

False, Forced or Philanthropic? Marriage as a Migratory Route

Introduction

Every summer, millions of migrants return from Europe to their countries of origin to spend a month or so of holidays with family (in the large sense), strengthening the links of culture and economy they have with their homes. In particular, this trip serves as a time for matchmaking between branches of the large family to find husbands and wives for new young sons and daughters. This has been the tradition since the first generation of migrants in Europe, as marriage has been mostly endogenous and it still is. Schooled and socialized in the free choice of partners, more and more young girls reject this form of marriage, which led to the shock of forced marriage.

In mid June 2019, Myria Boehmecke, who specializes in forced marriage at the women's rights organisation *Terres des Femmes* has sparked debate in Germany when she warned that “the risk of forced marriage of young girls in their parents' homes has been increasing during the summer holidays based on the high number of inquiries received by counselling centres from anxious pupils and often increased before the start of the summer vacation”¹. Of course, as it will be showed, this phenomenon is not limited to Germany and has been noticed among migrant communities in all European countries. At the same time, in France, a case of a Muslim woman called Sirin telling her anxious story on the most popular Muslim online Media Saphirnews, brings back the suffering of thousands of women. Sirine said "I do not want to marry or have children. (...) The problem is that my mother absolutely wants to see me married,

¹ Charity: Summer Brings Risk of Forced Marriage for Some German Teens
<http://www.dpa-international.com/topic/charity-summer-brings-risk-forced-marriage-german-teens-190615-99-656695> (last accessed 30-01-2020)

even with an old man, and that I have a child because, for her, the woman has no "value" without children”².

At the same time, for young men in the South, who do not dispose of branches of the family in Europe, there is another source to find European women for marriage: millions of tourists which visit the Middle Eastern and North African shores in the summer. European women are surprised to get quick proposals of marriage after short adventures with local men (hunting middle aged European women), and some women fall in the trap. These are called grey marriages.

1. Grey Marriage: Fake Love

Grey marriage consists in faking feelings for a man or a woman, until obtaining a residence permit or naturalization, and then asking for divorce. This phenomenon has been publicly debated in some countries such as France and Switzerland since the years 2000s, but spreading more and more recently in Europe.³ In Belgium, 10.000 suspicious marriage records are investigated every year, including “grey marriages”. Recently, Gaetane (no family name was provided), a case of a Belgian duped partner, told her story to the Public TV RTBF about being “a victim of this type of sentimental scam. After a few months of romance, she decides to marry her Lebanese companion. Once the residence permit in the prince’s pocket, Gaetane discovers his true face”.⁴

European media regularly tell the stories of women trapped by this type of marriage. For example, dozens of cases have been reported by French media in 2018. One case shows how violence became a habit within a couple as of this French man who married a Russian woman, 13 years younger than him.⁵ Another case of a French man of Moroccan origin, who spent his holidays in Morocco and brought a younger Moroccan girl as wife. Once she obtained a residence permit, she asked for divorce. Nevertheless, she was condemned by the French court

² Sirine : « Je ne veux ni me marier ni avoir d’enfants »
https://www.saphirnews.com/Sirine-Je-ne-veux-ni-me-marier-ni-avoir-d-enfants_a26449.html (last accessed 30-01-2020)

³ Se marier sans amour pour obtenir un titre de séjour, seriez-vous prêt à le faire ?
https://www.rtbef.be/tv/emission/detail_questions-a-la-une/actualites/article_se-marier-pour-obtenir-un-titre-de-sejour-seriez-vous-pret-a-le-faire?id=10040647&emissionId=10 (last accessed 30-01-2020)

⁴ *Idem*.

⁵ Le couple se déchire et se frappe
<https://www.leprogres.fr/loire-42-edition-saint-etienne-metropole/2018/06/19/le-couple-se-dechire-et-se-frappe> (last accessed 30-01-2020)

to the nullification of marriage and of her residence permit.⁶ There is also the case of an Algerian man who was married in Algeria, but married a French woman for a residence permit in France, to benefit from healthcare. He was banned from French territory for bigamy and grey marriage.⁷ In France, there is even a website dedicated for the victims of grey marriage and run by an association called *L'Association Nationale des Victimes de l'Insécurité*, which defines its mission as helping “the victims of grey marriage by advising them in the procedures to be taken and the choice of their future lawyer, and listening to those people destroyed by this scourge”.⁸ In only one department in France (les Hauts-de-Seine, inner suburbs of Paris) some thirty cases each year of grey marriage are investigated.⁹

Conversely, some men take advantage of the situation when they marry migrant women in illegal situation or bring them from the countries of origin. They become prisoners of their husbands, and as described by *L'Express* in a recent report, “cloistered, watched closely, and threatened with being sent back to their country”.¹⁰

Germany is affected by grey marriage as well. German police sources said that „the German authorities discover around 400 suspected cases of marriages each year the aim of which is to give a foreigner a visa or a residence permit in Germany”.¹¹ German police crime statistics show that in 2017 “202 cases of grey marriages nationwide were unveiled, through which a foreigner wanted to obtain a residence permit or an authorisation to stay. In 191 other cases, it turned out that someone had already received a visa due to a fictitious marriage. In 2016, 408 cases had been revealed”.¹²

Albeit grey marriage is a crime, punishable in many European countries, dozens of websites and social media offer assistance and guide to places and procedures to hunt European women for marriage. Let us take the case of the well-known Arabic speaking site arabhijra.com (Arab

⁶ Condamnée pour s'être mariée en vue d'obtenir un titre de séjour
<https://www.lindependant.fr/2019/03/28/perpignan-condamnee-pour-setre-mariee-en-vue-dobtenir-un-titre-de-sejour,8096150.php> (last accessed 30-01-2020)

⁷ Un homme définitivement banni du territoire français pour bigamie
<https://www.lavoixdunord.fr/node/476514> (last accessed 30-01-2020)

⁸ *L'Association Nationale des Victimes de l'Insécurité*
<http://www.mariagegris.fr> (last accessed 30-01-2020)

⁹ Une trentaine de procédures par an dans les Hauts-de-Seine
<http://www.leparisien.fr/antony-92160/j-ai-ete-manipulee-cette-habitante-d-antony-veut-faire-annuler-son-mariage-gris-26-03-2018-7629882.php> (last accessed 30-01-2020)

¹⁰ Prisonnières de leurs maris
https://www.lexpress.fr/actualite/societe/prisonnieres-de-leurs-maris_2001220.html (last accessed 25-06-2019)

¹¹ Heirat für Papiere - 400 Verdachtsfälle pro Jahr
<https://www.abendblatt.de/politik/deutschland/article216750333/Heirat-fuer-Papiere-400-Verdachtsfaelle-pro-Jahr.html> (last accessed 30-01-2020)

¹² *Idem.*

Immigration), which in its rubric *Immigration to Europe*, provides a complete guide on three quick ways to marry a French woman and migrate to France: marrying for money (white marriage), marriage by way of lies (grey marriage), and love marriage. The guide starts as follows: “marrying French girls, especially the French Muslim women, to migrate to France is something desired by many young men, because of the pictures of beautiful French girls on the Internet, and for the sake of the beauty and cuteness of French women, and also for the sake of living in France, the cradle of democracy and human rights”.¹³ With regard to grey marriage, the guide advises young men to target aged women by looking into chat forums and fake falling in love, and then ask for marriage or look for WhatsApp numbers of French women.¹⁴

2. White marriage: A Union of Convenience

White marriages usually require mediators who could be individuals or networks. As the number of illegal migrants grew considerably in the recent years, the need for large operations orchestrated by networks emerged. In October 2018, the French police dismantled a network of white marriages, which operated from the Paris region. According to the daily newspaper *Le Parisien*, “the network billed these white marriages at between 14.000 and 20.000 euros, mediated between French citizens and Algerians; the case broke out when one of the victims of this network had been sequestered in Valenciennes (North)”.¹⁵ Even if white marriages are by nature consented to by the spouses, for the interest of both (money for a residence permit), still some marriage formalities are to exist, including living under the same roof for a while to avoid suspicion and police investigation. This minimal contact leads often to sequestration and abuse. A report by the French magazine *Valeurs Actuelles*, based on information provided by civil status officers, shows that the networks of white marriage (the wedding planners) ask for fees according to the country of origin: “8000 euros when coming from sub-Saharan Africa, around 15.000 euros for an Algerian or a Tunisian and nearly 30.000 euros for a Chinese. The money is then divided between the network and the French spouse”.¹⁶ The same source claimed thousands of white marriages are prevented each year. North African countries are the most

¹³ Asra’ 3 turuq li-l-zawaj min fatayat faransiyyat w-l-hjra ila Faransa
<https://arabhijra.com/أسرع-3-طرق-للزواج-من-فتاة-فرنسية-و-الهجرة-إلى-فرنسا/> (last accessed 30-01-2020)

¹⁴ Asra’ 3 turuq li-l-zawaj min fatayat Faransiyyat w-l-hjra ila Faransa
<https://arabhijra.com/أسرع-3-طرق-للزواج-من-فتاة-فرنسية-و-الهجرة-إلى-فرنسا/> (last accessed 30-01-2020).

¹⁵ France: démantèlement d'un important réseau de mariages blancs
<http://fr.le360.ma/monde/france-demantelement-dun-important-reseau-de-mariages-blancs-175828> (last accessed 30-01-2020)

¹⁶ Mariage blanc : quand les étrangers sont prêts à tout
<https://www.valeursactuelles.com/societe/mariage-blanc-quand-les-etrangers-sont-prets-tout-64159> (last accessed 30-01-2020)

concerned, Tunisia, Algeria and Morocco as well as some countries of Sub-Saharan Africa and some countries of Eastern Europe.

Sometimes, the networks of white marriages are very complex, requiring sophisticated European police cooperation to unveil their activities. Recently, Europol's European Migrant Smuggling Centre and Eurojust assisted the German and Danish national authorities in arresting one of the most important networks of white marriages in 2018. This group "has been active since 2015, is known to have smuggled approximately 1200 migrants into the European Union, charging up to EUR 13.000 per person for its services. It used white marriages with EU citizens to grant permanent residence permits to illegal migrants from Asia in Denmark so they could then apply for and obtain permanent EU residence permits"¹⁷. Sometimes, the criminal group organized marriage ceremonies in Mexico or the USA, where marriage by proxy (one or both partners are not present) is allowed and recognized: a third party replaces the absent partner and signs the marriage certificate on his/her behalf.¹⁸

In the UK, Mark Rimmer, chairman of the Local Registration Services Association, said that "20 per cent of weddings in urban areas are suspicious and that 15.000 of the 173.000 civil weddings each year in England and Wales may be bogus".¹⁹ In 2018, 2868 white marriages were investigated, a 40% rise from 2.038 in 2014.²⁰ Similarly, in Ireland, a recent crackdown on white marriage leads to "a significant increase in the number of residence permits being refused, revoked and the number of deportation orders being signed. Thousands of people who were trying to come to the Republic have simply withdrawn their applications as the word has spread about the enforcement in Ireland".²¹ Moreover, the Irish Naturalisation and Immigration Service has launched 2525 investigations since 2015 and reported that "the marriages were being organised by criminal syndicates based in Ireland and abroad. Men from Pakistan, India and Bangladesh and other Asian countries married women from Portugal, Latvia, Estonia,

¹⁷ Sham Marriage Network Dismantled in Denmark and Germany
<https://www.europol.europa.eu/newsroom/news/sham-marriage-network-dismantled-in-denmark-and-germany> (last accessed 30-01-2020)

¹⁸ *Idem*.

¹⁹ A Fifth of Town Hall Weddings are 'Bogus'

<https://www.express.co.uk/news/uk/437056/A-fifth-of-town-hall-weddings-are-bogus> (last accessed 25-06-2019)

²⁰ Couples Face 'Insulting' Checks in Sham Marriage Crackdown
<https://www.theguardian.com/uk-news/2019/apr/14/couples-sham-marriage-crackdown-hostile-environment> (last accessed 30-01-2020)

²¹ Residency Permit Refusals Rise after Sham Marriage Clampdown
<https://www.irishtimes.com/news/crime-and-law/residency-permit-refusals-rise-after-sham-marriage-clampdown-1.3788972> (last accessed 30-01-2020)

Slovakia and other European countries. On average, a fee of €20.000 was paid to the facilitators with the woman, many of whom were impoverished, being paid €2000 or less”.²²

3. Forced Marriage: Arranging, Matchmaking and Trapping

In Berlin alone, a survey of about 200 institutions in the field of youth welfare and migration showed that “there were 300 cases in 2004 in which a girl or a young woman sought counselling for a threatened or already executed forced marriage. Another 30 cases revolved around imminent or coercive engagement. In 130 cases, there were data on the age of the affected persons: 40% are between 16 and 18, 32% between 19 and 21, just 18% between 22 and 25 and still 10% between 13 and 15 years old. In 10 cases, those affected were male. In addition, the survey found that forced engagements and marriages are predominantly overseas and that the bride and groom are not uncommonly related”.²³ In November 2018, local authorities in Berlin said that “117 individuals were forced to marry in 2017, based on an unrepresentative survey of support networks. Most victims were between 16 and 21 years old and from Arab or Turkish families”.²⁴ These are the investigated cases initiated by victims as experts estimate the numbers to be higher.

On behalf of the Federal Ministry for Family Affairs and civil organizations, the first nationwide study in Germany on forced marriage was published in early November 2011 “interviewing 1445 counselling institutions about their experiences with forced marriage cases. 830 of these institutions had responded and named a total of 3443 forced marriage cases in 2008 alone – 93% of them girls and women. Nearly a third of those affected were minors, 40% 18-21 years old”.²⁵

Although German law annuls forced marriage, withdraws the residence permit obtained through this type of marriage and even punishes those who forced the girl into marriage, it is difficult to detect most cases of forced marriage, as the procedure relies on proofs provided by

²² *Idem.*

²³ Zwangsheirat - Zahlen

<https://www.frauenrechte.de/unsere-arbeit/themen/gewalt-im-namen-der-ehre/168-was-ist-zwangsheirat/367-zwangsheirat-zahlen> (last accessed 30-01-2020)

²⁴ Charity: Summer brings risk of forced marriage for some German teens

<http://www.dpa-international.com/topic/urn:newsml:dpa.com:20090101:190615-99-656695/amp> (last accessed 30-01-2020)

²⁵ Zwangsverheiratung: Eine Form von Gewalt im Namen der Ehre

<https://www.zwangsheirat.de/informationen/zwangsheirat> (last accessed 30-01-2020)

the plaintiffs, and on the capacity of the latter to confront a whole family. Thus, many women are too intimidated by family to oppose a forced marriage.

In France, a recent report of 2014 by the National Observatory of Violence against Women estimated that “4% of immigrant women and 2% of French women of immigrant parents, aged 26 to 50 years, suffered a forced marriage”.²⁶ Only 12 to 15 cases of forced marriages are treated each year by the police due to the victims avoid confronting their parents in front of justice. According to the High Council of Integration, “70.000 young French women are potentially threatened with being forcibly married”.²⁷

In Belgium, “ten cases of forced marriages a year in Brussels are known to the authorities and about as many in other major cities of the country”.²⁸ Between 2010 and the end of 2013, “some 56 complaints about forced marriage were registered in Brussels with the Belgian police, while from 2009 to 2013 some 3397 asylum applications claimed to be victims of forced marriages, handled by the Office of the Commissioner General for Refugees and Stateless Persons”.²⁹ Several communities are involved in force marriage: Turks, Moroccans, Chechens, Roma and Afghans are particularly confronted with early marriages, involving minors, sometimes 12 or 13 years old.³⁰

Forced marriage within immigrant communities can be explained primarily by cultural elements, although religion plays a significant role. Islam encourages early marriage and gives to parents in most legal Islamic schools tutorship in marriage over girls. However, it is rather the rural culture of honour and the tribal solidarity which prevails within some Muslim and non-Muslim communities in Asia and Africa, which lead to forced marriage. Families are particularly afraid their children might derail, in their choices of partners or sexual orientation, if not married earlier, and are married, above all, to cousins to protect the honour even better, and to strengthen the social and economic links. Since the bulk of immigration to Europe comes from rural or semi urban areas in Asian and African societies forced marriage is expected to stay. Challenged by the liberal norms of sexuality in Europe, many families take refuge in

²⁶ Mariages forcés, une réalité mondiale

<https://www.la-croix.com/Monde/Mariages-forces-realite-mondiale-2016-10-10-1200795218> (last accessed 30-01-2020)

²⁷ Les mariages forcés en France, une réalité

<https://www.marieclaire.fr/les-mariages-forces-en-france-une-realite.695789.asp> (last accessed 30-01-2020)

²⁸ Mariage forcé: une dure réalité qui touche aussi la Belgique

https://www.rtf.be/info/societe/detail_mariage-force-une-dure-realite-qui-touche-aussi-la-belgique?id=8941131 (last accessed 30-01-2020)

²⁹ Des mariages forcés de mineurs aussi en Belgique

https://www.vrt.be/vrtnws/fr/2015/03/24/des_mariages_forcesdemineursaussienbelgique-1-2281968/ (last accessed 30-01-2020)

³⁰ *Idem*.

forced marriage. Therefore, demography among these communities might stay higher as well due to early marriage. Forced marriage is also associated with child abuse.³¹

4. Humanitarian Marriage

There is a fourth form of marriage that is formally legal, but also covers illegal migration: some young naive women decide to marry illegal migrants to protect them from expulsion from Europe. These are usually politically convinced women of leftist tendency, well-educated, academics or students, and even practicing liberal professions, feeling guilty and responsible for migration and without falling in love or wanting to marry in the first place, decide to marry in a fictitious marriage (punishable in law) an illegal migrant man. This is the case of Anna, in Germany, whose story was recently mediatised:

Anna married a young man from Pakistan to prevent his expulsion from Germany. But the fictitious marriage turns out to be a nightmare. The whole situation was a burden on her, both financially and mentally. In her view, the economic superiority of the West is the cause of the waves of migration. With her marriage, she wanted to make a small contribution to a better world. She actually never wanted to marry. After few months of marriage and an abortion, she collapsed and now she is in psychological treatment.³²

In January 2019, a German NGO called “Mission Lifeline” said in a tweet that sparked a debate in Germany. “You are not yet married? Maybe you will happen to fall in love with someone who does not have the right to stay here. Could happen, right? Stay open.”³³ It was perceived by European media, the public and German politicians as an incitation to illegal marriage to help illegal migrants stay in Germany. Behind such statements, there is a leftist

³¹ A nők jogai és helyzetete – egyes migráns közösségek nyugatitól eltérő civilizációs háttere tükrében <https://www.migraciokutato.hu/hu/2019/02/06/a-nok-jogai-es-helyzete/> (last accessed 30-01-2020)

³² Eine Deutsche geht aus Idealismus eine Scheinehe mit einem pakistanischen Flüchtling ein – und bereut es schon Wochen später <https://www.nzz.ch/gesellschaft/deutsche-akademikerin-erzaehlt-von-ihre-scheinehe-mit-einem-asylbewerber-ld.1420784> (last accessed 30-01-2020)

³³ German NGO Mission Lifeline openly suggests “illegal marriages” for migrants to stay...causing a stir with a tweet in which the organization campaigns to illegally marry migrants so they can stay <http://v4report.com/german-ngo-mission-lifeline-openly-suggests-illegal-marriages-for-migrants-to-stay-causing-a-stir-with-a-tweet-in-which-the-organization-campaigns-to-illegally-marry-migrants-so-th/> (last accessed 30-01-2020)

ideology to which many in Germany reacted vehemently, including the vice-chairman of the FDP parliamentary group Michael Theurer who declared that: “the organization discredits with this quasi-call for fictitious marriage not only itself, but all other aid organizations.”³⁴

Humanitarian marriage was for a long time practiced in Western Europe, and known to observers, but started to be publicized after the migration wave of 2015. Belgian anthropologist Maïté Maskens said in a paper published in 2017 “humanitarian marriage is a union between a Belgian (or a European) and a third-country national. The national decides to "save" the migrant by marrying him. The transaction is realized around affects, empathy, sympathy and identification”.³⁵ She told the story of Florine, among others, who made such marriage. Florine retells how she marries Cambyse, an illegal Iranian migrant as follows:

It's someone very secretive, so I do not know what the part of the true and the share of the false. I think he's someone sincere. He told me he participated in a demonstration at the university that did not go very well. The police came and he was stuck. He was already stuck because he had participated in activities of the Kurdish party and he was all the more famous because he had lived with a man and he was gay. I know this event started everything and he left after that. All the members of his family made big efforts to find money for him because he had to find it, so he could leave quickly, bribe the administrative staff to have documents to leave. Finally, he left Iran. He explained his incredible journey, which was a very beautiful story by the way. It started in a truck and it ended at the North Station in Brussels where he stayed two nights without eating, without sleeping and he is stopped by the police. He lost everything, he had nothing. He was a man who pursued studies, who had worked in Iran, who had a skills package in his country. I was touched and I thought that I could be in his place and I also told myself that his life never started. The life of Cambyse was always in parentheses, waiting for people to decide for him. I found it atrocious. I had the choice of my life and he had no right. He was in absolute dependence.

³⁴ „Mission Lifeline“ auf Twitter Seenotretter werben für Ehen mit Flüchtlingen
<https://www.bild.de/politik/inland/politik-inland/mission-lifeline-seenotretter-werben-fuer-ehen-mit-fluechtlingen-59795932.bild.html> (last accessed 30-01-2020)

³⁵ Fraude ou élan de solidarité ? Le cas du mariage “humanitaire”
<https://letamis.hypotheses.org/488> (last accessed 30-01-2020)

Everything he built was useless. And I asked him what would happen if someone married him?³⁶

Concluding remarks

Thousands of migrants enter or obtain a residence permit in Europe every year through false or forced marriages. False marriages (white, grey or humanitarian) involve networks of smugglers, NGOs and transnational mobility. Forced marriages, on the other hand, are the product of a social culture in which alliances (of families or clans) and honour still play a significant role. From a European point of view, there are at least three problems with these forms of marriages: 1. They are fraud and punishable by law 2. They also legalize illegal immigration. 3. They undermine an important institution of social reproduction of culture and values in Western societies.

³⁶ Fraude ou élan de solidarité ? Le cas du mariage "humanitaire"
<https://letamis.hypotheses.org/488> (last accessed 30-01-2020).