. This contrasts with Norwegian and UK government discourse in which arranged marriages are presented as legitimate – if not necessarily unproblematic – family forms (Myrdahl 2010; Wray 2011). In the eyes of Dutch politicians however, the only 'real' marriage is the one entered into by two people out of their own, strictly individual and autonomous choice – any form of interference by third persons, ranging indiscriminately from 'pressure' to 'manipulation' or 'force', is condemned.[28] In 2009, the centre-Left Balkenende IV government wrote:

> When a request for admission on grounds of family formation does not result from an existing relationship but rather seems to result from "relationship mediation" which may or may not be imposed (such as marrying off children), it is appropriate for the state to adopt a critical stance. (…) Sometimes marriages are forced and this is unacceptable. Forced marriages may be indicators for honour-related violence; polygamy and marriages between cousins can be indicators for unfree partner choice and/or marriage of convenience.[29]

Thus, arranged marriages are conflated with forced marriages, which in turn are conflated with fraud and violence. In 2001, the Progressive Liberal minister of Integration Van Boxtel wrote:

The family is actively involved in finding a partner from the family or the region in the country of origin. As a rule, transmitting family values and norms, opinions about the caring role of the female partner, or better economic prospects for the incoming male partner, outweigh the affection between the two marriage candidates.[30]

Here, as in debates on fraudulent marriages, we see that the only 'valid' ground for two people to enter into marriage is romantic love. Claiming, as Social Democrat minister Van der Laan did, that marriage migration 'has little to do with real love'[31] is tantamount to denying the legitimacy both of these marriages and of the entry and residence rights derived from them.

Forced or arranged marriages are generally assumed to be based on material motivations, i.e. 'on economic interests such as obtaining a residence permit', as the Balkenende IV government put it.[32] This is reprehensible, first, because it breaks the 'love' rule:

Plenty of examples can be found of young people who are forced to marry a foreign partner (…). Their Dutch passport serves as a ticket to the Netherlands. This form of marrying off has nothing to do with 'loving relationships'. [33]

In addition, families who intervene in their children's partner choice are supposed to act out of material interest, i.e. to 'marry off their daughter to whoever pays most'.[34] Suggesting that migrant parents pursue an assumed dowry rather than the best interest of their child disqualifies them as parents. As both Stoler (2002: 112-139) and Yuval-Davis (2008 [1997]: 38) have pointed out, this is a powerful way of excluding migrant families from the imagined national community.

In the last five years, freedom of partner choice has come to be defined as 'a core value of the Netherlands', as the Social Democrats put it.[35] The Balkenende IV government described forced marriage as 'diametrically opposed to our conception of justice and freedom',[36] while a motion adopted unanimously in Parliament called it 'an unacceptable breach of the principle of freedom of partner choice cherished in the Netherlands'.[37] Marking this 'Dutch' norm implied rejecting the 'other', as when a

Christian Democrat MP stated that 'a school girl being married off by her parents (…) invalidates the relativist concept of equality of cultures'.[38] The practice of arranged or forced marriage was interpreted as a symptom of migrants' rejection of Dutch norms and values and refusal to integrate. Thus the Balkenende IV government wrote:

> Some allochtone Dutch live withdrawn in their own ethnic circle and religion, more or less with their back to Dutch society. (…) As a result of ethnic solidarity, they do not distance themselves from traditions or behaviours (such as marrying off children) which are incompatible with our rule of law.[39]

Since the image of 'forced' or 'arranged' marriage migration from Turkey and Morocco dominates Dutch political debates about family migration, opposing marriage migration is equated with fighting forced marriages. Restrictive reforms ranging from income requirements to age and integration requirements have been justified as means to 'save girls' from being married off.

'Othering' transnational marriages as contrary to 'Dutch norms' legitimises keeping migrant spouses out, thus reducing unwanted migration. In addition, the intimacy of marriage and family is where state actors construe who 'we' are and who 'the others' are. For Dutch politicians and their electorate, this implicit function of setting the boundaries of 'Dutchness' and thereby (re)constructing national community may be as important as controlling family migration.

Conclusion

The realm of the intimate – family life – is where crucial boundary work is done; where the sharpest distinctions between 'us' and 'them' are drawn. Debates and decision-making about marriage migration in the Netherlands play an important role in the production of 'usness' and 'otherness' by state actors.

We have shown that this boundary work displays strong continuities but is also subject to change. The problematisation of transnational marriages as 'fraudulent' or 'forced' has been a central theme in Dutch debates about family migration policies since the 1970s. While in the 1970s and 1980s concern focused on foreign husbands, today debates centre on foreign brides: the 'problem' of marriage migration has shifted from importing labour migrants disguised as husbands, to

importing unemancipated wives bound to make bad mothers. In addition, debates today focus almost exclusively on migrant marriages involving 'second generation' Turkish and Moroccan Dutch, while in earlier decades mixed marriages involving native Dutch women were cause for equal – if not more – concern among politicians.

However, throughout the four decades studied, the continuities outweigh the discontinuities. The consistent construction of women as victims plays a crucial role in the two sub-fields of fraudulent marriages and forced marriages. Representing women as vulnerable and in need of help legitimizes government intervention, and offers the opportunity for politicians to demonstrate their commitment to the 'Dutch' norm of equality of men and women. Also, in both fields, love between two autonomous individuals is presented as the only valid grounds for entering into marriage. This is the 'right' way: the 'Dutch' way. Binational or migrant couples are represented as marriages on collective rather than individual, and material rather than romantic grounds and directly associated with fraud, abuse, and violence. Denying the legitimacy of these marriages implies denying migrant spouses the right to enter and stay in the Netherlands.

These developments in the Netherlands are not unique. The history of family migration policies in the UK mirrors the Dutch: suspicion of fraudulent marriages after labour migration was restricted in the 1970s, as well as the recent shift in political focus from 'import grooms' to 'import brides' (Wray 2006). Today, there are strong parallels between the 'othering' of (Muslim) migrant families in the Netherlands and debates in other North-West European countries, where political concern likewise focuses on transnational marriage practices of so-called 'second generation' migrants and on (Muslim) migrant women represented as 'victims' of these marriage practices. To 'protect women' from forced marriages, the requirements for family migration have recently been restricted in Denmark, Germany, Norway, and the UK. The Netherlands stands out, however, together with Denmark, in conflating forced marriages with arranged marriages; unlike in Norway and the UK where arranged marriages are considered legitimate, Danish and Dutch politicians define all marriages not based on 'love' as deviant (Eggebø 2010; Fair 2010; Wray 2009; Block 2011). This reflects the particular virulence of the rejection of the culturalised 'other' in contemporary Dutch and Danish politics, which explains, at least in part, why these two European countries have implemented the most restrictive reforms of family

migration policies. Contemporary European debates and policies on family migration are about the construction of national identities. However, in defining liberal values of freedom, individualism and equality as distinctive – and superior – national values, uniquely 'Dutch', 'British', 'Danish' or 'Norwegian', these different European countries appear to be very much alike. Further comparative research on the politics of family migration would allow us to identify what is specifically 'national' in debates on family migration.

Existing literature on gender and migration tends to focus almost exclusively on migrant women. Our findings show that processes of 'othering' affect two other categories as well: native citizens with mixed families and migrant men. Native citizens may be excluded from the imagined national community, just as migrants may be, if they transgress the norms that make a proper spouse and a proper marriage. While native women with mixed families are most likely to be subject to suspicion, native men are not entirely excluded from such processes of 'othering'.

Gendered images of men are the ever present – but rarely made explicit – counterpart of the gendered images of women (cf. Wray 2011). The representation of migrant and Dutch women as passive victims rests on the representation of migrant men as oppressive, violent, deceiving, and motivated by material gain – never by love. As women are denied agency, migrant men are denied humanity and vulnerability. There is an urgent need for students of gender to investigate and challenge these constructions of migrant masculinity.

Attempts to understand the dynamics of migration policy-making are doomed to miss the mark as long as they fail to take into account the crucial role played by conceptions of cultural norms and identity. While different political parties may differ as to the most appropriate means to fight fraudulent or forced marriages, the 'othering' of international marriages transcends Left-Right cleavages and offers opportunities for building almost consensual political support. Through the construction of migrant and binational families, as a product and producer of deviant norms and practices with regard to gender, family, and marriage, these families are placed outside of the imagined national community. This representation of family migration as problematically different from 'the Dutch' serves two interrelated purposes. First, it legitimizes government intervention in these families, most notably through the implementation of restrictive reforms of marriage migration policies.

Second, and no less importantly, it serves the symbolic function of defining and marking the Dutch norm and identity, and showing that the government upholds and protects this norm and identity. Thus the (re)affirmation of the legitimacy of the Dutch government goes hand in hand with the (re)construction of the Dutch national community.

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[1] Another category of marriage construed as 'problematic' in the making of family migration policies is polygamous marriage. However, polygamy has not been subject to much debate among Dutch politicians: the rules were set in 1975 (only one spouse and his/her children are allowed entry and stay) and not called into question until 2010. Unmarried couples were construed as problematic in the first post-war decades, but have become 'unproblematic' as of the late 1970s, to turn into no less than the symbol of Dutch progressiveness in the 2000s.

[2] We use the term 'native' reluctantly, to refer to Dutch persons who are identified by themselves and/or others as not having a migration background.

[3] Or even before the Second World War, see De Hart 2003.

[4] The circular was gender-neutral in its reference to non-marital relationships, which included same-sex relationships.

[5] Dutch Lower House (*Tweede Kamer*, further: TK) 1979-1980 15649 OCV 28 January 1980.

[6] TK 1979-1980 15649 OCV 28 January 1980.

[7] TK 1993-1994 22 488, Plenary 14 October 1993: 12-761.

[8] TK 2000-2001, 12 December 2000, Aanhangsel TK, nr. 383. NRC 14 oktober 2000, Poort naar de welvaart.

[9] TK 2009-2010 32175(1).

[10] TK 2009-2010 32175 (1): 5.

[11] TK 2009-2010 32052 Plenary 10 February 2010: 53-4864.

[12] TK 2009-2010 32052 Plenary 10 February 2010: 53-4863.

[13] TK 2009-2010 Plenary 27 January 2009: 46-4007 ff.

[14] TK 2005-2006 29700 (31): 4.

[15] TK 2009-2010 32175 (6): 4.

[16] See e.g. INDcontext, Het project consulaire huwelijken onder de loep, nr. 1, 2011, p. 6.

[17] TK 1983-1984 17984 (3)

[18] National Archives, IND (5.023.5027), file 2629, Memorandum Department of Foreigner Affairs, 9 July 1981.

[19] Policy Archive Ministry of Justice, file A92/3470, Memorandum Minister of Justice, 13April 1992; TK 1992-1993 22809 (19).

[20] TK 2008-2009 Plenary 2 December 2008: 31-2649.

[21] TK 2009-2010 32175 (1): 1.

[22] TK 2004-2005 Plenary 22 March 2005: 62-4028.

[23] TK 2009–2010 32005 (4): 35.

[24] TK 1991-1992 22488 (3): 1 ff.

[25] TK 2009-2010 32175 (6): 4.

[26] TK 2009-2010 32175 (6): 4.

[27] TK 2009-2010 32052 (7): 5; TK 2010-2011 32175 (15): 2.

[28] E.g. TK 2009-2010 32317 (16): 22, 27.

[29] TK 2009-2010, 32175 (1): 6.

[30] TK 2001-2002 28198 (2): 46.

[31] TK 2008-2009 Plenary 9 June 2009: 92-7229.

[32] TK 2009-2010 32175 (2): 8.

[33] E.g. TK 2010-2011 32175 (16): 15.

[34] TK 1979-1980 15649 (3).

[35] TK 2007-2008 Plenary 7 February 2008: 51-3721.

[36] TK 2009-2010 31268 (25): 11.

[37] TK 2009-2010 32123 XVII (47).

[38] TK 2003-2004 29200 VI (94): 12.

[39] TK 2007–2008 31268 (1–2): 4.