PART TWO: THE NETHERLANDS

On women and partner choice and children
5 Cousin marriage among Dutch Turks and Moroccans: Debates on medical risk and forced marriage

This article is submitted
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5.1 Introduction

Gülcen is a 25 year old second generation Dutch Turkish woman whose family comes from a rural area in Anatolia. When she was 14 years old, her family decided that she should get engaged to her second cousin in Turkey; in Gülcen’s family marrying within the family was very common. ‘My husband studied in Turkey. He was a good person, character wise. So the family thought, “This girl fits this boy”. They do not look at your feelings, your dreams, what you want to do when you’re older’. Gülcen’s mother thought it was such a good opportunity, her daughter shouldn’t let it pass by. But Gülcen didn’t want to get engaged and marry, she wanted to finish secondary school and then go on with her studies. In the end, her family, especially her mother, convinced Gülcen; she got engaged when she was 14 and married her cousin when she was 17 years old.

Gülcen’s story, which can be typified as a forced marriage, is exactly the sort of case for which the ‘Wet tegengaan huwelijksdwang’ (Act countering marriage force) was put into effect on December 5th 2015 in the Netherlands. This law consists of four items: (1) the Netherlands will not recognise a marriage that was concluded abroad until the age of both partners reaches 18 years, (2) the recognition of polygamous marriages concluded abroad is restricted, (3) annulling a forced marriage has been made easier and (4) marriage between cousins has been made more difficult. Consanguineous spouses have to declare to the wedding officer that their marriage is not being forced. If it is suspected that a forced marriage is taking place then the public prosecutor can prevent it (Kamerstuk, 32175, 1).

Although there were serious reservations about this law – especially regarding cousin marriage – its adoption was accelerated so that a legal tool would be available to protect Although there were serious reservations about this law – especially regarding cousin marriage – its adoption was accelerated so that a legal tool would be available to protect child brides among the recent refugees, from primarily Syria. In this article we focus on the last item of the law: cousin marriage, and question the link between cousin marriage and forced marriage.

There is strong public opinion about cousin marriage in the Netherlands and, because it is often thought that cousin marriages are incestuous, it frequently invokes reactions of disgust. (De Koning et al. 2014; Storms, Bartels 2015; see also Kuper 2008). The health risks related to parental consanguinity have been discussed for centuries and Darwin, marrying his first cousin and questioning and researching the health risk facing the offspring, was of great importance in this debate (Bittles 2012; Kuper 2008). In the last decades in the Netherlands, it has also been a political item, popping up in several different debates. Teeuw et al. (2015) describe how this recent political attention was sparked by a research project that showed that the perinatal mortality rate in the Netherlands was high in comparison to surrounding countries (Schulpen et al. 2001). In Great-Britain the debate started in a similar way, but was focused on British-Pakistanis (Kuper 2008). In The Netherlands, one of the risk factors was considered to be the high consanguinity rate among migrant groups, which

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30 With the recent (2015-2016) arrival of primarily Syrian refugees, the Netherlands was confronted with child brides being legally reunited with, and joining, their older husbands in Asylum Centres. Until the introduction of the ‘Wet tegengaan huwelijksdwang’ (Act countering marriage force), under Dutch law marriages were acknowledged when the marriage was valid in the country of origin, also in the case of child marriages. In the following discussion, some argued that the Netherlands was condoning paedophilia and the First Chamber rushed to put the law into effect (October 2015) so as to have a legal tool to protect the child brides. In the Netherlands, when a law is proposed to the First Chamber, they can only adopt or decline the law, not amend it. In this case, because the issue of child brides was found to be so alarming, they accelerated the decision and overlooked criticism.
resulted in politicians raising questions about the desirability of these marriages and a research project being conducted into the health risks for the offspring of consanguineous parents (Waelput & Achterberg 2007). In 2009 cousin marriage was first addressed from another angle in The Netherlands and it was proposed that a ban be declared on forced marriages among ‘import brides’, a popular term referring to foreign spouses coming to the Netherlands (Cabinet Balkenende IV, 2007-2010). The next government (Cabinet Rutte I, 2010-2012) also proposed that a ban be declared on cousin marriage in the hopes of eliminating forced marriage which resulted in the above mentioned law being ratified by the next and, to date, the current government (Cabinet Rutte II, 2012-today).

Although the debate on consanguinity is now focused on forced marriage, and medical risk is no longer high on the political agenda, it remains a topic discussed by geneticists who are concerned about the preconception care available for consanguineous couples (Teeuw et al. 2015). Furthermore, in the public debate the link with medical risk is still often made. The new focus in politics, however, has shifted to forced marriage. In an earlier article (De Koning et al. 2014) we describe how this shift from the medical approach to an approach focused on forced marriages fits into the broader pattern of the culturalisation of citizenship. The idea of the Netherlands as a moral community based upon one’s affiliation with a religious or ideological community (Van Rooden 1996) was replaced by the idea of a moral community based on shared culture: a culture based on sexual freedom, women’s liberation, and the freedom of expression (De Koning 2010). Thus, Dutch citizenship no longer indicates a primarily legal status, but has become an increasingly moral concept. One must not only acquire legal citizenship, but also moral citizenship (De Koning et al. 2014; Schinkel 2010).

Following this idea of legal versus moral citizenship, in this article we retrace the recent political attention given to cousin marriage. In the first part, we outline the arguments and considerations put forward by (Dutch) geneticists in the early 2000s and onwards. In the second part we address the new frame in which consanguinity was discussed from 2009 onward: forced marriages. We describe what the politicians said and the reaction this got from a juridical and social science standpoint. As often occurs in public debates, the people involved barely have a voice in these debates. So we have focused our research on Dutch Turks and Moroccans themselves and their views on cousin marriage, presenting details of two extended cases throughout this paper: Meryem, a second generation Dutch Turkish woman in her early thirties, married to her first cousin from Turkey and Sarah, a second generation Dutch Moroccan woman in her late twenties, married to her first cousin from Morocco. Brief elaborations of the story of Nesrin and Gülçen are also given.

To analyse the complexities of the debate on cousin marriage and the actors involved, we draw on anthropologist James Scott’s work on resistance (1990). Scott gives an on- and off-stage metaphor, following Erving Goffman, but provides deeper understanding of underlying power relations. Scott (1990) proposes four transcripts, in which what he calls ‘dominant’ and ‘subaltern’ groups both have public and hidden transcripts. Transcripts can be understood as ways of speaking and behaving that fit particular actors in particular social

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31 Sociologist Erving Goffman (1978) uses the dramaturgical metaphor of frontstage and backstage, arguing that ‘presentation is structured by spaces which provide sensory cues, or frames that instruct the participants on appropriate ways to perform. This information is sent back and forth between parties until a ‘working consensus’ emerges on which behaviours are appropriate and which would meet disapproval’ (Gall 1995). Frontstage one is in the spotlight and therefore vulnerable for disapproval. Backstage is a safe space.
The rather simple opposition of ‘dominant’ and ‘subaltern’ however is problematic. First, as but it is typically hidden and disguised, individual and not politically articulated’ (2013: 2). As Vinthagen and Johansson (2013:2) write: ‘Everyday resistance is not easily recognized like public and collective resistance – such as rebellions and demonstrations – but it is typically hidden and disguised, individual and not politically articulated’ (2013: 2). The rather simple opposition of ‘dominant’ and ‘subaltern’ however is problematic. First, as e.g. Gal (1995) describes, the lines of division between subaltern and dominant are impossible to draw: everyone can experience both domination and subordination. Second, dominant and subaltern are not ‘clearly definable, unified and separable groups, unambiguously opposed to each other’ (Gal 1995: 416-417).

Bearing this in mind, in this article we describe public transcripts and hidden transcripts and we ‘add’ concealed transcripts, which we see as a variant of the hidden transcript. When describing the political debate we use the term concealed to refer to the frame in which cousin marriage is always discussed: immigration and integration policy, especially regarding Muslim communities. This frame takes attention away from the population in general, directing it to a special group (Muslims) and relates the subject of consanguinity to another subject (immigration and integration) which is negatively framed. This is what we call concealed rather than hidden. It is related to other public transcripts and takes on the ‘colour’ of these other public transcripts. The focus on immigration, (potential) immigrants is very public. For example, when talking about the medical risk linked to parental consanguinity, a serious topic for all consanguineous couples. It is not about the population in general, but about ‘them’, (the migrant communities). Because of their dominant position in politics they can develop transcripts; they can also choose whether, and in what way, transcripts become public, and therefore what is concealed as well. A position that the subaltern have not. We describe how these transcripts interact via the actors who are involved in the debates surrounding cousin marriage.

Our argument is threefold. First, we argue that, in politics, the public and concealed transcripts on migration policy have created a further distinction - one between who ‘we’ are and who ‘they’ are, defining ‘them’ as not being ‘moral citizens’ (see also De Hart, Bonjour 2013; De Koning et al. 2014; Kool 2012; Schinkel 2010). ‘Them’ being primarily Muslim first and second generation immigrants and specifically ‘low educated’ (e.g. Kamerstuk 2009). Second, as we argued in De Koning et al. (2014), the debate on consanguineous marriage, medical risk and forced marriage is an important one, as inequality, health, and violence against women and men are serious issues. However, public politics at the moment do not do justice to either issue: not to the medical issues related to

32 Abu-Lughod (1990) reverses Foucault here, who states that ‘where there is power, there is resistance’ (1978: 95-96 in Abu-Lughod 1990: 42). Furthermore Abu-Lughod (1990: 42) cautions against ‘the tendency to romanticise resistance, to read all forms of resistance as signs of the ineffectiveness of systems of power and of the resilience and creativity of the human spirit in its refusal to be dominated’. She argues that ‘resistance should be used as a diagnostic of power’.
parental consanguinity, or in promoting ‘free partner choice’ (part of the political strategy to counteract forced marriages). Third, the public political debate on forced marriage frames cousin marriage within this and leaves no room for the dynamics in partner choice that we found in the hidden transcripts among our respondents: cousins marrying out of love. But before we elaborate on the two debates, the medical and the forced marriage debates, we briefly discuss the methodology of our research.

5.2 Methodology

In this article we give voice to four women: Meryem, Sarah, Nesrin and Gülcen who represent the second generation women that we met during our extensive research project. In seven group discussions, we spoke to eighty-six Dutch Moroccan and Turkish women, first and second generation, some of whom were married to their first or second cousins. Three group discussions were held with Dutch Moroccan women, two with Dutch Turkish women, and two with a mixed group, one of which was with women who all had a child (or children) with a disability. The group discussions were organized by ethnic group-specific welfare organizations that support immigrants who want to learn about, and integrate in, Dutch society. Eleven in-depth interviews, including those of Meryem, Sarah, Nesrin and Gülcen, were conducted with women/couples who were consanguinely married and had either (1) a desire for a child, (2) a healthy child/children, and/or (3) a disabled child/children. In addition, we interviewed nine key figures from the immigrant groups and four medical practitioners. The research focused on the interviewees’ views’ on partner choice and on the medical risks and reproductive options. This research built upon previous research conducted on partner choice, and on arranged and forced marriages among Dutch Moroccans and Turks (De Koning, Bartels 2005; De Koning et al. 2011; Storms, Bartels 2008). Our anthropological research was embedded in an interdisciplinary team. The Community Genetics Dept. (VU University Medical Center), for example, researched the question as to how the risk of having a child with a autosomal recessive disorder in consanguineous unions could be predicted by developing new screening methods (Teeuw 2015) and Medical Humanities (VU University Medical Center) focused on the ethical aspects of applying genetic knowledge to the field of public health.

5.3 Cousin marriage equals disabled children?

5.3.1 Public and concealed transcripts in political and media debates

In recent history, from 2000 onward, the medical risk attached to cousin marriage has been topic of discussion and the medical, political and media debate on this topic has been intertwined. The debate started with questions on mortality rates and is now discussed in terms of genetic risk. In 2001, Schulpen (et al.), a paediatrician, published a study which indicated that the perinatal mortality rate was higher in The Netherlands, compared to other countries. This same research also drew a link between the perinatal mortality rate and the consanguinity rate among migrant groups. Perinatal mortality was twice as high among ‘allochtonous’ couples (migrants), compared to ‘autochtonous’ couples and this was thought
to be primarily caused by genetic disorders. The researchers ascribed this phenomenon to consanguineous unions and argued that this practice should be discouraged. Around the same time, Eldering (2002) a professor in intercultural pedagogy, gave a farewell oration alerting the audience to the growing number of Dutch Turkish and Moroccan couples having children with a mental or physical disability due to their parental consanguinity. Based on qualitative research Eldering (2002; Eldering et al. 1999), like Schulp et al. (2001), connected parental consangunuity directly to children with a disability. Furthermore she argued that many young Dutch Turks and Moroccans feel pressure to marry a partner from the country of origin (of their parents), and often marry a cousin. As Kuper (2008: 731) argues regarding a very similar situation concerning British-Pakistanis: ‘we might well expect that this debate is not only about health risks. At any rate, it helps to sustain another, broader argument about immigration’. And this focus was public. Concealed are cousin marriages in the Dutch population in general; in any case they are barely mentioned. There are, however, several communities in the Netherlands today – especially in the Bible Belt – where marriage between cousins is common (Taussig 2009). Another good example is the picturesque and touristic town of Volendam, where many inhabitants have married one of their own, ‘a Volendammer’, for generation after generation.

Both of these Dutch research projects in the early 00s (Eldering 2002; Schulp et al. 2001) resulted in a media hype (e.g. Genovesi 2002), the gist of which Borm (2002) summarises as: 'migrants hold on to archaic marriage patterns despite the fact that they remain in an intellectual western society. They still marry a family member, resulting in unnecessary high perinatal morality among their children’. Thus, again similar to Great-Britain: cousin marriage ‘is taken to be a defining feature of ‘Islamic culture’, and it is blamed not only for overloading the health service but also for resistance to integration and cultural stagnation’ (Kuper 2008: 731). Borm (2002) describes how at the same time as this media attention was being paid to marriage behaviour, more extensive international research (Bennett et al. 2002; Modell & Darr 2002) was published. This research gave further insight into the actual risks related to parental consangunuity revealing that the risks were much lower than assumed and that the disorders associated with consangunuity differed.

The health risks related to parental consangunuity are often overestimated by lay people (e.g. Ten Kate et al. 2015). What they actually boil down to is a 4-6% increased risk of having children with a genetic disorder (non-related couples have 2-3% increased risk; Bennett et al. 2006). This is average percentage, the risk for most consangunuous couples is comparable to that of unrelated couples, while for some (10-12%) there is an increased risk of 25% or more. Ten Kate et al. (2015: 58) describe the risk of consangunuous couples having affected children, stating that it consists of: (1) the baseline risk that all parents-to-be face of having affected offspring, (2) the extra risk due to their consangunuous relationship, and (3) the risk ensuing from disorders already present in the family. Ten Kate et al. (2015: 59) conclude by saying: ‘risks should always be put in perspective. Only a minority of consangunuous couples have an increased risk, and if a consangunuous couple has an affected child, this is not always caused by the consangunuity of the parents’.

Despite the international genetic research completed in the early 00s, politicians debated the desirability of imposing a ban on consangunuous marriage and the Minister of Health ordered The National Institute for Public Health and Environment (RIVM) to conduct a literature study on consangunuity and health risk for offspring (Teeuw et al. 2015). Waelput
and Achterberg (2007) concluded in this study that parental consanguinity is one of a number of risk factors that are involved in congenital disorders in children. They compared the risk to for example the increased risk of mothers over the age of 35. Here we see a shift in attitude towards the medical risk of parental consanguinity in the Netherlands: from a highly increased risk ascribed to migrants, to a risk comparable to other risks in the population in general. Although the percentage of infant deaths ascribed to paternal consanguinity in the first year is very low, the disorders can have an enormous impact on the child and family. The RIVM advocated genetic counselling (preferably before pregnancy) and possible genetic screening, especially in case of consanguineous couples but also for other couples at risk (Waelput, Achterberg 2007 in Teeuw et al. 2015). Teeuw et al. (2015) write that, although there seems to be a consensus based on the outcome of the RIVM study, neither the government nor the policy makers have (yet) taken any action. Preconception care, for example by midwives and general practitioners, is still not uniformly organized and is not systematically reaching those couples who might benefit from it. Moreover, it is dependent on the individual qualities of caregivers and/or an active request of a couple (Teeuw et al. 2015: 207).

5.3.2 Public and hidden transcripts of our respondents

In public you do not often hear members of migrant communities in the Netherlands talking about the medical risks related to parental consanguinity. In Morocco and Turkey, this is different; medical risk seems to be more openly discussed, with discourses of acceptance and denial (Storms, Bartels 2013). Moreover, primarily in studies from the Middle East, medical risk is seen as given and the boundaries of Islam in relation to testing and reproductive options are explored (e.g. Clarke 2006; Inhorn 2006, 2011; Inhorn et al. 2012). The Netherlands, as a multicultural society has a very different dynamic than that of Muslim majority societies. The negative connotations surrounding cousin marriage and the link made with migrants (‘them’) is reflected in the accounts given by our respondents. The following two cases both illustrate the hidden transcripts that our respondents have, namely, a reluctance to talk to primary care professionals about their consanguineous relationship and any possible medical risk. Meryem’s case, in particular, demonstrates the hardships facing a couple in the high risk category and Sarah’s exemplifies the questions surrounding medical risk.

**Meryem**

Meryem and her husband have a busy life: both working and raising their young twins. Before the couple had their twins, they lost two children to different autosomal recessive disorders, disorders that were not known to be in the family. They had, therefore, no way to identify an extra risk and screen for it. Before the children were conceived the couple had no preconception care about the significance of them being cousins, nor did they mention this to their general practitioner or midwife. They had, however, heard about the increased risk facing the offspring of consanguineous parents. Meryem: “We knew it. Yes, the chance exists. But you think “it will not happen to me”. It feels so far away, and you love each other and you want to have children’. Like Meryem and her husband, our other respondents were all aware of the medical risk related to cousin marriage and adopted various positions: from doubting whether there was any increased medical risk to accepting it. For some, this
acceptance of risk will not compel them to marry outside the family. Although ‘acceptance’ does not mean that medical risk has a priority in their discourses and practices, it is often considered to be simply one of the many risks one faces in life or they explained it in terms of fate (Storms & Bartels 2015).

After losing their two children, Meryem and her husband had genetic counselling and decided to try IVF with PGD, which resulted in them having healthy twins. To get the treatment they went to Turkey because of, among other reasons, the long waiting list in the Netherlands. They are very positive about the option of IVF with PGD having experienced it. Other respondents considered this option to be the most acceptable of the medical reproductive options for Muslims (Verdonk et al. submitted).

Sarah

Twenty-four year old Sarah was born and raised in the Netherlands, and has Moroccan parents from urban central Morocco. She married her first cousin four years earlier and they have a one-year old daughter. Her 33 year old husband lived in Morocco prior to their marriage. Like the majority of our respondents, Sarah considers that the primary risk related to consanguineous marriages is that it can cause a rift in the family if the marriage ends in a divorce (Storms, Bartels 2015). The secondary risk is that of having children with a disability. ‘I’ve heard that when you marry your cousin, you’ll have disabled children. I found that very scary, but my child is perfectly healthy’. Sarah explains that she read about it on the internet: ‘It was very scary to me when I was pregnant. But it’s not true, there is nothing going on’. When asked if she had spoken to a general practitioner or midwife about her concerns, she said:

No, I didn’t say it then because I was very scared and I thought that when I would say something, they would do more research and they would find something. And I thought ‘I’ll let it be but if it’s so [her child having a disability] I’ll just accept it.

As well as many of our respondents, Sarah looks to her surroundings for examples and concludes that not all consanguineous couples have disabled children and that non-consanguineous couples also have disabled children (Storms, Bartels 2013, 2015).

During the interview it becomes clear that Sarah does have some knowledge of the risk related to parental consanguinity, but does not have a clear grasp of it:

Sometimes, you can marry a stranger and then there is something similar in your blood, than you also have increased risk. So you don’t have to be cousins. It has something to do with your blood. But of course you do have increased risk if you’re cousins. Then you have more of the same blood.

What is striking about Sarah’s story is that she still fears that there might be a risk (for a future child), but is discouraged from talking about it to primary care professionals by her mother who commented during Sarah’s pregnancy ‘yes there is a risk, but now you are pregnant and shouldn’t worry too much about it’. She had a similar reaction from her

33 In Vitro Fertilization (IVF) combined with Pre-Implementation Genetic Diagnosis (PGD).
34 Most common options: (1) refraining from having children, (2) termination of pregnancy (TOP) after prenatal genetic diagnosis (PND), (3) In Vitro Fertilization (IVF) combined with Pre-Implementation Genetic Diagnosis (PGD), (4) In Vitro Fertilization (IVF) with a donor egg cell, (5) artificial insemination with donor sperm (AID), (6) adoption, or (7) not taking any special measures and/or preparing for the possibility of having a disabled child (Verdonk et al. submitted).
married, who also acknowledged the risk but argued that she shouldn’t worry so much about it and that people have to accept it when it happens to them. Furthermore, Sarah took the advice of a neighbour, also married to a cousin, who told her: ‘If a midwife hears that you’re family, they’ll always do extra things, and I didn’t want that’. Her neighbour told her that midwives often ask Moroccan and Turkish women if they’re married to their cousin and, according to her: ‘If you say yes they’ll do extra research, also blood research, and also your husbands. And it’s so much hassle, so she [neighbour] said: “you don’t have to say it”, and then I didn’t’, Sarah explains. During our conversation, slowly but surely, Sarah’s extant fear comes to the fore.

Meryem and Sarah do not openly contest laws or customs. In public, outside their family and friends circle, they hide the fact that they are married to their cousins. Sarah is afraid of the consequences and Meryem explained that she knows how ‘they’ think. Remarkably, not only do our respondents frequently express reluctance to discuss the topic, Teeuw et al. (2012) found that although Dutch primary health care professionals considered it their task to inform couples about the risks, the topic was often only briefly discussed. Some of the reasons for this related to the professionals’ beliefs’ about the religious and social values of the couples, their low perception of the couples’ reproductive risk and the belief that making any referral for support would be of limited use. In addition, the majority of health care workers found consanguinity ‘inappropriate’.

We’d like to make two remarks. First, public disapproval by the dominant society, appears to influence the openness shown by our respondents in regard to their choice of marriage partner. Second, dominant opinions on cousin marriage held by primary care professionals in the study by Teeuw et al. (2012) also seem to influence the way that professionals discuss topics such as heredity, preconception screening and reproductive options.

5.4 Cousin marriage equals forced marriage?

5.4.1 Public and concealed transcripts in political debates

In politics, no longer addressing cousin marriage in terms of medical risk, but in relation to forced marriage, started in 2009. At that time, the government announced that it intended exploring the possibilities of taking legal measures to counteract forced marriage and drew up a draft law which was adopted by subsequent governments becoming law in 2015. The public transcript is that this measure will help to counteract forced marriage, however we argue that the proposed measures are framed within immigration and integration policy. The 2010 Coalition Agreement (Cabinet Rutte I) stated under the paragraph ‘Immigration: family migration’ that ‘in principle, cousin marriages will be prohibited’. Thus, although it says that cousin marriages in general will be prohibited, the paragraph under which it is stated indicates that these measures are not intended to prohibit cousin marriages among ‘natives’, but among ‘them’, the migrant communities. That’s why we consider this concealed.

The section of the draft law containing the part on cousin marriage was criticised by several different interests (political, scientific, juridical and social). Many questions were raised, such as, for example: what corroborative material was available to support the link between
consanguinity and forced marriage (e.g. First Chamber 2014; Kool 2012; Rutten 2014). Several recent qualitative research projects provided real insight into partner choice, arranged marriages and forced marriage among migrant groups, and about cousin marriage too (see e.g. De Koning, Bartels 2005; Smits van Waesberghe et al. 2014; Sterckx, Bouw 2005; Storms, Bartels 2008). It is a mere assumption however that cousin marriages are mostly arranged marriages and therefore prone to force; there is no statistical research to support this (i.e. Rutten 2014). To close this gap the Dutch government initiated a number of research projects (Smits van Waesberghe et al. 2014; Sterckx et al. 2014). Smits van Waesberghe et al. (2014) tried to gain insight into the actual number of forced marriages in the Netherlands by making an ‘educated guess’ based on national research among professionals.\(^{35}\) However, learning how many of this total were cousin marriages was not included. So, rather than researching what ‘forced marriage’ entails statistically, it is already defined in the law: underage marriage, polygamy and cousin marriage.

A second point regards international obligations. Rutten (2014, see also Kool 2012) argues that, from a juridical perspective, there are fundamental interests at stake regarding forced marriages that justify the intervention of the legislator; however the measures chosen affect other, very significant and fundamental interests. Specifically the right to marry (and have a family) and the right to a family life, is secured in several Human Rights conventions.\(^{36}\) Rutten (2014) states that, with these measures, a larger group is affected than necessary and therefore the law is disproportionate. Third, several parties (e.g. First Chamber 2014; Rutten, 2014) question the extent to which this law will actually counteract forced marriage as the degree of kinship is not registered in the Netherlands, it will therefore be impossible for a wedding officer to check this. There is no reason to assume that the question by the marriage officer if the marriage is by free choice, will have a positive effect. Moreover, Rutten (2014) notes that this law could actually create a greater barrier to asking for help because the intended spouses commit perjury by swearing under oath that the marriage was by free choice. The law is therefore sometimes referred to as *symbolic* and *political*. All these questions and concerns were overlooked when the law was accepted by the First Chamber because of the urgent matter of Syrian child brides. This resulted in a law that is based on assumptions, that contradicts human rights and that operates in a way that can be counterproductive.

5.4.2 *Public and hidden transcripts of our respondents*

Nesrin, a twenty-six year old woman, born in Turkey and raised in the Netherlands, is married to her first cousin. Nesrin explains that their families introduced her and her husband to each other as possible marriage partners, they got to know each other, fell in

\(^{35}\) Smits van Waesberghe et al. (2014) made an *educated guess* about the scale of forced marriage, based on national research among professionals: between 674 and 1914 cases in the years 2011 and 2012 (although these numbers have several bottlenecks, as described by the researchers). Specifying the share of cousin marriages among the forced marriages was not included in the research. Some professionals did mention cases of force, when the parents arranged the marriage with family.

\(^{36}\) For example Article 12 Convention for the Protection of Human Rights and Fundamental Freedoms: ‘Men and women of marriageable age have the right to marry and to found a family, according to the national laws governing the exercise of this right’.
love and married. Nesrin’s comment to the (then proposed) law describes the underlying purpose very clearly:

In my opinion politics have other things to deal with. [...] Because I see these sort of proposals [the then proposed law], not to enhance the wellbeing of allochthonous groups in the Netherlands, or in the end also of autochthonous groups. But I see it more as a barrier to counteract marriage migration, to make it more difficult. And they cannot forbid it, so they start looking for ways to decrease it.

Naming a few things that the government should worry about like the economic crisis, Nesrin concludes: ‘I think that is more important than worrying about cousins who love each other. I find it very strange that they talk about that’. Nesrin states that her marriage can be typified as an arranged one, while at the same time emphasising the role of romance and love in her story. What free partner choice, arranged marriage and forced marriage entail is not black and white. As argued by Casier et al. (2013) there is no simple dichotomy between romantic marriage and an instrumental marriage, the two are intertwined. Arranged marriages range from young people taking their ‘own initiative’ with permission from their parents, an arranged marriage that is concluded by free choice like Nesrin’s, to a ‘planned’ marriage arranged by the family, with (almost) no influence from the prospective spouses (Qureshi 1991, De Koning & Bartels 2005). This latter is associated with cousin marriage: marrying a cousin (in migrant communities) is assumed to be often forced, according to the clarification of the new law.

During our research we heard lots of stories right across the spectrum of partner choice. What was striking was that almost all our respondents had transnational marriages. Migration has given cousin marriage “a new rationale for an old practice” (Reniers 2001: 37): the traditional explanation of keeping wealth in the family has, for some, been competed or replaced with a transnational strategy for bringing family members to Europe and on security for marriage partners in a new environment. Gülцен’s story, at the start of this article, can be typified as a forced marriage. While Nesrin’s story, where her family had similar motives can be typified as an arranged marriage, concluded by ‘free choice’. While Nesrin describes her acceptance of the marriage in terms of love, there is discussion as to what extent young people actually do have ‘free choice’ (e.g. Sterkcx, Bouw 2005). However, we also found stories outside this spectrum, stories about romance and love motivating a cousin marriage rather than any family interest.

**Meryem**

Meryem talks affectionately how she and Kerem fell in love:

He was in military service [at that time, in Turkey]. And I went on holiday [to Turkey] after not visiting [Turkey] for many years. And he visited his parents during his holiday. And we saw each other, and that was… the spark caught on.

That was about ten years ago. As children they saw each other during holidays in rural central Turkey, where Meryem’s parents grew up and Kerem lived. However, they hadn’t seen each other for years before they met again in their early twenties when they fell in love and got engaged. Meryem: ‘I fell in love with him for who he is, not because he is my cousin. Of course you do know him, you know who he is’. Meryem talks in terms of love. In their family they are the only ones who married within the family. As other young respondents,
Meryem has somewhat mixed feelings about marrying a cousin. Not fully understanding why she fell in love with her cousin:

I had some difficulties with it. Well, not really difficulties, but just, I found the idea a bit strange. But afterwards not anymore. Interviewer: Why did you find it a bit strange in the beginning? Meryem: Well, because you think... well, because we are not used to it here [in the Netherlands]. Being family, you know, Meryem says laughing. But there [Turkey] it is very normal.

It is this public disapproval that deters Meryem from telling colleagues at work that she’s married to her cousin and Meryem has only confided one or two colleagues. Meryem: ‘I don’t really have the need to tell them’. She explains that she gets the feeling that her colleagues would automatically assume it was an arranged or forced marriage. ‘Because I was born here, I just know what it’s like. How they can think. Because they just really, they measure everyone by the same standards. So I don’t talk about it’.

Sarah
Sarah and her cousin didn’t really know each other. They had met when they were children, but she has no vivid memories of him. When she went on holiday to Morocco when she was seventeen, they saw each other again. Her cousin liked her, called her and they stayed in touch. Sarah: ‘The initiative came from him, but I also liked him’. Like Meryem, Sarah has mixed feelings about liking her cousin: ‘I thought “no, he’s my cousin”. I always said, “I’ll never marry my cousin or somebody from Morocco”. I had never expected it from myself, but I did want it myself eventually’. They married three years later, when Sarah was twenty years old. During this time they had a lot of contact and Sarah visited him during the summer holidays: ‘Because he’s family my father didn’t really mind. Because normally, when you have a boyfriend, you can’t just say to your father “I’m visiting my boyfriend in Morocco”’. Sarah’s father harbored doubts about the marriage because her cousin lived in Morocco and it would be a challenge to bring him to the Netherlands; he also thought Sarah was too young for such a big step. But they left the decision to Sarah, she explains. Marrying a cousin was never an option for Sarah. Although some older and distant family members of hers had married within the family, none of the younger generation had. Sarah does not consider her husband to be a cousin:

I don’t see my husband as family. Sometimes you grow up together with your cousins and they become more like brothers and sisters. Then you are so close, you do not think about marriage. That’s why I always thought: “I will never marry a cousin”. But him [husband] I didn’t know. I didn’t think ‘oh, it’s a cousin or a brother.

We encountered this last comment of Sarah among many of our respondents. The women marrying their cousin out of love, all married their cousin in the country of origin (of their parents). Many respondents, not only young women, but also first generation mothers, excluded a cousin that they grew up with as a marriage partner because they regarded cousins as siblings and marriage with one of them would be incest. However, if there is no emotional proximity to the cousin, and this is combined with geographical distance, a cousin can be an eligible spouse (Storms, Bartels 2015). A similar pattern was found by Charsley (2007) among British Pakistanis. Not ‘to be family’ but ‘to feel like family’ seems to be an indicator not to marry. If you don’t feel like family, you can develop a romantic relationship (Storms, Bartels 2015), like Meryem and Sarah describe. Nesrin explains it as follows:
I think it is actually very simple. If you don’t know somebody, and you get to know this person, even if it’s your cousin, he doesn’t feel like your cousin. It’s the same with having a grandmother in Brazil and you never see her, then she doesn’t feel like a grandmother. A grandmother is only a grandmother if you can go and visit her, taste her dishes, lie on her lap and stay over. Sometimes a neighbor can mean a lot to you, you can also say grandmother to her. A blood tie does not say much, in my opinion.

These young women redefine the boundaries of who you can and cannot marry and, within these boundaries, love is a central concept. Furthermore, the grounds on which one marries a cousin are also shifting. Although these women mention some advantages, i.e. the ‘traditional’ reasons for marrying within the family, these reasons do not play an important role in their stories, as Nesrin explains:

Previously, it was normal everywhere [in Turkey] to marry your cousin. Because the property stayed within the family and […] it had many advantages. […] But we youngsters, who live in the Netherlands, we have no stake in this property in Turkey, it doesn’t interest us.

Of course cousin marriage has become a transnational strategy for immigration, but this is just part of the story. ‘New’ partner choice patterns have developed that incorporate the different norms of the society in which these young people live: cousins viewed as appropriate spouses on the one hand, and, on the other hand, feelings of love but conflicting emotions about the subject as this is not perceived as an appropriate choice.

**Love and cousin marriage: mutually exclusive?**

Bonjour and De Hart (2013) show how the suspicion of forced and arranged marriage has been a recurring theme in Dutch politics since the 1980s. Again, a clear distinction is made between ‘us’ ‘native’ Dutch who advocate free partner choice, based on romantic love versus ‘them’, migrant (Muslim) communities who practice arranged and forced marriage. A few comments on this assumption are important here. The connection between ‘love’ and ‘marriage’, is relatively new. For centuries and in many parts of the world, even today, marriage was, and is, not an individual undertaking, but an alliance between two families. It is not the search for ‘true love’ that comes first, but finding a partner to secure the family. We came across this type of marriage a lot especially among our older, often first generation respondents many of whom said ‘love comes after you marry’ (De Koning, Bartels 2005; Storms, Bartels 2008, 2015).

Relationships based on love have always existed (often outside the marriage), but the rise of marriage based on love has its roots in the western world and is very much part of our society today, as Stephanie Coontz (2005) describes in her book *Marriage, a history*. Coontz (2005) argues that an important reason for its development in the western world is prosperity: prosperity (the welfare state) allows us to regard aspects other than the wellbeing of the family when we search for a partner.

Worldwide, in movies, on television, the internet, in magazines and advertisements, one is constantly confronted with views on how love ‘should be’. Love in partnership and marriage, in other words, is the norm. Love is also associated with individualism (as opposed to collectivism) and with modernity (e.g. Hirsch, Wardlow 2006; Giddens 1992; Donner 2012). And regarding cousin marriage among migrant communities, the assumption is that these
could not be based on love. In the last ten years many research projects have shown how partner choice among Dutch migrant communities, especially second and third generation Dutch Turks and Dutch Moroccans is becoming more individualising (De Koning, Bartels 2005; Smits-van Waesberge et al. 2014; Sterkx et al. 2014; Storms, Bartels 2008). It should come as no surprise that love seems to play an increasingly important role in cousin marriage too.

To conclude, a proportion of our respondents demonstrated every day resistance to the moral norm in the dominant society of not marrying a cousin. The stories of these young women however are strongly influenced by this moral norm. These women explain that they are or were conflicted about their choice: not wanting to marry a cousin, but then falling in love and doing just that. They decided to hide the fact that they married a cousin in public, a hidden act so to say. Meanwhile, these stories reveal a conformity to the moral norm of love. But paradoxically, according to the law, the moral norm of love is presented as being mutually exclusive to cousin marriage. Since cousin marriage among migrant communities is so intrinsically linked to forced marriage, these dynamics are overlooked in politics. It fits, however, in the broader pattern of the dynamics in partner choice among young people in migrant communities that other studies have shown (e.g. Smits van Waesberge et al. 2014). The public and concealed transcript of politics unfortunately obscure these dynamics.

1.5 Conclusion

Consanguinity can be seen as a contested and a norm-setting concept in a multicultural society like the Netherlands. Contested because people disagree with one another about the desirability of consanguinity. It is norm-setting as well because it marks different values for groups. While it is a common and sometimes even preferable union for some, it is strongly disapproved of by others. The boundaries of these groups however are not so clear-cut. In De Koning et al. (2014) we show that while cousin marriages among ‘them’ (migrants) is associated with incest and inbreeding, cousin marriage among ‘us’ (native Dutch) is either explained in terms of ‘true love’, downplayed to one ‘stupid village’ or even denied (De Koning et al. 2014).

Cousin marriage is a political item, in recent history discussed in relation to medical risk from 2000 onwards, and since 2009 in relation to forced marriage. The latter resulted in an item in the Forced Marriage (Prevention) Act (2015), in which marriage between cousins is complicated. In this article we described the public and concealed transcripts in political debates, and the public and hidden transcripts of our respondents about cousin marriage, and the interrelation to the two. Power relations positions politics in a more dominant position, a position in which politicians can develop transcripts and make them public, or conceal them. A position that the respondents in this article have not. On an individual level they can decide what to make public and what to hide. And in this choice the public and concealed transcripts in politics and the sentiments in the dominant society play an important role.

First, we argue that the public and concealed transcripts contained in political debates result in further distinction being made between who ‘we’ are and who ‘they’ are, ‘them’ – primarily Muslims – not being ‘moral citizens’. While the change in addressing cousin
marriage (from medical risk to forced marriage) in politics might seem strange at first glance, when you take a closer look at the concealed transcript, the thread that links these debates is the focus on immigrants and immigration and integration politics, especially with regard to Muslim communities. The framing of consanguinity within immigration and integration diverts us from the population in general, where there are similar issues. Thus, it conceals the part about ‘us’. Because the law on forced marriage, incorporates cousin marriage, the double standards for citizens and ‘non-citizens’, i.e. people who are not considered ‘moral citizens’, is institutionalised. In other words, it is an example of how citizenship is culturalised.

Second, we argue that public politics do not do justice to either issue: not to the medical issues related to parental consanguinity, or in the promotion of ‘free partner choice’ as part of the political strategy to counteract forced marriages. We have described how the current scientific debate (that geneticists are having about the medical issues related to consanguinity, for example) is barely taken into account when political choices are being made. The health risks related to parental consanguinity were, and are, often overestimated. In the medical debate, there is a shift in attitude: from a highly increased risk ascribed to migrants, to a risk comparable to other risks in the population in general. This does not mean that there should not be any action taken to contact consanguineous couples, as it can be a very serious issue as the stories of Meryem and Sarah illustrate. The juridical and social science perspective on forced marriage and cousin marriage was, in part, ignored as well. The link between forced marriage and cousin marriage has not been clearly substantiated. And any juridical measures taken affect other very significant and fundamental interests and can be seen as disproportionate (Rutten 2014).

Third and last we argue that, paradoxically, the law which was aimed at broadening partner choice, in reality limits it. As the stories of the women in this article show, there is a broad spectrum of partner choice in relation to cousin marriage. By maintaining stereotypical views on cousin marriage in migrant groups, we fail to see the dynamics in partner choice. Dynamics in which, for instance, cousin marriage and love are not mutually exclusive but can coexist. The stories of Meryem and Sarah, however, illustrate how public and concealed transcripts in politics and sentiments in society can have great influence on their public and hidden transcripts. Ironically it results in them hiding their choice of partner, one who was chosen in in a morally approved way (love), but it is just not a morally acceptable choice (a cousin).

References


First Chamber [Eerste Kamer der Staten Generaal] (2014). Wijziging van Boek 1 en Boek 10 van het Burgerlijk Wetboek betreffende de huwelijksleeftijd, de huwelijksbeletselten, de nietigverklaring van een huwelijk en de erkenning van in het buitenland gesloten huwelijken.


Changing patterns of partner choice? Cousin marriages among Turks and Moroccans in the Netherlands

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