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Marriage conclusion in Belgian Muslim families: navigating transnational social spaces of normativity

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Abstract

This article examines multiple normative frameworks that shape rules and expectations for marriage conclusion among Muslim families in Belgium and highlights how women in particular understand and navigate these norms. Among these frameworks, particular attention is given to Islamic normative discourses, which frequently originate in a transnational public space, but are at the same time locally situated. The article is based on fieldwork conducted in Belgium with different religious actors on the one hand, and interviews and focus groups with mainly female members of Belgian Muslim families on the other hand. The data stems from a broader research on non-state family practices and dispute resolution among families of migrant origin living in Belgium.

Keywords: marriage; transnational Muslim families; internormativity; Belgium; gender.

Introduction

Many families of migrant origin living in Belgium develop a local social identity and networks in their current home country and are bound by its legal framework, while they simultaneously maintain and sometimes – through marriage for instance – establish new transnational connections with their countries of origin (see e.g. Bousetta and Martiniello, 2003; Corijn and Lodewijckx, 2009; Lesthaeghe, 2000). Among these are Muslim families of migrant origin, who tend to form ‘transnational communities’ (Allievi and Nielsen, 2003).

Within transnational social fields, individuals and families are, ‘through their everyday activities and relationships, influenced by multiple sets of laws and institutions’ (Levitt and Glick Schiller, 2004: 1010). In the case of Muslim families, multiple transnational dimensions are involved (Bowen, 2004; Grillo, 2004). The first dimension relates to demographic movement resulting from migration, not specifically tied to religion. The second dimension is related to transnational religious institutions. That is, Muslim families in Belgium may participate in and/or belong to transnational religious movements, or religious networks and institutions

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12 *Marriage conclusion in Belgian Muslim families*

influenced, or even organised, by the states of the countries of origin (see e.g. Allievi and Dassetto, 1997; Dassetto, 2011; Lesthaeghe, 1997). The third dimension concerns an orientation towards a transnational or global imagined Muslim community, i.e. the Muslim 'Umma' (Roy, 2006). This dimension may supersede the previous two with regard to younger generations (e.g. Bowen, 2004; de Koning, 2008, 2012).¹

Yet the practices of European Muslim communities often reveal locally-situated forms of transnationalism. In such contexts, plural normative orders² operate in transnational social spaces as 'semi-autonomous social fields' (Moore, 1973). These interact with and influence each other, creating a particular type of 'internormativity'. This notion is used here as an alternative expression for 'interlegality', a term first introduced by de Sousa Santos (1995, 1987), and for which Le Roy (1999) used the French term 'internormativité'. It refers to a process of interpenetration and 'intermingling' (Hoekema, 2005) of normative orders, creating new hybrid ones. How this internormativity plays out in marriage conclusion practices of Belgian Muslims is the focus of this article.

My aim is to examine the multiple normative interpretations that shape rules and expectations for marriage conclusion among Muslim families in Belgium. I highlight how these norms and expectations are understood and 'navigated' (Vigh, 2006, 2009), especially by women. First, I present background information about Muslims in Belgium. Next, I describe the research context for this article. I then examine practices of marriage conclusion, drawing on data from interviews with mainly female members of Muslim families of migrant origin. Using data from online Islamic sources and interviews with Muslim religious actors, I also situate these informants' views and practices regarding marriage conclusion within Islamic normative discourses, which are transnationally shaped but at the same time locally situated in these women's daily realities. I end with a discussion and concluding remarks.

Muslims in Belgium

Contemporary Muslim presence in Belgium is still shaped by the history of bilateral labour agreements which Belgium concluded with Morocco and Turkey in the 1960s. The oldest and largest Muslim communities in Belgium are the Moroccan and Turkish. Reliable figures of Muslim populations in Belgium are hard to obtain, since no statistics about religious affiliation are available. The total number is

¹ These qualitative studies portray religiously active European Muslim youth who are no longer (or are less) attached to their ethnic origins. A recent quantitative analysis of generational differences among Muslims in the Netherlands, however, found that the 2nd generation reports weaker ethnic and religious identity and that both identities become increasingly related (Maliépaard et al., 2012). This points to a simultaneous trend towards secularisation and polarisation, and hence increasing heterogeneity.

² Normative orders can be defined as "any system of rules and shared expectations governing a particular social situation or institution" (Bruce and Yearley, 2006).



estimated in the range of 416,000–500,000 (Manço & Kanmaz, 2004; Bousetta & Bernes, 2007), which represents about 4 to 5 per cent of the total Belgian population.

Socio-demographic data about Muslim communities is increasingly marked by heterogeneity. However, Muslims mostly live in geographically circumscribed areas within major cities and are reported to have, on average, low levels of socio-economic and educational achievement (Fadil, 2011; Torrekens and Adam, 2015).³ In the capital, Brussels, it is estimated that there are approximately 17 to 21 per cent of Muslim residents, constituting nearly half of the Muslim population in the country (Fadil 2011).⁴

Research Background

The data presented in this article stems from a broader qualitative research funded by the Belgian Science Policy Office (Belspo). The field research in Belgium was conducted between April 2012 and June 2014 and aimed at gathering qualitative data on non-state family-related dispute resolution practices of migrant families in Belgium.⁵ The research included: visits to and discussions with various civil society associations and community organisations; exploratory and in-depth interviews with various actors involved in (in)-formal family dispute resolution work; focus groups and in-depth interviews with individual family members of mainly Moroccan or Turkish origin, and a few of Pakistani origin, who experienced marital conflicts and/or divorce or other family dispute(s).

About one hundred individual members of Muslim families (partly) of migrant origin took part in the in-depth interviews and/or focus group discussions.⁶ Most interviewees (85%) were women, mainly involved in marital conflicts and/or divorce. Due to difficulties of accessing male respondents⁷, only 10 in-depth interviews with male members of a Muslim family took place. In total, 72 interviews and 15 focus groups were conducted. The average age of the interviewees was 36,7

³ In contrast, the profiles of the interviewees in this study show a high level of educational attainment, above the national average (Statistics Belgium, 2015). Nevertheless, even if data about employment and income was not always made available, reported underemployment and unemployment were quite high.

⁴ Dassetto (2011: 25) estimates that only 12–14 per cent of Brussels residents are 'religious' Muslims.

⁵ The interviews and focus groups were conducted by the author and a research assistant, Victoria Vandersteen, under the research coordination of Professor Eva Brems (Human Rights Centre, Ghent University).

⁶ The aim of the research was to study pathways to (non-state) justice in families with a migrant background. Snowballing and maximum variation sampling techniques were used to recruit participants who were from families of Moroccan, Turkish or Pakistani migrant background, and who were party to past or current family disputes.

⁷ Men were more reluctant than women to talk about family issues. Some female interviewees also mentioned that men's perceptions of conflict frequently differed from those of women, which sometimes led to husbands denying that there was a problem.

14 *Marriage conclusion in Belgian Muslim families*

years. More than half of the interviewees were born in Belgium from migrant parents or grandparents and thus can be considered second or third generations. Almost a quarter of the interviewees came to Belgium as children or babies; and only 15 per cent of the interview sample migrated at an adult age.

Also about 50 non-state actors, who are involved in family dispute resolution work with Muslim and/or migrant families, were interviewed.⁸ They were: lawyers, social workers, (in)formal mediators, psychologists and/or therapists, as well as religious actors, frequently sharing the same ethnic and/or religious background as the recruited families. Among these, 12 interviews with Muslim male religious actors (mainly mosque imams), were conducted. In addition, because of the importance of Islamic normativity⁹ and the frequent mention of information search online, a number of Islamic websites¹⁰ disseminating normative positions relevant to the family lives of Muslims in Belgium were analysed.

The interviews and the majority of the focus groups were transcribed verbatim and analysed using a grounded theory approach (Corbin and Strauss, 1990; Charmaz, 2011), aided by NVivo software. This article draws on the interviews and focus groups with women, and with religious actors, as well as the on-line materials. The interviews with religious actors and on-line Islamic discourses of religious actors are analysed here as a background against which to situate and understand the narratives of the interviewed women.

Getting Married in a Context of Internormativity

Under Belgian law, a religious wedding ceremony produces no legal consequences. Belgian law, moreover, requires concluding a civil marriage before any religious one can take place.¹¹

The field data collected from the local religious actors, who were often personally involved in the conclusion of religious marriages and consulted by families for

⁸ Snowballing and maximum variation sampling were also used here.

⁹ The importance of religious norms should, however, not overshadow the heterogeneity of Muslims, especially in terms of moral and religious views. Moreover, Islamic normativity, or 'sharia', operates as a 'virtuous abstraction' (Berger, 2013: 9). Hence, its importance is probably amplified in the narratives, whereas actual practices are likely to be much more circumstantial.

¹⁰ I examined two Belgian Islamic websites: Fatawas.be and Sajidine.com, mainly selected because they were mentioned as information sources by interviewees. Fatawas.be is a website presenting religious teachings, such as real-life and online Islamic courses, and fatwas. These courses are offered by Hassan Amdouni, a Tunisian born scholar who studied in Medina, Tunis and Paris and who writes and lectures predominantly to French-speaking Muslim audiences. As for Sajidine.com, the managing team wrote on the website that they were not religious scholars, but were simply disseminating religious knowledge. They claimed not to belong to any particular trend or school of jurisprudence, but are clearly influenced by neo-fundamentalist (neo-Salafi) viewpoints. Both websites are in French.

¹¹ This rule of priority of civil marriage is enacted in the Belgian Constitution (art. 21) and in Belgian criminal law (art. 267). It prohibits religious clergy from marrying couples who are not married according to civil law. In France and the Netherlands, the situation is similar. Contrary to these countries, no convictions have been pronounced in Belgium.



religious advice, shows that a majority of Muslim leaders and imams strongly encouraged compliance with the legal requirement of concluding a civil marriage before a religious one. This perhaps also relates to the way in which the Belgian state regulates the work of imams. That is, imams are paid by the state provided they have been recognized by the official Muslim representative body¹² in the country. In order to be recognized, imams are required to sign the ‘Charter of Imams’, which lists the legal requirements for marriage conclusion and the criminal sanctions in case of violation.¹³

The analysis of Islamic normative discourses, both offline and online, also shows that civil marriage was considered important not only because of the legal requirement but also as a legal protection for *women*, in particular. Still, the conclusion of a civil marriage in itself was not, with few exceptions, considered by the studied religious actors ‘to validate a union according to the norms of faith’ (Sajidine.com, n.d.)¹⁴.

The religious prohibition of pre-marital sexual intimacy is one of the factors that contribute to the overall importance of marriage for Muslim families. For example, to an 18-year old young woman enquiring about how to make her relationship with her boyfriend ‘halal’ (religiously licit), the reply on the website of the Islamic Centre in Brussels (CICB), a reference for many Muslims from all over the country, was that an Islamic marriage could be held, ‘but after civil marriage had taken place and with the approval and in presence of your father’. The girl was also advised ‘not to date this young man without marriage because you will be living in sin’ (CICB, n.d., question 11).¹⁵ In the above example, while the Islamic Centre stressed the importance of concluding a civil marriage, it did not consider it sufficient for making the conjugal relations between the couple licit and emphasized the necessity of concluding a religious marriage as well.

Interviewed religious actors also stressed that religious marriage on its own was not sufficient, as it bore no legal consequences and was sometimes used lightly by the marrying parties. Several religious actors highlighted the risks associated with concluding a religious marriage only, as illustrated in the following interview extract: *“Religious marriage without civil marriage constitutes a big danger, especially for the wife (...) The problem of religious marriage (...) One has the*

¹² That is, the Belgian Muslim Executive. This body is in charge of the recognition of mosques, appointment and remuneration of ministers and teachers of religion, following the model in place for other State-recognized religions in Belgium.

¹³ Not all imams or mosques request to be recognized and financed by the State.

¹⁴ Translation by the author.

¹⁵ Translation by the author. The same question received two answers under two different headings (question 11 and question 6). The second answer read as follows: “The Islamic Centre holds religious marriages in its building, on the condition to be married at the town hall beforehand”.

16 Marriage conclusion in Belgian Muslim families

*impression that it is easy to do and easy to undo and maybe one does not think enough [about it]”.*¹⁶

While there are no reliable statistics available on marriage conclusion practices of Belgian Muslims, the findings of this study show that the above-mentioned Islamic discourses largely shape prevalent Muslim marriage conclusion practices in the country. Couples generally conclude both a civil and an Islamic marriage (often called “*al-fatihah*”¹⁷ in reference to the verse recited at that occasion). The Islamic marriage ceremony takes many forms, but generally implies an (oral) agreement between the spouses, including the bride gift, in presence of witnesses and an imam. A prevalent practice is that a civil marriage is concluded first, followed by a religious marriage and a traditional feast (sometimes all-in-one time span, of a day, week-end or week). This explains why Belgian Muslim families normally celebrate their marriage at least twice¹⁸, and possibly more. The wedding feast is usually organised according to the cultural customs of the family and/or ethnic group. Such a feast often is an important social norm to be observed before spouses can start living together. In some cases, registration at a consulate of the countries of origin also takes place. In other cases, the marriage is first concluded abroad – often during the summer¹⁹ – and in this case, registration with Belgian authorities takes place afterwards.

Sometimes, a religious marriage is concluded before the civil marriage, due to administrative reasons or other obstacles delaying or making the civil marriage difficult, such as an ongoing civil divorce procedure, or negative financial consequences, such as the loss of a study allowance. In some cases, the religious marriage was concluded first as it was intended as an ‘engagement’. This happened, for instance, when youngsters sought to finish their studies before getting married. One religious actor stated that an unofficial religious ceremony is merely ‘engagement’.²⁰ Several interviewed women also considered Islamic marriage a ‘*test period of engagement*’²¹ or ‘*fiançailles*’²². They saw the function of

¹⁶ Interview with an imam and preacher in a major Islamic Centre, 15 January 2013.

¹⁷ This term is more commonly used among Muslims of Moroccan origin.

¹⁸ This is not different for bi-nationals in other transnational diasporas and/or for religious marriages in other religious denominations in Belgium.

¹⁹ This practice was widespread in case of marriage with a partner from the country of origin, and/or when most family members were not residing in Belgium.

²⁰ On the website fatawas.be, to a woman asking whether it was allowed to touch and kiss after a religious ceremony she had where the ‘*fatihah*’ was recited, Amdouni (2011) replied that this was a ‘*khitba*’ or ‘*fiançailles*’ and merely a ‘promise of marriage’ and that touching was not allowed until a ‘legal contract’ would be ‘signed in front of an authority that registers it’.

²¹ Interview, 16 August 2012, with a 34-year old woman of Tunisian origin (2nd generation), married to a man of Moroccan origin (2nd generation). Other interviewees used similar wordings.

²² For some families, engagement starts when the prospective husband and his family asked the father of the bride for her hand, and from then on, private meetings between the couple were tolerated. For others, a religious marriage ceremony is organized to prevent the couple from having a relationship



this marriage to be mainly to make it licit for the couple to meet (in private) since no intimacy was acceptable without it. Of those couples that married religiously without prior civil marriage, only in a few cases there was reluctance, by one or both of the marrying parties, to conclude a civil marriage. However, imams who were willing to conduct an Islamic marriage without prior civil marriage were hard to find, according to the numerous persons we spoke with, most likely because of the legal prohibition.

A few interviewees encountered obstacles in concluding a religious marriage, regardless of a civil marriage, for different reasons: a previous (religious) marriage had not been dissolved; their (prospective) husband was not Muslim; or their father opposed the marriage. These last two obstacles result from gender-differentiated norms in (dominant) religious interpretations and were therefore only found to affect women.²³

'In Our Eyes, We Were Husband and Wife Already'

All participants in this research understood clearly that a religious marriage in Belgium bore no legal consequences. Some women, especially from younger generations, explicitly stated in the interviews or focus groups that it is – in their own words – 'unsafe' not to have a civil marriage, mainly because of the fear of marital abandonment and/or marital captivity²⁴.

As mentioned earlier, imams corroborated the danger of abuse of religious marriage by mentioning 'many' women coming to them, helpless, since 'we don't have any solution because there was nothing legal'²⁵. The stories feature (pregnant) women whose 'husbands' disappeared, abandoning them with their children. Women in the focus groups sometimes mentioned similar stories, generally from hearsay, but we have not been able to interview any women in that situation.

The conclusion of a civil marriage, however, in some cases, gave rise to more or less intense negotiations between (prospective) spouses, and/or between their families. Conflicting viewpoints are the basis for this, as in the following interview excerpt:

outside of what is religiously permitted. However, even then, the couple is not supposed to have sex, as this is often considered to be an 'engagement' and not a 'marriage'.

²³ According to Islamic jurisprudence, Muslim women are prohibited from marrying a non-Muslim man. In addition, according to most schools of Islamic jurisprudence, the presence of a male guardian (usually the father) is required for the conclusion of a woman's marriage, hence the practice of the imams requiring the presence of fathers to act as the guardians (*wali*) for their daughters at the time of the conclusion of the religious marriage.

²⁴ In the absence of a civil marriage, a religious divorce is the only option to dissolve the marital bond, and may be hard to obtain, especially if the husband 'disappeared'. I have studied elsewhere the difficulties of Belgian Muslim women securing religious divorce (Lecoyer, 2017).

²⁵ Interview with a mosque imam, 24 February 2014.

18 Marriage conclusion in Belgian Muslim families

We had a civil marriage almost one year and a half after the wedding feast. He was against it. He insisted on the fact that, Islamically, the marriage at the municipality, it is useless, that for us it is the Islamic marriage the one that counts, and I said listen we are nonetheless in Belgium, we are born in Europe, we follow the laws of the country. So I was more in favour of doing it, but as he was reluctant at first, I said [to myself] it's okay, I'll let go, I said. And it was all right until I wanted to have children and I did not want to have children not being married to him.²⁶

Gender seems to play a major role in these contestations about civil marriage. Several women reported that their husbands (initially) were opposed to concluding a civil marriage, mainly for financial reasons, but sometimes invoking religious motives as well. Parents and kin of the interviewed women were generally in favour of a civil marriage. Yet, the agency and bargaining power of individual women were embedded within a given social context, and subject to gendered hierarchies of power.

The view that civil marriage is important to safeguard women's rights is to be read in light of women's and men's unequal access to religious divorce. It is also to be regarded in the larger context of Muslim gender stereotyping. Within Muslim communities, and especially in male dominated religious discourses, women are frequently seen as weak and in need of protection. At the same time, women are subject to much higher social pressure and control, and fears that women may cause the breakdown of their families if given too much freedom are commonplace. It is remarkable that the actual reason why civil marriage is needed to protect wives is in fact male misbehaviour and abuse of religious marriage, in addition to male privilege that is often supported by patriarchal religious interpretations.²⁷ These underlying problems are, however, hardly denounced. In short, the dominant normative viewpoints within Muslim communities preclude women from (equal) access to religious divorce, despite the existence of alternative more gender-equitable religious interpretations as well as the gender equal state family code. Consequently, for Belgian Muslim women, civil divorce was found to be the most important and often the only pathway to exit an unhappy marriage, sometimes in combination with a religious divorce.²⁸

Moreover, the discourse of civil law as protective for women holds the potential to portray state laws as detrimental to men, and could reinforce mistrust of them by men, whereas both men and women would benefit from a better knowledge of the legal consequences of civil marriage.

²⁶ Interview on 8 February 2013 with a 29-year old woman of Moroccan origin (2nd generation) married to a man of Franco-Syrian origin (3rd generation).

²⁷ Gender differentiated attitudes towards virginity also play an important role, although not supported by religious texts.

²⁸ See Lecoyer (forthcoming, 2017).



Notwithstanding the legal weight of a civil marriage, women varied in their views on what was most essential and constituted 'real' marriage. For some, it was civil marriage, while others voiced more complex articulations. The following interviewee considered the religious marriage, which she concluded *after* her civil marriage, to be the 'real' marriage, acknowledging however that this is *not* how the broader community sees it:

As soon as we did the 'fatiha', in our eyes we were husband and wife already. Being married before God was the most important to us, so we already considered ourselves husband and wife. Culturally among us, before living with the husband you have to wait until the feast, in fact until the real marriage in front of the people.²⁹

A young practicing Muslim woman in one of the focus group discussions declared that she would first conclude an Islamic marriage to be able to spend time alone with her husband/fiancé, but would not live with him or have intercourse before they concluded a civil marriage:

So that he can communicate with me. So that we are 'halal' in our contact with each other. But he should not, you understand, I will not have intercourse, I will stay with my parents until, it's all good and well, but I say it, one, we don't live in an Islamic country and, two, we don't live anymore in the time of the Prophet.³⁰

On the whole, having a marriage that was religiously valid as well as socially accepted was important for the vast majority of the women. Having an intimate relationship outside marriage – however this was defined by different respondents – produced guilt and/or shame, especially for women. The perceived need to offer legal protection to spouses, women in particular, through civil marriage, was also largely shared. However, precise knowledge about the legal consequences of marriage was rather uncommon.

Different meanings were given to Islamic marriage. Discussions in the focus groups illustrate how meanings are shifting and internally contested. Some practices were seen as self-evident, because they are reproducing common practices within a particular social group. However, in an increasingly individualizing trend³¹, a contested practice emerged, where religious marriage is used by, mainly young men and women as a preliminary to 'real' marriage, as in the quote above. Islamic

²⁹ Interview, 31 July 2012, with a female interviewee of Moroccan origin (2nd generation), age 33, married to a man of Moroccan origin (1st generation).

³⁰ Female participant in a focus group on 29 May 2014, age 20, of Moroccan origin (3rd generation).

³¹ Fadil (2005) has studied the increasingly individualised religiosity of Belgium Muslim women. This research confirms this trend and for instance shows that different religious interpretations may coexist within the same (nuclear) family, because of how meanings are constructed by individual family members. In line with this trend, dating behaviors of youngsters and their discourse also varied individually, even among sisters (notwithstanding that dating is more common and socially better tolerated for boys). This was well-discussed in one of the focus groups (Focus group discussion, 1 March 2013).

20 Marriage conclusion in Belgian Muslim families

marriage then serves the purpose to show 'serious commitment', inform and involve the family, in a 'halal' way, and allow for – differing degrees of – intimacy between the couple, while being able to 'break away' if it does not work out.³² This use of Islamic 'marriage' was contested in focus groups, reframed as 'fiançailles' by some, and gave rise to confusion about whether this was in fact 'marriage'. Another related and contested question was whether this type of 'marriage' was indeed easy to break. And finally, it was said to be largely abused by men who would later abandon their wife (and children) and could not be held accountable.

Discussion and Conclusion

On the whole, the legal rule concerning prior civil marriage seemed quite well known and respected by Belgian Muslim women and their families. The normative discourses of local and transnational religious authorities shaped individuals' and families' understandings of what constituted a religiously valid marriage and how civil, religious and traditional marriage conclusion practices were to be combined. Interviewees mentioned that searching for information about the "right" way to handle their family matters was important to them, and that they often turned to imams and Islamic centres, as well as to the Internet, to gain such information.

Among the religious actors, it is noteworthy that apart from their agreement on the importance of civil marriage for women's safety, their viewpoints about civil and religious marriage varied. Some highlighted the contractual nature of marriage, minimizing, and sometimes even denying, the meaning of a 'religious' marriage. Some saw the practice of Islamic marriage as a 'tradition'³³ or 'folkloric practice':

I was opposing (...) folkloric practices (...) stop letting people believe that there is a religious marriage, it makes no sense, it is a relational, contractual thing, there is a mutual commitment of two people and that's it. Making people believe that we must go through the imam, it is misleading (...) the civil marriage is a religious marriage, that's all.³⁴

Nonetheless, the majority of interviewed religious actors did not question Islamic marriage. Several of the local religious actors articulated a complex understanding of the relationship between Islamic and state legal systems in regard to marriage conclusion, in which a superposition and intermingling of normative orders was at play. The exact interplay between the two normative orders was not fixed. The following interview extract from a religious actor illustrates this 'internormative' complexity. The quote implies that Islamic marriage 'activates' the rights produced by the civil marriage:

³² Focus group discussion, 27 March 2013.

³³ Interview with a mosque imam, 24 February 2014.

³⁴ Interview with a religious scholar and former imam, 6 June 2013.



In fact, Islamically speaking I shall say, the couple does not exist without the existence of a religious marriage. The civil marriage is merely something that allows them to have rights, but Islamically these rights do not yet exist. These are rights that exist in the legal system of the country in which we are, and so much the better, because it is the only, tangible, reference, because otherwise people are not considered to be married. Besides this important element legally speaking, there is precisely the possibility to be able to live together as a couple and, in order for that relationship to be a, let's say, licit, relation, one needs the religious marriage.³⁵

This quote demonstrates how a religious normative framework concerning marriage transcends the boundaries of the local legal system, and yet both normative orders complement each other in creating 'lived rights'. Interviewed religious actors remained silent on what exactly the rights emerging from a 'licit' marital bond were and how they coincided and/or conflicted in civil and religious understandings. Nonetheless, as was mentioned earlier, many imams insisted that these rights needed to be protected, especially for women, and that therefore a civil marriage was essential.

With regards to the female interviewees' practices of marriage conclusion, various factors were at play. Religious norms played an important role. However, in many cases, practical circumstances of daily life, such as financial considerations, the legal options provided by nationality and citizenship, and the place of residence of kinship networks had an even greater impact. Some women for instance did *not* want a civil marriage because of negative financial consequences, such as the prospect of having to shoulder the financial debts of the husband. We also encountered female interviewees who had been through a civil divorce and decided not to marry 'legally' again because of this experience. For example, one divorced female interviewee, a law student, mentioned she would prefer a legal cohabitation rather than a civil marriage, because this would offer her similar legal protection, but is more easily undone.³⁶ Therefore, the type of marriage that one concluded was not always the result of religiously motivated choices. Most interviewees in this research were able to voice quite clearly the motives that led them to conclude their marriage in a particular manner, and in the process of doing so they situated themselves simultaneously in several normative frameworks.

The narratives of the women³⁷, as well as of the religious actors, reflected a complex superposition of normative layers, in which one could not speak of

³⁵ Interview with a mosque imam, 23 January 2013.

³⁶ Interview on 7 March 2013 with a 37-year old divorced woman of Moroccan origin (3rd generation). Legal cohabitation, more frequent in Belgium than civil marriage according to recent national statistics (2014), seems rare in Belgian Muslim families.

³⁷ The interviewed men, far fewer than the interviewed women, expressed similar complex understandings of interacting normative orders. Further research into the perspectives of male members of Muslim families shall allow for a more complete empirical understanding of the relationship between gender, religion and law in family matters.

22 Marriage conclusion in Belgian Muslim families

separate social fields or normative frameworks competing with each other. Rather than choosing between normative orders, Belgian Muslim families and religious actors skilfully 'navigated' (Vigh, 2009)³⁸ several interacting and overlapping semi-autonomous social fields with 'fluid boundaries' (Levitt and Glick Schiller, 2004: 1009), which were shaped by and continuously refabricated by participants. Despite the influence of Islamic transnational normative references, practices were grounded in local realities that shaped people's ways of being and belonging in these different normative orders. Examined normative positions regarding marriage conclusion emphasized the importance of civil marriage and the need to conform to the legal framework in Belgium.

The examined local realities were inseparable from gendered hierarchies of power within the family and beyond. In particular, the same perceived need to protect women through civil marriage could be the very reason why some men were resisting it, portraying civil marriage as protecting women's rights and involving financial drawback for men. In a few interviews, husbands' reluctance towards civil marriage was framed in terms of wives' intentions to 'scam' them. In this context, women's agency in concluding their marriage according to their own wishes was undermined.

To conclude, the researched practices, understandings, and normative discourses on Muslim marriage conclusion in Belgium point to a hybrid or internormative legal consciousness. They highlight the importance of civil marriage as well as of religious marriage. There also seems to be awareness that despite the fact that religious marriage may be of 'utmost importance', lack of accountability could open the door to abuse, and that such a religious commitment is not always taken as seriously as expected. Consequently, these practices and normative discourses are situated at the crossroads of local and transnational considerations, grounded in and reshaped by local realities and lived experiences.

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³⁸ The concept of 'social navigation' as defined by Vigh reflects well how people 'interact with their social environments and adjust their lives to the constant influence [...] of social forces and change' (2009: 433).



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24 Marriage conclusion in Belgian Muslim families

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