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Gender and intra-household migration decision in India: An Empirical Analysis

SANDHYA R. MAHAPATRO
A.N. Sinha Institute of Social Studies, India

Abstract
The objective of this paper is to understand the gender differences in migration patterns at the intra-household level and the socio-economic factors that cause such differences. Furthermore, the paper aims to explore the gender-specific dynamics of migration. The theoretical framework is drawn from the New Economics of Labour Migration model modified to address the gender dimension. In other words, the methodology highlights the linkage between NELM model and empirical evidence in order to understand the influence of gender in the migration decision making process in the household. Data from the National Sample Survey 2007-08 is used, along with the logistic regression technique in order to understand gender differences in migration in a household context. The empirical findings of the study reveal that in poor economic settings the risk of migration of women is higher than that of men within the household, indicating vulnerability of females both as bread winners and care takers. For meeting familial needs and to cope with household income risk most of the females choose migration as a livelihood strategy and therefore they migrate at a higher rate than males. This paper highlights the importance of gender in the household migration decision-making model.

Keywords
Migration, household, gender, risk, NELM model

Introduction
The changing dynamics of migration in India and its developmental implications are receiving increased attention from researchers, policy makers and planners. Despite the overwhelming share of women (2/3rd of migrants evident from Census & NSS data), the dynamics of female migration in India, like other South Asian countries, is generally neglected. The lower status of women in the household makes them associational mover, those following their male counterpart, and have no role in migration decisions. Since women were conceptualized as accompanying dependents, they were given limited attention in theoretical accounts of migration (Chant and Radcliffe 1992). However, it has since been realised that the causes and consequences of migration in many contexts are different for males and females (Sandbergen 1995). This could be due to the differential economic opportunities that men and women face in recent years, besides the gender inequalities relating to migration decisions within a household. Although women were considered passive actors in the

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1 The author is thankful to Prof. K.S. James, from the Institute for Social and Economic Change, India for his extremely valuable suggestions and comments and guidance on this paper.
migration process, over time they play an active role in migration decisions, in maintaining family ties and promoting economic improvement of the family (Zachariah et al. 2000; Kurien 2002; Gallo 2003). While analysing migration patterns from a historical perspective, Hann (2003) pointed out the fact that women from lower economic classes migrated for survival and to escape from patriarchal relations. During the post reform period in India, the transitions in socio-economic structure have had a significant implication on female migration patterns as the causes of their migration. Their role in the migration decision is slowly changing (Shanti 1991; Sundari 2004; Neetha 2004). Given that women’s income is lower than men’s, women have less control over their income, as well as a higher risk of poverty. Also, meeting the consumption needs of the household may force them to migrate at greater risk and under more pressure. Thus, the feminist studies on migration in recent years suggest that there is a need to understand migration through a gender lens.

Furthermore, the decision to migrate generally takes place with the process of negotiation with other household members. However, in the literature migration is often viewed as an individual strategy and relates to personal characteristics of the migrant. It is the individual and individual characteristics such as demographic attributes, lifecycle stage, attachment to a particular place, social capital, and environmental values that drive migration decision-making (Guangqing and Voss 2005) while others claim that the family is the main decision-making unit, since members of a family usually move together (Mincer 1978). While there is no doubt that the personal characteristic of the individual influence migration decisions, the migrant may not be the sole decision maker. Individuals by themselves cannot decide on migration independently of their households. In many cases it is the family who decides which household members and how many members they will send in order to supplement family income. This recognition has been reflected after the developments in the new economics of labour migration (NELM), which place the issue of migration decision making within the context of the ‘household’, rather than the individual in which migration is viewed as a household strategy to minimise the element of economic risk (Stark 1991). It is acknowledged in studies that the decision to migrate takes place within the household and it is unlikely that migration can take place solely at an individual level (Banarjee 1981; Bhattacharyya 1985; Aguilera and Massey 2003; Curran and Rivero-Fuentes 2003; Munshi 2003). It is argued that household income, rather than individual income, is the appropriate concept for studying income influence on migration (Tunali 2000). Thus, the household should be considered as an appropriate unit for analysis of the migration decision making process.
However, the empirical studies, including the NELM model, do not specifically recognise the role of gender in migration decision making at the household level. Possibly, family play a greater role in the case of women’s migration because migration of women is very much influenced by familial obligation. In many cases, men make autonomous decisions while women migrate as part of family strategies rather than individual strategies (Boyd 1989; Chant 1992; Hugo 1995). Hence, as migration of females is influenced by familial obligation it needs to be understood from a household perspective. Macro level socio-economic changes such as introduction of new technology, mechanization of agriculture, creation of employment opportunities, and educational institutions in urban areas, influences economic situation of the family that is household income also influences the prospects and motivation for migration differently for males and females.

In view of the assumption that female actions are more tightly bound by household level factors, the migration decisions of females are expected to be more sensitive to the constraints and incentives that households face. The changes in a macro context influence the risk perception of households while adversely affecting women’s earning capacity. For instance, the mechanisation process of agriculture does displace many females from agricultural work, but their roles and responsibilities in terms of sustaining the family are relatively more significant than those of males. Under such circumstances, migration for employment becomes the viable option for women. Studies show that the unequal gender division of labour within the household and the marginalisation of women in employment in the place of origin generally induce women to migrate; especially those belonging to poor and landless households (Crummet 2001). Therefore, within a household the way males and females perceive the income risk varies because they confront the livelihood risk differently. Besides, unequal power relations that persist within the household also affect migration decisions differently for males and females. Hence, it can be presumed that female migration behaviour responds to household economic shocks more strongly than that of males, which has not yet been adequately explored in the Indian context.

Addressing the gaps in empirical and theoretical studies, the present study tries to explore the relationship between gender and migration at the intra-household level. The major objective of this paper is to understand the gender differences in migration patterns within a household and the factors that attribute to such gender differences. In other words, the paper attempts to explore how the household socio-economic status affects males and females differently with regard to migration decisions in the household.
Section two will highlight the data and methodology used for the study. The third section will offer an understanding of the female migration situation in India. The fourth section presents gender differences in migration patterns across socio-economic classes for different types of households. The empirical findings of the study are presented in section five, followed by the conclusion.

**Data and Methods**

The data for the study has been taken from the national sample survey 64th round data (2007/08), as provided by the NSSO for analyzing household migration. It provides employment, unemployment and migration particulars of members from 1, 25, 578 households in India. For analysis both the individual and household data is used. From the individual file we have prepared the household file in order to understand the gender differences in migration. Since marriage is deeply rooted in female migration, this makes it difficult to explore the gender differences and the actual role of females in the migration decision-making process. Thus, those households reporting migration of female due to marriage and family moved are excluded from the analysis. Thus, the focus is more on employment-oriented migration with the capacity to earn a livelihood.

To estimate the gender differences in migration rates at the intra household level, households are classified according to the number of migrants present within a household according to the sex. The migrant households are then classified into: (a) Single migrant households (Households with only one migrant), (b) More than one member migrant households (Households with at least two or more member migrants), (c) Total migrant households (Households with at least one member migrant).

A logistic regression model is used for explaining the intra-household dynamics and gender in migration decision-making. The functional form of the logistic regression model is expressed as,

\[ Y = \ln\left(\frac{p}{1-p}\right) = \alpha + \beta_i \chi_i + \mu \]

Where \( i = 1, 2 \ldots \ldots n \)

To capture the relative risk of migration within a household across gender, ratio of female to male, migration rate is taken as the dependent variable. The dependent variable is dichotomous in nature, taking on value ‘zero’ and ‘one’. ‘Zero’ represents those households where the female migration rate is less than the male migration rate, and it is ‘one’ if the female migration rate is greater than the male migration rate. The relative risk ratio of migration for a given household is calculated as Female Migration rate/
Male Migration rate.

All the explanatory variables used for the purpose of analysis are classified into three categories, namely economic, demographic and socio-cultural. Maximum educational attainment of household members, caste and religion are included in the analysis as part of the socio-cultural characteristics. The economic variables include the occupation of a household and monthly per capita expenditure. Household size, number of children under age five, number of members aged 60+, and gender composition (sex ratio) of the household are considered as demographic indicators. Using these household indicators, the study tries to understand under what conditions females dominate the migration decision making process within a household. The summary statistics of variables used are presented in Appendix-I.

**Female migration in India: Trends, flows and reasons**

Data on migration available from Census, as well as NSS, show a continuous increase in female migration in India. As per the 2001 census of 309 million migrants, 70.7 percent were female. NSS estimates also give a similar picture of female dominance by 80.4 percent. The data extracted from NSS presented in Fig-1 depicts that the overall migration rate is increased from 23 percent in 1983 to 29 percent in 2007/08. This increase is only due to the increasing share of females because while male mobility remains stagnant there is a substantial increase in female mobility from 35 percent in 1983 to 47 percent by 2007/08. This is a reflection of not only an increase in female migration but also the persisting gender difference in migration.

*Fig-1: Migration Rate by sex*
Source: Calculated from NSSO

Among the different categories of migration flow, rural to rural constitutes the major category for migration among females, due to high prevalence of marriage migration. However, over time the levels of rural to urban and urban to urban migration are increasing for employment, education and other reasons. There is overwhelming evidence that internal mobility in India is largely over short distances, and for females is mainly attributed to marriage. However, recently this pattern has been undergoing changes. An inter-temporal analysis of migrants according to the distance shows a number of changes in the pattern of migration (Fig-2). A decrease in intra-state mobility accompanied by an increase in inter-district and inter-state movements has been observed. Such a change in migration patterns, as pointed out in studies, is occurring due to an opening up of the gender segregated labour market, urbanisation, higher education, changing agricultural practices, and environmental hazards (Jayweera et.al. 1994; Gracia 2000; Sundari 2005).

**Fig-2: Distribution of Female migrants by distance, 1999/00 & 2007/08**

Source: Calculated from NSSO

The disaggregation of female migrants shows that marriage constitutes the major reason for migration with 84 percent. However, in recent years there has been a steady increase in migration of females for education in urban area is observed from 1.3 percent to 2.3 percent.
The changing flow of females migrating from short distance to long distance, and the increasing mobility of females for education perhaps helps in understanding that, besides changes in motivations of females, the role of females in migration decisions is changing. All these changes in patterns of female mobility indicate that there is also an active involvement of women in migration for reasons other than marriage. Therefore, there is a need to examine the gender differences that persist in migration patterns at the intra-household level.

**Gender and Intra-household migration decisions**

A few number of studies conducted using the household as a unit of analysis show the differential impact of household risk factors on migration decisions among males and females. The studies found that the economic status of a household has an inverse relation with female migration, while it increases the chances of male migration (Donato 1993; Cerruti and Massey 2001; Kanaiapuni 2000). Studies conducted on women’s migration from Northern Ghana show that households resort to migration in response to worsening of agriculture based livelihoods (Agarwal et al. 1994). In the Indian context, although there is growing awareness of the necessity to understand migration prospects from a gender perspective, there are hardly any studies that focus on analysing the migration behaviour at the household level and from a gender perspective. The increasing migration of females within the framework of the New Economics of Labour Migration (NELM) model can be understood in the present study in terms of the impacts of structural adjustment programmes on the employment patterns of males and females, gender roles and responsibilities and power asymmetries within a household.

To understand the context and how risk perception varies for males and females in terms of migration decision-making, the study analyses the socio-economic characteristics of migrant households.

The economic status of households in the present study is measured in terms of per capita expenditure (proxy for income), and the household occupational structure. These variables critically influence decision-making regarding migration at the household level.

**Household poverty & migration**

Poorer economic condition of households as being one of the critical factors determining migration decisions has been widely acknowledged in studies. To overcome economic vulnerabilities, such as the lack of employment opportunities and insufficient income, or the inability to meet the economic needs of family members, households (head of household) might decide to migrate either with the entire family, or to diversify its economically active
Gender and intra-household migration decision in India, Mahapatro

members to different places. This enables remittances sent by migrants to help the family members left behind and overcome economic vulnerability. Linking gender, migration and poverty studies show that the risk of poverty within a household is relatively higher among females and therefore, female migration is considered one way of responding to the difficult economic conditions of a family (Findley and Diallo 1993).

Monthly per capita expenditure (MPCE) represents the economic status of a household and is a good proxy for poverty. The variable MPCE is constructed on the basis of a data set by taking into account household expenditure on all consumer durables during the last 365 days and dividing it into five equal expenditure classes. The percentage share of migrant households according to the size across MPCE classes is presented in Table-1.

**Table-1: The percentage share of migrant households across economic class by gender (Excluding marriage and family moves), 2007-08**

<table>
<thead>
<tr>
<th>Monthly per capita expenditure class (in Rs)</th>
<th>Total Number of Households</th>
<th>Single migrant households</th>
<th>More than one migrant household</th>
<th>Total migrant households</th>
</tr>
</thead>
<tbody>
<tr>
<td>Q1 (54-1880)</td>
<td>25,968</td>
<td>8.18</td>
<td>2.54</td>
<td>0.10</td>
</tr>
<tr>
<td>Q2 (1881-2630)</td>
<td>21,417</td>
<td>3.09</td>
<td>0.81</td>
<td>0.24</td>
</tr>
<tr>
<td>Q3 (2631-3515)</td>
<td>22,671</td>
<td>1.83</td>
<td>0.58</td>
<td>0.36</td>
</tr>
<tr>
<td>Q4 (3526-5065)</td>
<td>25,470</td>
<td>2.28</td>
<td>0.65</td>
<td>0.49</td>
</tr>
<tr>
<td>Q5 (5066-198528)</td>
<td>30,052</td>
<td>3.20</td>
<td>1.01</td>
<td>0.61</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>1,25,578</strong></td>
<td><strong>3.97</strong></td>
<td><strong>1.20</strong></td>
<td><strong>0.35</strong></td>
</tr>
</tbody>
</table>

Source: Calculated from NSSO data

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2. Q1= poorest economic quintile, Q2= poorer economic quintile, Q3= middle economic quintile Q4= richer economic quintile & Q5= Richest economic quintile.
The percentage of single female migrants is found to be highest in the poorest (Q1) economic class (2.54 percent) followed by the richest (Q5) economic class (1.01 %) while for the other three middle economic classes the percentage share is lower. The pattern also holds true in the case of single male migrant households. A ‘U’ shaped pattern that is slightly flatter in the upper end of migrant households is observed in the case of single migrant households, indicating that the proportion of single migrant households is highest in the poorest class. However, for households with more than one migrant member, the relationship is direct, which indicates that the proportion of migrant households increases with increases in economic class. On the contrary, gender differences in migration for households with two or more migrants indicate that the percentage share of female migrant households is higher than male, irrespective of all economic classes. The percentage share of poorest households (Q1), having two or more male migrants is 0.1 percent, while in the case of females it is 0.85 percent. Similarly, for the richest households (Q5) the share is found to be 0.61 percent for male migrant households and 1.28 percent for female migrant households. Such gender differentials in migration clearly show that in respect of poorer households the relative risk of poverty is greater for female migrants. In the case of total migrant households, there is no significant difference observed between households having at least one female migrant (18 percent) and one male (17.2 percent). The percentage of households with at least one migrant has followed a slightly ‘U’ shaped pattern, first declining and then increasing, with increase in economic class for both male and female migrant households. The gender differences in the migration rate for such households suggests that the percentage share of female migrant households is the same or marginally higher than male migrant households. For instance, the percentage share of households with female migrants constitutes 14.8 percent in respect of the Q1 class, while it is 14.4 percent for male migrant households. Similarly, 11 percent of male migrant households are found to have migrated from the Q2 class, while the share amounts to 11.53 percent for female migrant households belonging to the same economic quintile.

The data across consumption expenditure categories shows that out of all the economic classes, the proportion of single female migrant households is higher for the poorest class. This shows that economic deprivation is an important cause of migration for households with single females, although the proportion is relatively less than for male migrant households. This is due to social and cultural constraints. Studies carried out in other countries with regard to independent mobility of women, such as in Latin American countries, show that most of the single women migrating to cities come from lower economic class families. For them, migration is part of the family strategy for survival (Jelin 1977). The independent movement of females is
thus a direct consequence of the household economic situation. A study by Afshar and Agarwal (1989) shows that women in poor households typically spend almost all their earned income on their family’s basic needs, while men keep a significant part of their earnings for extravagant expenditure. It indicates that the role of women as the primary economic providers of the household and their migration appears to be more critically linked to the household welfare as compared to males. In respect of poor households, the economic contribution of women is quite significant in terms of income and the quality of life i.e., the nutritional status of the family and household management (Jayaweera et al. 1994). Linking household income and migration, a study by Prelipceanu (2008) finds that male migrants come from households that have already reached a certain level of material wealth, but women migrants come from poor households because in their case, migration seems to be the ‘last best-option’. All this signifies that in poorer households, the role of women as economic providers is quite significant and hence, in the absence of proper earnings to meet the familial needs, women take the decision to move.

Persisting gender differences in migration across higher economic classes for households with two migrants also show that, for enhancing the economic condition of the household in terms of better employment as well as higher education, households with two female migrants show a higher level of mobility compared to male migrant households. This trend has emerged especially in the context of the socio-economic development of the country. For the period 1999/00 (55th round), the proportion of households with two or more male migrants is found to be higher than households with female migrants across economic classes, barring the Q5 quintile. On the contrary, in recent times (2007/08) households with female migrants are found to be relatively higher than male migrant households for the same economic class. Perhaps an increase in higher educational institutions and the provision of employment opportunities have motivated females from higher economic groups to migrate. Apart from economic compulsions, a sense of self-sufficiency, economic independence and the desire to prove their worth motivates female households belonging to higher economic groups to migrate (Kaur 2006; Singh 2007). This change in the migration patterns of females also indicates the changing status of women within the household framework and their increasing ability to participate in the household decision making on migration. This implies that economic factors motivate females to migrate to the same extent as they do males.

**Occupational structure of households & migration**

The engagement of households in different employment activities not only shows their present economic status but also helps to understand the factors that persuade a household to migrate. In the present study, households are
classified into different types on the basis of their major source of income (more than 50 percent) from any gainful activity.

The rural households are divided into five types. These include self-employed in non-agriculture, agricultural labourers, other labourers, self-employed in agriculture\(^3\) and others, while the urban households are divided in to four categories: self-employed, salaried/wage earning class, casual labourers, and others\(^4\). For the present analysis we have excluded the ‘others’ category in view of their not being employed. A classification of the household occupational structure after controlling for marriage and family moves is presented in Table-2.

Table-2: The percentage share of migrant households across occupational categories by gender (Excluding marriage and family moves), 2007-08

<table>
<thead>
<tr>
<th>Occupational Categories</th>
<th>Total Number of Households</th>
<th>Single migrant households</th>
<th>More than one migrant households</th>
<th>Total migrant households</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Only Male</td>
<td>Only Female</td>
<td>Only Male</td>
</tr>
<tr>
<td>Rural</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Self-employed in non-agriculture</td>
<td>11,080</td>
<td>0.83</td>
<td>0.53</td>
<td>0.13</td>
</tr>
<tr>
<td>Agricultural labourer</td>
<td>17,918</td>
<td>0.44</td>
<td>0.66</td>
<td>0.03</td>
</tr>
<tr>
<td>Other labourer</td>
<td>8,789</td>
<td>2.56</td>
<td>0.45</td>
<td>0.18</td>
</tr>
<tr>
<td>Self-employed in agriculture</td>
<td>28,933</td>
<td>0.31</td>
<td>0.28</td>
<td>0.03</td>
</tr>
<tr>
<td>Total</td>
<td>66,720</td>
<td>0.73</td>
<td>0.46</td>
<td>0.07</td>
</tr>
<tr>
<td>Urban</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Self-employed</td>
<td>16,955</td>
<td>3.75</td>
<td>0.42</td>
<td>0.69</td>
</tr>
</tbody>
</table>

\(^3\) Self-employed in agriculture includes cultivation, fishing and other allied activities.

\(^4\) A substantial portion of income from ‘other’ includes rent, remittance, dividend, interest and others.
The data presented in the table for rural households reveals that out of all types of employment, the proportion of agricultural labourer households with a single female migrant are higher (0.66 percent), followed by self-employed households in non-agriculture activities (0.53 percent) in rural areas. The gender differences in the migration rate show that agricultural labour households with single female migrants are more likely to migrate (0.66 percent), relative to male migrant (0.44 percent) households. For households with more than one migrant member, the proportion of female households is higher than male migrant households across all occupational categories. However, the magnitude of difference seems to be higher in the case of agricultural labour households and self-employed households. With regard to the total migrant households, the proportion of female migrant households is higher for self-employed in non-agriculture and agricultural labourer households. A higher share of female migrants in the informally employed households implies that the incidence of poverty within a household pushes females to migrate. This finding is supported by the studies on agricultural labourer households (Gulati 1978) in Kerala, which showed that children’s nutritional status is closely linked to the mother’s earning rather than the father. Studies conducted in other Asian countries such as rural Thailand and Indonesia show that landless or poor families are more likely to send their daughters out to work, since for these families the daughter’s migration is essential if they are to generate income for the family (Pasuk 1982; Speare and Harris 1986).

The occupational desegregation of migrant households in respect of urban areas shows a different picture than in rural areas. For single migrant households, the propensity to migrate is higher for the salaried/wage earning class for both males and females. The share of households with a single male migrant is higher for the salaried/wage earning category (11.56 percent) followed by casual labourer and self-employed categories, which constitute 6.62 percent and 3.75 percent respectively. Likewise, the salaried households with single female migrants constitute the highest share (1.36 percent) followed by the casual labourer category (0.99 percent). Due to

<table>
<thead>
<tr>
<th>Salaried/wage labourer</th>
<th>17,985</th>
<th>11.56</th>
<th>1.36</th>
<th>1.29</th>
<th>0.76</th>
<th>48.00</th>
<th>46.87</th>
</tr>
</thead>
<tbody>
<tr>
<td>Casual labourer</td>
<td>5,119</td>
<td>6.62</td>
<td>0.99</td>
<td>0.94</td>
<td>0.42</td>
<td>27.64</td>
<td>27.10</td>
</tr>
<tr>
<td>Total</td>
<td>40,059</td>
<td>7.69</td>
<td>0.93</td>
<td>1.00</td>
<td>0.86</td>
<td>37.07</td>
<td>36.37</td>
</tr>
</tbody>
</table>

Source: Calculated from NSSO data
increased opportunities in urban areas, girls move out from their households at a young age to become economically independent, living on their own in cities so as to be able to send remittances home (Thadani and Todaro 1984).

Household poverty on one hand, and increased employment opportunities in urban areas on the other, both motivate females to migrate in search of employment. Fig-3 shows that most of the female households with single migrants belonging to poor and middle income groups migrate to urban areas in search of employment and also to work as wage labourers. This indicates that poverty is the dominating factor underlying the migration of single women households. With mechanisation and adoption of modern technologies in agriculture, females who are heavily concentrated in agriculture tend to lose their employment.

Fig-3: Single female migration rate for salaried/wage earning household in urban areas by MPCE, 2007/08

Source: Calculated from NSSO

Besides, employment opportunities for women exist in urban areas, such as low paid industrial jobs and jobs as domestic maids. Therefore, households tend to dispatch their female members to urban areas where they can access employment opportunities in order to support the family. In India, where the traditional norms have long discouraged independent female migration, the commercialisation of agriculture has coincided with a rise in rural-rural seasonal migration among women (Singh 1984).
Gender differences in the migration rate across occupational categories in urban areas shows that the share of female households with two or more migrants is higher for the self-employed category (1.13 percent) than for male migrant households (0.69 percent). The presence of a higher proportion of households with female migrants in the self-employed category may be due to the notion prevailing in many parts of India that women should not work outside unless driven by extreme conditions. However, they can be compelled to do some jobs because the husband’s income is insufficient to meet the growing family needs. At the same time it is also the duty of females to fulfill their domestic responsibilities. Hence, to meet the financial requirements of their families as well as to perform their domestic duties, females are compelled in self-employment activities. Case studies related to India show that families migrated in response to the presence of female oriented economic opportunities (as domestic servants, vegetable vendors, or flower vendors in front of temples) and that they are the primary or equal earners, as male employment is often irregular and uncertain (Premi 2001; Meher 1994). Hence, it can be said that women tend to lead the family migration process because of the relative ease with which they find employment. The other reason for pursuing self-employment is to give their children a better start in life, which is possible only when they migrate to a place where education and health care infrastructure facilities are well developed. A study by Kanaiapuni (2000) shows that women’s role in raising their children has always been paramount and that in general, women are in charge of educating their children. This indicates that unlike men, women’s mobility is linked more closely to the collective welfare of the family.

The above discussion suggests that macro level changes mediated through household economic factors influence female migration decision-making differently when compared to males within a household.

**Educational status of household members & migration**

It has been widely observed that education is positively related to migration. Higher educational attainments of individual members help households to earn more income, besides enhancing their social status. Since education is an individual level attribute, for the purpose of analysis the maximum educational attainments of the household members have been considered for understanding the migration decision-making process within a household.

Table-3 shows that with an increase in the educational levels of household members, the rate of migration also goes up for both for males and females. The only deviation is observed in respect of single female migrant households. The migration rate of single female migrant households is
higher for higher educational levels (1.57 percent) followed by illiterate households (1.41 percent) while it declines in respect of the educational levels in-between. The higher rate of single female migrant households from low educational groups indicates the survival strategy of the poor households for employment purpose, as the gender specific labour market provides them with enough scope (Fawcett et al. 1984).

Table-3: The percentage share of migrant households according to educational attainment of family members by gender (Excluding marriage & family moves), 2007/08

<table>
<thead>
<tr>
<th>Educational status of household members</th>
<th>Total Number of Households</th>
<th>Single migrant households</th>
<th>More than one migrant households</th>
<th>Total migrant households</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Only Male</td>
<td>Only Female</td>
<td>Only Male</td>
</tr>
<tr>
<td>Illiterate</td>
<td>11,482</td>
<td>2.46</td>
<td>1.41</td>
<td>0.09</td>
</tr>
<tr>
<td>Primary</td>
<td>29,569</td>
<td>3.67</td>
<td>0.98</td>
<td>0.20</td>
</tr>
<tr>
<td>Middle/Secondary</td>
<td>46,602</td>
<td>3.43</td>
<td>1.03</td>
<td>0.35</td>
</tr>
<tr>
<td>High secondary &amp; above</td>
<td>37,925</td>
<td>5.73</td>
<td>1.57</td>
<td>0.60</td>
</tr>
<tr>
<td>Total</td>
<td>1,25,578</td>
<td>3.97</td>
<td>1.20</td>
<td>0.35</td>
</tr>
</tbody>
</table>

Source: Calculated from NSSO data

With regard to all other types of households, the share of migrant households increases with an increase in the educational levels of household members. For total migrant households, there is no significant gender difference observed in the migration rate. A higher migration rate of females from highly educated households indicates that females migrate to other places with a view to improving the overall quality of life in the long run. Perhaps the new macroeconomic processes affect different categories of
women differently, depending upon their economic class\(^5\). Hence, it can be said that female migration can be attributed to economic reasons with respect to the poor households, and to better of quality life and upward social mobility in the case of higher educated groups.

The above discussion highlights the fact that single female migrant households are more vulnerable and poverty ridden. The presence of a higher proportion of single female migrant households is observed in respect of low economic group households. This indicates that independent mobility of women mostly takes place for ensuring the survival of their families. In the case of single migrant households, the male mobility rate is found to be higher than the female mobility rate across the socio-economic classes. On the other hand, with regard to other types of households, gender differences in the migration rate shows that female migration is on par with male migration across socio-economic groups, and in some instances even higher than males.

All these findings suggest that women migrate in order to become the main economic providers of the household in many instances, especially in the poor socio-economic context. Similarly, females from better off socio-economic background also migrate for the overall enhancement of the socio-economic status of their households, like males, to a large extent.

**Gender differences in determinants of intra-household migration**

In order to understand the gender differences in migration within a household and the major factors influencing it, a logistic regression model is applied. This model predicts the log of odds of female to male migration rates (the magnitude greater than one) vs. female to male migration rates (the magnitude less than one), which is a function of various intra-household socio-economic and demographic variables.

\(^5\) Poor marginalised women are compelled to join the informal sector for ensuring the survival of their families. For middle class women, finding employment in the formal sector becomes a must to maintain a minimum middle class standard of living. The upper middle class women are also drawn in to the labour market by an inner urge to do something creative and to prove their worth (Singh 2007).
Table 4: Logistic regression analysis predicting the likelihood of female to male migration rate in the context of intra-household dynamics (Outside marriage and family moves), 2007-08

<table>
<thead>
<tr>
<th>Ratio of female migration rate to male migration rate</th>
<th>Odds Ratio</th>
<th>Std. Err.</th>
<th>z</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Economic variables</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Poverty (Poorest)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Poor</td>
<td>0.819*</td>
<td>0.099</td>
<td>-1.65</td>
</tr>
<tr>
<td>Middle</td>
<td>0.802**</td>
<td>0.093</td>
<td>-1.9</td>
</tr>
<tr>
<td>Richer</td>
<td>0.695***</td>
<td>0.080</td>
<td>-3.15</td>
</tr>
<tr>
<td>Richest</td>
<td>0.604***</td>
<td>0.072</td>
<td>-4.21</td>
</tr>
<tr>
<td>Employment(labourers)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Service</td>
<td>0.765***</td>
<td>0.057</td>
<td>-3.59</td>
</tr>
<tr>
<td>Cultivators</td>
<td>1.455***</td>
<td>0.128</td>
<td>4.24</td>
</tr>
<tr>
<td>Petty traders &amp; worker</td>
<td>0.718***</td>
<td>0.054</td>
<td>-4.4</td>
</tr>
<tr>
<td><strong>Demographic variables</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>HHSIZE</td>
<td>0.939</td>
<td>0.038</td>
<td>-1.58</td>
</tr>
<tr>
<td>HHSIZE square</td>
<td>1.010**</td>
<td>0.003</td>
<td>2.17</td>
</tr>
<tr>
<td>Children Under age 5</td>
<td>0.690***</td>
<td>0.035</td>
<td>-7.37</td>
</tr>
<tr>
<td>Aged (60+)</td>
<td>2.113***</td>
<td>0.119</td>
<td>13.25</td>
</tr>
<tr>
<td>Sex ratio</td>
<td>0.240***</td>
<td>0.008</td>
<td>-43.89</td>
</tr>
<tr>
<td><strong>Socio-Cultural variables</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Caste(Others)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ST</td>
<td>1.118</td>
<td>0.105</td>
<td>1.19</td>
</tr>
<tr>
<td>SC</td>
<td>1.040</td>
<td>0.080</td>
<td>0.51</td>
</tr>
</tbody>
</table>
The effect of MPCE on migration shows that the odds of migration are lower than the reference category (Poorest) for households, where female migration is higher than male migration. This implies that females from poorer households are more likely to migrate than males from the same household. Thus, household poverty is a major predictor of female migration decision making. This finding can be linked to the studies on gender and migration showing that in the case of poor households, the economic responsibility of females in terms of childcare and meeting basic household needs is higher than males. Hence, it can be said that income variance of a household increases the probability of migration to a relatively higher degree for females.

For the multivariate analysis, the occupational status of households is divided into four categories, including service (includes technician/professional/ clerical and other related work), cultivator, petty trader and labourer (agricultural and other labourers) for analysis. We have considered labourer as classified by NSSO as a reference category in the analysis. After controlling for other factors, compared to households

<p>| | | | |</p>
<table>
<thead>
<tr>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>OBC</td>
<td>1.097*</td>
<td>0.062</td>
<td>1.62</td>
</tr>
<tr>
<td>Religion(Hindu)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Muslim</td>
<td>1.046</td>
<td>0.085</td>
<td>0.55</td>
</tr>
<tr>
<td>Others</td>
<td>1.122</td>
<td>0.097</td>
<td>1.33</td>
</tr>
<tr>
<td>Educational attainment of household members (Illiterate)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Primary</td>
<td>0.993</td>
<td>0.148</td>
<td>-0.05</td>
</tr>
<tr>
<td>Secondary</td>
<td>0.968</td>
<td>0.141</td>
<td>-0.23</td>
</tr>
<tr>
<td>Higher Secondary &amp; above</td>
<td>0.996</td>
<td>0.151</td>
<td>-0.03</td>
</tr>
<tr>
<td>N</td>
<td>11370</td>
<td></td>
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<tr>
<td>LR chi2(20)</td>
<td>3321.28***</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pseudo R2</td>
<td>0.242</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*p< 0.1, **p< 0.05, ***p< 0.01

Source: Estimated from NSSO
belonging to the labourer class (reference category), the odds of migration are lower for females belonging to the service and petty worker categories. Higher odds of female migration relative to males in the labourer household category indicates that the role of women as the major economic providers of the households and the uncertainty of regular income flow motivate them to migrate.

The odds of migration for females are found to have increased by 1.45 times in respect of the cultivator household category. It would be logical to argue that the decision of a household regarding a particular occupation depends upon the relative income level of the family and other responsibilities. Although cultivators do not belong to the poorest group, in view of an uncertain income flow from agriculture on the one hand, and mechanisation of agriculture on the other, females are pushed out of agriculture, thereby increasing their migration rate.

Demographic factors such as family size, presence of small children, elder (aged60+), and the gender composition of the households have been analysed to locate the gender differences in the migration decision making at the intra-household level.

A positive and significant impact of household size squared on the odds of migration is observed from the analysis. This result is consistent with the new economic migration theory, that it is plausible for a household with a large family size to encourage migration by providing a diversified source of income and, hence, controlling for the level of risk. For females, large households can provide substitutes in terms of managing household tasks. Studies related to family size and migration in Asian and Latin American countries show that the larger the size of a family, the greater is the push for females (rather than males) to migrate. While sons are needed for the family agricultural activities, daughters are often viewed as additional mouths to feed, and hence their migration is encouraged (Findlay and Diall 1993).

The presence of dependents in a household increases the odds of migration for females compared to males, whereas, women who have children less than 5 years old are less likely to migrate. To take care of dependent children, females tend to move less often relative to males. Studies show that married women with higher numbers of children are less likely to migrate, since they rarely leave their children with their families to share the child rearing responsibilities (Brown 1983; Sinha 1975).

The gender composition of households shows that the presence of an additional female member in a household lowers the odds of female migration compared to male. It is likely that households with greater numbers of female members get marginalised and may not able to bear the
migration cost, which deters their migration propensity. A cross classification of MPCE and sex-ratio of households shows that around 30 percent of households belong to the poorest class where female members are high, whereas the figure is 15 percent in those households where the sex-ratio is low (NSS 2007/08).

The odds of migration are higher for females belonging to the OBC category compared to males. This shows that caste as an economic as well as a social constraint pushes females into migration to a larger extent than males. However, other socio-cultural variables do not have any impact on their migration.

Moreover, the findings of the multivariate analysis show that in a poorer economic set up, the economic role and responsibilities of females are greater than those of males and hence, the risk of poverty is higher for females than for males. The macro level economic changes create a substantial income risk for females which influences their risk aversion behaviour. The intra-household gender based division of labour and responsibilities thus shape the propensity of females to migrate differently to males.

**Conclusion**

This present study provides an economic explanation of the gender differences underlying the migration decision-making process within a household framework. It highlights that female migration outside marriage and associated movement is basically a response to the socio-economic status of a given family. Women recourse to migration as a practical strategy in order to cope with household vulnerabilities, minimise the income risk and improve the economic status of the family. This tendency is found to be higher in the case of single female migrant households. However, gender differences in the migration rate of single migrant households show that the socio-cultural norms do not favour the free mobility of single females as they do in the case of males. However, with respect to the all other household categories consisting of more than one migrant, households with female migrants show a higher migration tendency than male migrant households.

The results of the logistic regression model elicit the role of household socio-economic factors in determining the female migration decision making at the intra-household level. The findings illustrate that females from low economic classes, low social groups as well as those engaged in informal employment migrate disproportionately at a higher rate than males from the same household. This implies that the relative differential in the risk of migration is higher for a female than that of a male in poorer households.
To take care of the family needs and to cope with household income risk most females decide on migration as a livelihood strategy for the family as a whole. This implies that it is the economic compulsion within the household that mainly drives the migration of households that have female members.

What emerges from the overall discussion is that women play a major role in the -household migration process in terms of ensuring the economic stability of their families. While linking gender with household migration, it is observed that the degree of influence of household factors on risk minimisation and the migration decision making of females is higher than for males. This paper, thus, brings out the importance of gender in the household migration decision making model, as it reveals sometimes striking differences in the determinants of migration, i.e. the influence of household risk factors for both men and women. Higher migration rates of females relative to males in certain household factors may also prompt one to think about changing the gender role of females in a household.

References


Gender and intra-household migration decision in India, Mahapatro


**Appendix-I: Summary Statistics of variables used in the Regression Model**

<table>
<thead>
<tr>
<th>Variable</th>
<th>Observation</th>
<th>Mean</th>
<th>Std. dev</th>
<th>Min</th>
<th>Max</th>
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<tbody>
<tr>
<td><strong>Economic Variables</strong></td>
<td></td>
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<tr>
<td>MPCE</td>
<td>125578</td>
<td>4182.14</td>
<td>3459.83</td>
<td>54</td>
<td>19582</td>
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<td>Service</td>
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<td>0.26</td>
<td>0.44</td>
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</tr>
<tr>
<td>Cultivator/fishery</td>
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<td>0.44</td>
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<td>1</td>
</tr>
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<td>Petty trader/worker</td>
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<td>Labourer</td>
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<td><strong>Demographic Variables</strong></td>
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<tr>
<td>Household size</td>
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<td>Household size square</td>
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<td>26.21</td>
<td>30.58</td>
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<td>1156</td>
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<td>Children under age 5</td>
<td>125578</td>
<td>0.34</td>
<td>0.47</td>
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<td>Aged 60+</td>
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<td>0.45</td>
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<td></td>
<td></td>
</tr>
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<td>General/Others</td>
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<td>0.47</td>
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<td>0.46</td>
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<tr>
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</tr>
<tr>
<td>Hindu</td>
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<td>Muslim</td>
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<td>Other religion</td>
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<td>Illiterate</td>
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<td>0.29</td>
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</table>
**Gender and intra-household migration decision in India, Mahapatro**

<table>
<thead>
<tr>
<th>Primary</th>
<th>125578</th>
<th>0.24</th>
<th>0.42</th>
<th>0</th>
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<tbody>
<tr>
<td>Middle/Secondary</td>
<td>125578</td>
<td>0.37</td>
<td>0.48</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Higher secondary &amp; above</td>
<td>125578</td>
<td>0.30</td>
<td>0.46</td>
<td>0</td>
<td>1</td>
</tr>
</tbody>
</table>

Source: Calculated from NSSO data
Gender and New Reproductive Technologies in Slovenia

MARINA VRHOVAC
University of Ljubljana, Slovenia

Abstract
The main topic of this paper is the availability of assisted fertilization technologies (AI, IVF etc.) in Slovenia. The paper focuses on the rule of law, which permits the use of these technologies only for women from heterosexual couples, which means that it discriminates against all other women, who do not have the right to use the technologies under the law (single heterosexual women, disabled women and homosexual women). This paper discusses the emergence of single women as a gender with specific properties, which would “justify” the legal limitations of access to artificial insemination. The gender of single women is a construct of political and public discourse, constructed by the Slovenian media in the time before the referendum on the bio-medically assisted procreation, when the law on infertility treatment and bio-medically assisted procreation procedures and the amendments to this law were being shaped. This paper also analyses gender roles, talking about women - mothers, patriarchal political authorities and society, the right of choice, and the body as a field of political discourse. Finally, it includes critical analysis of political and public discourse.

Keywords
Reproductive technologies, the law, gender, single women, politics, society

Introduction
New reproductive technologies\(^1\) that help cure infertility are changing the image of the human reproduction and redefining people’s relations towards sexuality, gender, parenting, family and children. We live in a time in which sex without reproduction is tolerated and reproduction without sexual contact is possible and socially acceptable in most Western countries. Human reproduction is a very broad concept which encompasses social practices, experiences and structures that have an impact on individuals, the community and social reproduction. Social reproduction is associated with kinship systems and it does not represent only biological reproduction but also reproduction of social statuses, institutions and relations. Across the globe, different cultures have different attitudes towards the new reproductive technologies. When speaking about the reproductive revolution, John A. Robertson considers four aspects: (1) contraception and abortion; (2) treating infertility; (3) controlling the quality of offspring; and

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\(^1\) NRTs include various methods and medications that can help men and women to prevent pregnancy (for example: oral contraceptives, diaphragms, condoms, vaccinations, etc.) as well as techniques that help women conceive (assisted reproduction). Assisted reproductive technologies (ARTs) or bio-medically assisted procreation procedures (BMAPPs) that are allowed in Slovenia are presented in the Law on infertility treatment and bio-medically assisted procreation procedures. This paper focuses particularly on the BMAPPs.
(4) using reproductive capacity for nonreproductive ends (1994: 6). Each of these technologies presents its own variation and requires separate scrutiny. This paper highlights and discusses treatment of infertility.

In Slovenian society, the nuclear family is the most common form of family. Usually, it is composed of both (heterosexual) parents and the child or children. The parents tend to be both biological and social parents. This type of family is the most socially acceptable form of family and symbolises the essence of a stable social order (Skušek 1996: 135). However, these deep-rooted social rules for family were challenged in the 1980s by advanced medical technology. Louise Brown, born on 25 July 1978, was the first human to have been born after conception by in vitro fertilisation (IVF). Her birth has been described as the beginning of a new era in the treatment of infertility (Simon 1997: 11). Fertilization outside the body (i.e., IVF) and embryo transfer (ET) give also infertile women the possibility to conceive and to give birth. Otherwise, their only alternative would be an adoption of a child (Virant - Klun 2002: 99). The development of NRTs has had an important impact on the relations between the sexes, on the definitions of parenthood, motherhood, progeny, heredity, on relation to the body, etc. Also, the state apparatus of the so-called modern era had to redefine certain concepts, such as paternity, maternity, succession and inheritance. These developments also gave rise to questions regarding bio-genetic and social parenthood as well as discussions on the dichotomy between nature and culture. The decision on whether to have children or not could be no longer dependent on the actual biological ability to have children, but on the individual’s will and technical science.

People all over the world have different reactions to the phenomenon of ARTs and their opinions on the matter tends to reflect their perception of tradition, modernity, the natural, the artificial, body and motherhood. Fourteen years ago, Slovenia has proved that it is not yet ready for the rapid development of the NRTs. It has, among other things, demonstrated its intolerance towards different families and that all women do not have equal rights before the law. Zalka Drglin (2002: 96–97) wrote:

The problematisation of the law presents a recognition of individual curtailment of rights of concrete women, but also a wider deliberation about ‘woman – mother’. Similarly, a few years ago the possibility of the right to abortion becoming more stringently restricted did not present only a threat to already obtained rights for individuals – it was possible to understand it as an important indicator of the fragility of women’s rights and as a problem regarding different conceptions of ‘women’ in general. The essential point that is common to the right to abortion and the right to assistance in the biomedical insemination is the right of every woman to
decide about her own body (and thus also about her way of life, her own no-procreation, her own pleasure, taking responsibility for her decisions, etc.).

This paper explores the impact of NRTs on the shaping of the meaning of gender and sexuality. It reviews the Slovenian law on infertility treatment and bio-medically assisted procreation procedures, the attempt to change the law and the referendum. The main question that this paper addresses is why certain healthy and fertile women have the right to assisted fertilization procedures and others do not. To help answer this question, an analysis of the 5th and the 7th session of the national assembly of the Republic of Slovenia has been carried out. We have analysed the arguments of the members of parliament (MPs), who were against the amendment of the law, and how they rejected the principle of equality before the law, which is one of the fundamental constitutional rights. The paper presents arguments on why this law is discriminatory and restrictive and describes the social construction of the single woman gender.

Slovenian law on Infertility Treatment

The law on infertility treatment and bio-medically assisted procreation procedures in Official Gazette of the Republic of Slovenia, n. 70/00 was adopted in 2000 and is still valid. It “regulates health measures that help a woman and a man conceive a child and therefore enables them to exercise the freedom of choice in deciding on the birth of their children” (Article 1). The infertility treatment is separated from the bio-medically assisted procreation procedures (BMAPPs). Treatment is “the determination of the causes for infertility or reduced fertility and eliminating these causes with professional counselling, medications or surgical interventions” (Article 3). BMAPPs are “procedures for inseminating a woman, which are performed with the help of bio-medical science with the intention of conceiving in a manner other than sexual intercourse” (Article 4). BMAPPs can take place inside the woman’s body (a transfer of sperm or sperm and eggs) and outside the woman’s body (IVF, ET) (Article 4). Under this law, only heterosexual couples – a man and a woman, who live in a marital or extramarital union – are entitled to BMAPPs (Article 5). Surrogate motherhood is prohibited (Article 7) as well as the donation of male and female gametes simultaneously (Article 8), so the donation of embryos is not allowed (Article 13). Maternity and paternity for the children, who are conceived by

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2 This paper specifically focuses on single women.
3 Law on Infertility Treatment and Bio-Medically Assisted Procreation Procedures, Official Gazette of the Republic of Slovenia, n. 70/00.
4 The conditions for extramarital union are given in its definition: longer period, a man and a woman, no reasons suggesting the invalidity of a marriage (provided that it was concluded). Therefore, under marriage regulations, extramarital union is equal to marriage as concerns the rights and obligations of partners.
BMAPPs, are governed by Article 41 and Article 42. The mother of the child is always the woman, who gave birth to the child, even though the child was conceived with the donor egg. The father is always the mother’s husband or partner, even though the child was conceived by the donor sperm. In both cases, testing the biological maternity and paternity is not allowed. In exceptional health conditions, the child will have access to important health data of the donor (Zupančič et al. 2000: 496). The woman can receive only one donor cell, which means that at least one of the parents must be a biological parent. This enables the preservation of a biological connection between parents and children (Zaviršek 2008: 107). The law therefore preserves genetic inheritance and similarity between relatives.

**Restrictive Provisions of the Law**

The existing law is discriminatory because it does not treat all women equally. It prohibits the use of BMAP procedures for women who do not live in a legal marital or extramarital union - these are namely single women and women in homosexual relationships. Article 55 of the Constitution of the Republic of Slovenia specifies that everyone is free to decide whether to bear children. The state has to guarantee the possibilities for exercising this freedom and create conditions, which enable parents to decide whether to bear children. The basic human right to decide freely and responsibly on the birth of one’s own children means that a person is free to decide whether to have children, when and how many. The rights that stem from this freedom are the right to discover and treat reduced fertility or infertility, the right to prevent conception, and the right to artificial abortion for women. Article 14 of the Constitution also specifies that all citizens of Slovenia are guaranteed equal human rights and fundamental freedoms irrespective of national origin, race, sex, language, religion, political or other convictions, material standing, birth, education, social status, disability or any other personal circumstances. All are equal before the law. The law is restrictive; certain provisions even prevent its implementation. Among other things, it stipulates that fertilization with simultaneous use of donated male and female gametes is not allowed. This provision prevents access to BMAPPs for couples, where both partners are infertile. In this case, male and female gametes are selected from the gamete bank and are used for fertilization outside the woman’s body (IVF) or inside the body (intrauterine insemination - IUI). The Slovenian legislators want to ensure that the procedure of assisted reproduction guarantees that the child is a genetic

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5Law on Infertility Treatment and Bio-Medically Assisted Procreation Procedures, Official Gazette of the Republic of Slovenia, n. 70/00.

offspring of at least one of the individuals of the couple that is being treated (Mickovik and Kochkovska 2013: 11).

The law also introduced a mandatory permission of the State Commission for BMAP for each individual donor process. Such an arrangement means that the Commission should meet for each individual donor case and approve it (or not). Another restrictive provision stipulates that the medical doctor shall verify whether the donor is still alive before transferring donor gametes or embryo in the woman’s body. In the case of donor gametes from abroad, it is almost impossible to verify if the donor is alive in that moment. With this provision the import of donor gametes is practically prevented.

An Attempt to Change the Law

In the fall of 2000, a group of MPs and members of the political party LDS filed a proposal to amend the law on infertility treatment and bio-medically assisted procreation procedures, which was discussed by the National Assembly in the spring of 2001. Thus, women’s rights have once again become the subject of debates among party members and the public. Although the potential changes would affect a small group of citizens, discussions have been tumultuous. Proposed amendments to the law were considered at the 5th session of the National Assembly, which took place on 18 and 19 April 2001. Supporters of the amendments have insisted on the right to equal treatment for all women. An MP of the political party, ZLSD, explained that denying single fertile women the right to assisted fertilization is pretended ignorance since this same right is acknowledged and guaranteed for a married fertile woman, who only has to solve the infertility of her partner. “Where is the respected autonomy and the equality of a woman? If the woman is single, she does not have these rights. As soon as a man steps in the picture, she has these rights guaranteed” (transcript of session of the National Assembly, 5th session, 18 April 2001). At the time of the adoption of the law on infertility treatment and bio-medically assisted procreation procedures and the attempts to change the law, which led to a referendum. Two political currents were thus formed. Each tried to assert its

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7 As in nature, conception by a dead person is not possible, (conscious) posthumous use of gametes is not allowed (Zupan et al. 2000: 496). It is forbidden to conduct BMAP procedures with gametes or with early embryos in the woman’s body when the donor is no longer alive. Before inserting the gametes of the donor or the early embryo that was created with the help of donated gametes, the doctor must determine whether the donor is still alive. See: Article 28 of Law on Infertility Treatment and Bio-Medically Assisted Procreation Procedures, Official Gazette of the Republic of Slovenia, n. 70/00

8 The right to medical assistance in the treatment of infertility had all women from year 1977 until year 2000. In the past twenty years there were at least fifty single women who were artificially fertilised. According to the Institute of public health of the Republic of Slovenia in year 1998 of one hundred and twenty nine reported cases, only eighteen were artificially fertilised (www.dz-rs.si, 5th session, 18 April 2001).

9 Transcript of session of the National Assembly, 5th session, 18 April 2001, www.dz-rs.si
position with more or less ideological and cogent arguments. Two politically oriented models were formed with different points of view and arguments:

*The (neo)conservative model*
This model defends the concept of a traditional nuclear family, and covers some of the views of the Roman Catholic Church. NRTs are allowed only in treating the opposite-sex couple and if they don't break biological family ties. This model focuses primarily on the future child and stands for the health and benefits of the child. It is based on tradition and the natural order of family ties.

*Conditionally liberal model*
This model supports the plurality of family forms, equality before the law and does not interfere with the intimate and private sphere of life. It does, however, demand a strict control over the NRTs and defends human rights. It stands in favour of the ‘liberated’ modern woman.

Political parties of the opposition presented the arguments of the (neo)conservative model. These parties were SDS (Slovenian Democratic Party), NSi (New Slovenia – Cristian People’s Party), SNS (Slovenian National Party), and SMS (Youth Party). Political party SLS-SKD (Slovenian People’s Party-Slovenian Christian Democrats) was a member of the coalition in power but it nevertheless opposed to the amendments of the law. The coalition in power that presented the arguments of conditionally liberal model was composed of the following parties: LDS (Liberal Democracy of Slovenia), ZLSD (United List of Social Democrats), and DeSUS (Democratic Party of Pensioners of Slovenia). It turned out, however, that both political factions used the same stereotypes and similar ideological restrictions in the parliamentary debate as well as in the public debate. Answering the question whether the new, amended law would also allow homosexual women the use of assisted fertilization, an MP of LDS party stated in an interview that the State Commission for BMAP will also check sexual orientation of candidates. He added that the mechanisms of control will probably not allow the use of BMAP procedures to homosexual women (Newspaper Večer, 9 May 2001, p. 5). Another example is the statement of the Health Minister, which he responded with the idea that the amended law will destroy the healthy family in our society. He explained that the family is not to be jeopardized, that it will continue to exist in its current form because heterosexual relationships will continue to exist, as well as (heterosexual) love and all things related. “The amendments do not concern the family; they refer to the minority, in which people did not create
a family” (LDS Party, 7th session, 3 May 2001). With these words, the Minister defined family as a union of heterosexual relations.

Arguments against Changing the Law

Arguments of the opponents of the amendments have frequently crossed the limits of tolerance. Certain statements of MPs have indicated, among others, that single women and women without a male partner are not fit to be mothers, that they are stupid because they do not know how to find a man and that they are exploitative as the assisted fertilization (of healthy women as well) would be charged to the State budget. Other statements of certain MPs were discriminatory against people, who do not fit in the frame of traditional social norms. Such statements included arguments regarding different types of families and lifestyles. The concept of a ‘complete, healthy family’ was frequently brought up and the statements conveyed fear that adopting the amendments could increase the possibility of interfering with other laws concerning childcare and family in the future. In a way, the MPs were trying to preserve the legitimised discrimination by gender, sexuality and lifestyle with their ideological statements. Let us look at some of the statements of the MPs that support my argument.

I believe that each individual has to carry at least so much responsibility for the selection of a lifestyle as to accept all the consequences that the selected lifestyle entails. Living with a same-sex partner or being single doesn’t bring offspring (MP, SMS party, 5th session, 18 April 2001).

This amending law is the first step towards the recognition of adoption rights for homosexual partners. This is not the European norm. The European norm is a healthy family. In the Slovenian National Party we believe in a child, conceived by a woman and a man. /…/ And what is more, a child is not a psychiatrist, therefore the frustrated specimens should not take a ‘child a la carte’ as their therapy (MP, SNS party, 5th session, 18 April 2001).

Opponents of the amendments defined family as a heterosexual couple with children. According to them, this model of family, a marital- or extramarital union, should represent the ideal form for raising a child and consequently the entire society. In other cases, a child would only represent an object. The ‘imperfect’ family was defined as a single parent family. The concept of a nuclear, heterosexual and patriarchal family reflects an arrangement of gender roles and sexual roles that allow new centres of power which promote the ideology of national identity and the nation state, to coincide clearly and without disturbance (Velikonja 1999: 149).

10 Transcript of session of the National Assembly, 7th session, 3 May 2001, www.dz-rs.si
11 Adoption of children by same-sex couples.
12 Transcript of session of the same-sex couple, 5th session, 18 April 2001, www.dz-rs.si
13 Ibid.
I think that for a healthy development of our society we cannot continue with the abandonment of the family as the basic cell of society, as we were taught at school in the old days. It is important for our nation and country to support the family, whether the partners are married or not (MP, NSi party, 5th session, 18 April 2001)\textsuperscript{14}.

It is a fact that we have a growing number of single parent families. However, I ask myself why the state should contribute to the growth of incomplete, imperfect single parent families with its own laws. /.../ A child becomes an instrument for achieving a particular goal. It becomes an object, used for the treatment of personal trauma or any kind of aversions (MP, NSi party, 5th session, 18 April 2001)\textsuperscript{15}.

MPs, who were against the amendments, defended the rights of the child. In their statements, they indicated the child’s right to both parents and the legal equality of all children. They mentioned the United Nations Convention of the Rights of the Child to argue that a child has a right to know their (biological) parents who should take care of them.\textsuperscript{16} They went as far as to put the rights of an unborn or even a not yet conceived child (the abstract concept of a child) before the rights of an adult woman to decide about her own body. In Slovenia, the right to decide on one’s own body surpasses the right of a fetus since abortion is legal. Nevertheless, we must understand that the discourse, led by the MPs, was about the rights of children, even children that did not exist and that the MPs did not want them to exist. However, single women do exist and they demand the same rights as women in opposite-sex relationships. In a democratic society all women should have equal rights.

Another argument of the opponents of the bio-medically assisted procreation procedures for single women and consequently of single parents was that on average, women have a lower economic status than men.

If we’re speaking about a complete and perfect family with a mother and a father, then it’s clear that the economic position of the family is twice better. If the father is missing, the situation is 50 % worse (MP, NSi party, 5th session, 19 April 2001)\textsuperscript{17}.

Other important issue in public discourse was also the import of gametes. The fear of mixing races was exposed with the support of racist arguments. The import of gametes was considered controversial mainly due to racial

\textsuperscript{14} Transcript of session of the National Assembly, 5th session, 18 April 2001, www.dz-rs.si
\textsuperscript{15} Ibid.
\textsuperscript{16} Convention of the Rights of the Child, 2 September 1990.
\textsuperscript{17} Transcript of session of the National Assembly, 5th session, 19 April 2001, www.dz-rs.si
connotations. Many people, including MPs and medical doctors, did not avoid such and similar comments:

It has been said that the donors will be mostly from abroad. This can lead to exotic outcomes; we will have Asians and blacks. What about the condemnation of the child in the environment where this child will be born and the frustration of the child when he/she will learn how he/she was conceived? (MP, SLS-SKD party, 5th session, 19 April 2001)\(^\text{18}\)

Although the opposition was strongly against the amendments to the law, the amending Act on infertility treatment and bio-medically assisted procreation procedures has been fully adopted in the 5th session on 19 April 2001.

**Referendum**

The amending Act had a strong opposition in the members of the Faculty of Theology in Ljubljana University. One of their students launched a campaign for the referendum. All the political parties that opposed the amendments (SDS, Nsi, SNS, SMS in SLS-SKD)\(^\text{19}\) joined him and filed a request for a referendum.

The collection of signatures for the referendum was, so to speak, aggressive because voters in all administrative units across the country were offered to fill out forms with the inscription: ‘against biomedical insemination of healthy women without a male partner’. We know, however, that the amending act didn’t just cover access to BMAPPs for single healthy women, but it also regulated many other rights, which were forced into the background. The focus was thus on the single woman and her ‘controversial’ right to medically assisted procreation procedures, which was persecuted all over Slovenia.

The referendum was held on 17 June 2001. Only a small percentage of voters took part in the referendum that day (35.66%) with 72.36% of them against the amending Act.\(^\text{20}\) The amending Act was thus rejected. Since then, the legalised discrimination enabled by the law on infertility treatment and bio-medically assisted procreation procedures, is no longer a political question. This discriminatory legislative provision is thus slowly but certainly becoming self-evident and legitimate (Mencin Čeplak 2005: 121).

At first glance, it may seem that the referendum question did in fact concern

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\(^{18}\) Transcript of session of the National Assembly, 5th session, 19 April 2001, www.dz-rs.si

\(^{19}\) See p. 4-5

\(^{20}\) The official reports on the outcome of referendum on the amending act on infertility treatment and bio-medically assisted procreation procedures (www.uradni-list.si)
only single women but this impression is wrong. It concerned Article 55 of the Constitution and it concerned the right of choice.

The Construction of the Single Woman Gender

At the time of the adoption of the amending Act on infertility treatment and bio-medically assisted procreation procedures a single woman gender has been constructed. This chapter discusses specific properties that supposedly justify the legal inaccessibility to artificial insemination. The concept of gender was first introduced by psychologists in the 1930s (Oakley 1997) but it was not until after the publication of Oakley’s Sex, Gender and Society in 1972 that it became more widely used in social sciences (ibid.: 34). Since then, the gender concept formed the core of feminist ideology and was their ‘essential political tool’ (ibid.: 51). The term gender, as it is used in the theory of feminism, is a complex and controversial concept. It is best understood as a category, which was developed for the exploration of what is considered to be a ‘woman’ and a ‘man’. Toril Moi (1997: 247) has written:

> Among many feminists it has long been established that ‘feminine’ (and ‘masculine’) are used as social constructs (patterns of sexuality and behaviour, imposed by cultural and social norms), and that ‘female’ and ‘male’ are expressions, reserved for the purely biological aspects of sexual differences. Thus in this usage ‘feminine’ represents nurture and ‘female’ represents nature. ‘Femininity’ is a cultural construct: one isn’t born a woman; one becomes one, as Simone de Beauvoir puts it.

Therefore, we ask ourselves, what is the social gender of single women in our context? To answer this question, we must highlight the role of a woman in Slovenian society. Social roles are based on a gender model that identifies women with motherhood and men with fatherhood. In the age of new reproductive technologies, however, concepts like kinship, paternity or parental roles are not natural givens but are subject to choice. Slovenia has a strong Christian tradition and the idea of motherhood is shaped by the Catholic theology. In the contemporary Slovenian society, the woman is still subjected to Catholic values. Primarily, her role is to be a ‘good wife’ and mother. The man has the social role of a husband and a father in the family. With the pluralisation of family types, where the ‘father’ is not present (single mothers, lesbian families), a question arises as to whether families need fathers and what the role of the father is. This is extremely important for the overall discourse on the amending Act and for the referendum. It has been traditionally believed that the perfect family environment for a child is a heterosexual union, with at least one genetic parent. Single households are believed to be imperfect and they should not be propagandised. In this context, a single woman is not fit to be a mother because she does not have a husband at her side.
People are embedded in kinship systems that denote institutionalised heteronormativity. Family constructs the identity of its members (Oakley 2000: 79). When a person is defined as a member of a family, he/she is automatically given a social identity: man-husband-father, woman-wife-mother-housewife and child-son/daughter (ibid.). Every culture has different ways of establishing gender, with different norms for masculinity and femininity. Gender roles that are associated with the traditional family do not clash only with public ideals of equal rights and resources, but also with the liberal understanding of the conditions and the values of the private life (Kymlicka 2005: 559).

As we already mentioned above, politicians, who were against amending the law, described single women (and women without a male partner) as unfit to be mothers, stupid, because they do not know how to find a man, and exploitative since the assisted fertilization of women, including healthy women, would be charged to the State budget. In the backgrounds of the political and public scene, there was always a presence of heteronormativity. One good example of this is a proposition on how to measure infertility. Trying to determine how to define whether a woman is fertile or not, medical science proposed the method of sexual intercourse. Sexual intercourse is a form of a social relationship and it is still believed that sexual needs are fulfilled only in a heterosexual relation. According to the law on infertility treatment and BMAPPs, every woman has a right to infertility treatment, but how can we ascertain infertility when it comes to single women? It is assumed that a single woman does not have sexual intercourses; therefore it is not possible to ascertain her infertility (Keržan 2004: 51). Of course, a single woman can have regular sexual intercourses, hetero- or homosexual, but - and this is the heart of the matter - these are sexual relations that do not fall into the category of acceptable sexuality (ibid.: 52). Sex is a biological need and biological needs are satisfied in a cultural manner. A dichotomy between natural and controlled reproduction is not possible; all the so called natural biological reproduction takes place in specific social, political and economic contexts, which construct it (Yuval-Davis 1997: 26). It is not possible to practice sexuality outside the social standards. We can also say that sexual intercourse is a form of a social relationship.

Heterosexuality is deeply embedded in accounts of social and political participation. It is the basis of the institution of marriage and thus also the popular understanding of what constitutes a family (Collier 1999: 39). In our case, heterosexuality was not recognised and problematised. The themes that permeated the public discussion in the Slovenian parliament and media were the ideology of family as a place to raise children, different types of family, and the ethnically problematic right of single, lesbian and disabled women to assisted fertilisation procedures. However, the heterosexual norm, as a way of
life was not highlighted. The broader heterosexual framework of family law and social policy in Slovenia thus remains unspoken and is taken for granted (ibid.). That, which is taken for granted and is self-evident, becomes the only ‘true’ way of life and everything else becomes ‘controversial’.

The single woman in our discourse is also having difficulties with respectability. One of the highlights of the creation of identity markers is the development of European nationalisms from the 18th century onwards (Velikonja 1999: 137). The essential role in this development belonged to the rules of social decency, which are nowadays considered self-evident and perceived as moral norms, criteria of decency and conventional standards of behaviour. The ideals of femininity in European history were constructed on the basis of the symbols of nation (ibid.). We can interpret that the woman is responsible for the survival of her nation. However, only the decent, respected woman, corresponding to the social norms, because she is also responsible for the preservation of the national social decency. The fact that only a woman, who is in a relationship with a man, is entitled to BMAP procedures, is a national norm and the interest of the nation state.

An analysis of the discourse on single women has shown that the social status of being single is stigmatized. The arguments of MPs presented single women as sick, because they successfully run their own life; they were depicted as in need of psychiatric help, because they choose to have a child instead of a man. Single status of women is thus seen as a consequence of the fact that they have not yet found someone to integrate them in a relationship, which would lead to a family. Modern, ‘partially’ emancipated women in Slovenian society can today only be subordinated through the reproductive technologies. This could be one reason why the debates about the rights of single women to BMAPPs were so tumultuous. As women emancipate themselves, they also take up new roles, which change the roles of men. Nowadays a male, who aspires to be a man, does not need to protect, procreate and provide. In Western countries male social roles are no longer exclusively male and female social roles are no longer exclusively female. This means we are getting more and more equal in practice as well.

Body and New Reproductive Technologies

The primary ‘object’ of reproductive technologies is a woman and her body. A man merely has to provide sperm through masturbation while the woman faces major intrusions into her body. Because there are inevitable inequalities in the distribution of reproductive burdens, the woman (and her body) is subordinated to the reproductive technologies, which are in the

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21 See also George L. Mosse, Nationalism and sexuality.
22 Three common imperatives of a man by anthropologist David D. Gilmore
hands of the medicine. Since medicine is perceived as a male domain, the NRTs can be understood as a patriarchal tool. In the framework of NRTs, a female body becomes a field of powerful political discourses. Sedlenieks wrote in his paper that the attitude of feminism towards new reproductive technologies has changed significantly through the years. In the early 1970s, feminists argued that the technologies would take the burden of motherhood away from women and therefore contribute to their liberation. Later, however, they criticised such an approach and insisted that the new reproductive technologies would only lead to further oppression of women (Sedlenieks 1999). New reproductive technologies are creating even greater gender inequalities, where the role of a woman is limited merely to her reproduction ability. The medicalisation of pregnancy and childbirth took away women’s control over reproduction. Birth has become dependent on doctors and the medical profession. In the feminist discourse, the medical profession is perceived as a domain of the masculine. Despite this, the latter feminist critique, namely, the belief that the new reproductive technologies could bring about some beneficial effects for women, continued to exist. This view was represented by infertile women and men, homosexual couples, single women and medical professionals (ibid.). Robertson also wrote that reproductive technologies are partially controversial because of their effect on women (1994: 14). While they open up liberating options for some women, they may also act as agents of further oppression. Most of the technologies operate on a woman’s body in some way, turning it into a battleground of competing interests. Often they treat the woman as a reproductive vessel to produce or serve the interests of males and the State in producing healthy offspring (ibid.).

The analysis of public discourse has shown that certain changes have occurred in the social imagination and with regards to the social importance of the mother-child relationship. MPs, who were against the amendments, defended the rights of a child and they even went as far as to put the rights of an unborn or not yet conceived child (the concept of a child) before the rights of an adult woman to decide about her own body. Feminist theorist, Ann Kaplan, who explored the social images of a fetus and a future mother and the relations between them, puts forward a theory about a new ideological turn in fetus images in the popular media. “The fetus is now given a voice, it gets to speak; and it threatens to displace the mother in original ways” (Kaplan 1994: 122). She borrows a concept from Louis Althusser and calls it the ‘interpellation of the fetus’23. By interpellation, Althusser means a process, by which a subject is ‘called’ or ‘hailed’ via dominant ideology into becoming a being. The example here is the ‘hailing’ of the fetus as a subject, because it satisfies certain cultural needs. The

process is thus an inversion, where the fetus replaces the mother and becomes the subject. The female body is therefore socially unseen and marginal (ibid.: 123).

Women have the right to their own sexuality and their own body, which is a fundamental human right. Many people in Slovenia publicly expressed their opinion regarding the referendum that it was illegitimate because it should not be used for deciding about the human rights. However, the theme of the right to one’s own body somehow disappeared, while the theme of the ‘State’ expanded. We can say that the prohibition of BMAPPs for single women has national interests. In discussions about the new reproductive technologies the physical body of the individual is often associated with the body of the ‘State’ (Petrović 2003: 292). The ‘State’ sees the future children as its own and so the allusion is present that the state is the mother of future sons and daughters. The ideal state was equated with the image of the ideal Slovene mother that needs to be loving, caring, but also authoritative and respected in raising its own citizens/children. The reproduction of both the state and the woman must be and must remain natural, genuine, native and authentic. The analogy between the body of the state and the body of a woman, who wants to use NRTs to become a mother, explains why these techniques are obviously perceived as dangerous and uncertain with the power to destroy the moral climate and the family pattern in Slovenia (ibid.: 293).

Discussion

Why do certain healthy and fertile women have the right to assisted fertilisation procedures and others do not? It turned out that in the Slovenian society we have two categories of women – single women and women in heterosexual relationships. The state allows the usage of BMAP procedures only for women in heterosexual relationships. In order to make it easier to discredit the right of single women to these procedures, the public discourse changed it into the right to have a child. Thus, the subject of discourse was transferred from the mother to the child. The rights of single women have clashed with the rights of children. Misunderstanding of and manipulating the amending Act (described above) enabled the right to BMAPPs to suddenly be changed to the right to have a child, which constructed an alibi to mock the principle of equality (Mencin Čeplak 2005: 117). Single women do not fall within the frame of the traditional family, which occupies the space of human reproduction.

Conclusion

To sum up the ideas, what is it about the single women that permit them to have equal rights as the women in relationships? Why can they not have the same rights as women in a relationship in Slovenia? This is a political
question. The heated debate covered themes, such as the rights of single women, the rights of a child, the decay of traditional family, medical technologies, and ethics and so on. With their symbolic and real power politicians define the conditions of our existence and functioning in a society. They write the laws and thus indirectly determine how we live. Political parties shaped the referendum decisions of voters with their own views on reproductive technologies and on who has the right to benefit from them.

Politics is a field where social reality is created. Citizens are pushed into an imaginary framework of acceptability and tolerability. Single Slovenian women are not allowed to use BMAPPs in Slovenia, but they can find this help abroad. Such limitation is a product of traditional ideology that preaches to a woman about where she belongs. The discourse in political and public space about single women was actually about discussing the femininity. What kind of limits should be drawn for femininity in the contemporary Slovenian space? I think that human reproduction is an area through which women can be controlled, dominated and disciplined. The law that takes away women’s rights to assisted fertilisation procedures is patriarchal because it maintains women’s dependence on men. It is an ideological construct.

References


Gender violence in migration: Voices of migrant women in Sicily

ROBERTA T. DI ROSA
University of Palermo, Italy

Abstract
Migrant women constitute a growing reality in Italy, also with reference to violence among family members. In particular, violence endured by the foreign female takes on a character of ‘dual violence,’ the violence experienced within the relationship is supplemented by the violence from the social context, which often isolates her, or even expels her following her ‘coming out into the open.’ The article presents extensive reflections emerging from the results of research carried out in 2012 in Sicily, aiming to explore the experience and perception of family violence and the possible influence of the migratory experience on changes in the forms and implications of family violence. The reflections emerging from the research are presented to the reader in a form integrating data about the phenomenon with relative scientific material, so as to provide a broader understanding of the dynamics observed and the general phenomena influencing them. In this article the essential features will be dealt with, including the opportunity and risk emerging from contact with the host culture, the role of national or cultural communities, the perception of violence and the inclination to react, and the intergenerational conflict. The final reflections will be derived from these, with regard to possible plans of action and prevention of the phenomenon.

Keywords
Migration, women, family conflicts, gender violence

Introduction
Over the last twenty years the immigration phenomenon in Italy has grown continually and the number of immigrants is 30 times higher than before. On January 1st 2014, the foreign population in Italy, as estimated by the Fondazione Ismu, amounted to over 5.5 million elements, both documented and undocumented. At present, there are 300,000 more female than male immigrants in Italy. According to ISTAT, in 2014 females born abroad numbered 2,591,509 out of a total female population of 31,298,104 units, therefore representing an ever more substantial portion of the population.

Immigration over the last twenty years has assumed a resident character. Considering the amount of new-borns (78,000) and arrivals (43,000), the actual increase seems mainly due to people arriving to join their families. Today this constitutes the main reason for entering Italy. Between 1993 and 2013 there was a 1,328 per cent increase in the number of requests for temporary residence permits (for family reasons). In comparison, the increase in requests for work permits was only 488 per cent. Consequently, there has been an increase in nuclear families. In 1991 there were 235,000
families consisting of foreigners alone, while in 2014 there were over 1,300,000. The number of young people under 18 (in Italy designated as minors) has increased accordingly. At the beginning of the 1990s, there were fewer than 100,000 minors, but by 2013 they numbered almost one million (995,000), most of who were born in Italy. The stabilisation of nuclear families has changed the characteristics of the overseas population in Italy. It has also drawn the attention of researchers to issues such as family dynamics during migration, processes of integration and emancipation, relational criticality in shared migration, and family violence. The latter is also a burning issue for Italian families.

The first and only piece of national research conducted into violence against women (Istat 2006) discovered a widespread problem. In 2006 there were 6,743 Italian women (aged between 16 and 70) who had been victims of physical or sexual violence. This amounts to 31.9 per cent of all women in this age group. It is mainly those closest to the women who are violent towards them, including live-in partners, fathers, fiancés, ex-partners, brothers, or sons.

In 2006, 101 women were murdered by their partners, husbands or ex-partners, and in 2010 this figure increased to 127 (Bartholini 2013: 23). In addition, partners were responsible for 69.7 per cent of rape cases, acquaintances for 17.4 per cent and strangers for only 6.2 per cent.

Domestic violence continues to affect women across the country, as the report of the General Assembly of United Nations shows (A/HRC/20/16/Add.2). This report contains the findings of the Special Rapporteur on Violence against Women, following her visit to Italy from 15 to 26 January 2012. The report explores the causes and consequences of domestic violence.

Unfortunately, it is only possible to estimate the number of foreign women who experience acts of violence. The 2006 national research into violence against women (published by ISTAT in 2006) did not include migrant women (despite the presence of 1,465,8549 officially registered foreign-born females in Italy, out of a total female population of 30,224,823). Data gathered by the Equal Opportunity anti-violence help line was used to estimate this phenomenon. It was found that in 2011, almost 95 per cent of women exploiting the service were foreign-born. 53 per cent of these women reported cases of physical violence (compared to 35 per cent of Italian women). With regard to psychological violence, 18 per cent of cases involved foreign-born women (compared to 12 per cent of Italian women). In both cases, the perpetrator of the violence is usually the husband, live-in partner or fiancé.
The reports published by civil society organizations that support migrant women also proved useful, in particular the report by the *Trame di Terra* Association’s inter-cultural centre for women. Interviews with women who have used the service for other problems (such as work, difficulties with public services), show that one out of two has experienced domestic violence. The main problem in calculating the true figure (apart from the lack of nationwide research) is closely linked to the difficulties that migrant women (especially first-generation) encounter when seeking to access services for victims of violence. This happens partly because of accessibility, but mainly because of the cultural resistance caused, especially within the women’s context of reference. The same difficulties also exist for Italian women.

Little is known about violence against women, whether Italian or migrant. Gender violence has long been neglected as a topic for investigation, and remains a particularly difficult area for the social researcher. This is the case not only for reasons connected to the delicacy of the subject and a tendency for victims to remain silent, but often also because of inadequate research tools and methods of investigation. This means that the figures for violence are often substantially underestimated. It also means that the actual essence of the violence itself is little understood especially in regard to the social, cultural and psychological factors that foster it, the gender models at its roots, the prejudices surrounding it, the relational dynamics in which it evolves, and finally, the motivations and life-projects adopted by the men and women involved.

**Literature Review**

Abuse against women is the world’s most widespread yet least reported crime (Kustermann 2008: 11-14). It is a phenomenon present in all strata of society and at all levels of education. It has become normality rather than pathology in today’s world (Danna 2007). In addition, domestic violence is difficult to characterise in a ‘universal’ way. In every culture its definition emerges from the concepts and the dominant roles of gender and family. Leaving aside whether it is recognised as such or not, or the variety of ways it manifests itself, the fact remains that violence against women exists in innumerable contexts. These vary greatly in terms of culture, religion and political and social situation, both in developed and developing countries.

As previously mentioned, the phenomenon of domestic violence is still widespread in Italy, affecting both Italian and migrant women. For many immigrant women, violence and discrimination characterise their lives before emigration and may accompany them to their new destination (Di Rosa 2013). Lombardi, following various studies around the world (including those by Armstrong 1998 and Visaria 1999, as cited in Lombardi...
Gender violence in migration, Di Rosa

2005: 105) refers to a recurring pattern of events that trigger violence, such as “not obeying one’s husband, answering back to scolding and insults, refusing sexual relations, not having meals ready at the usual time, neglecting one’s children and home, asking questions about the utilisation of money or about one’s partner’s female friends, going off without authorisation” (Lombardi 2005: 105).

Opportunities for emancipation (Lavie and Swedenburg 1996) and reordering of gender hierarchies may well improve the power and status of women (Grasso 1996) compared to men. But it is also possible that the asymmetries of gender may remain unchanged and may even compound certain aspects of the subordination of women (Yeoh 2010). Migration brings about changes “both when the family is close at hand and when one’s loved ones are far away, given that it involves a rethinking of one’s belonging within the traditions and values of the culture of origin” (Tognetti Bordogna 2007: 105). The transition involves tensions and critical situations and the woman often has difficulty trying to integrate the models from her own culture into her personal life (Ambrosini and Abatecola 2010). There is also the risk of discrimination towards the female, as a result of destabilisation of the male role (from the man’s perspective), in particular when she works and the man does not. This may subsequently create problems in the equilibrium of the family (Gozzoli and Regalia 2005; Andolfi 2004; Cattaneo and Dal Verme 2005).

The relationship between migrating couples needs to undergo a period where identities and roles are readjusted, in particular those of gender. Separation results largely from the motivational approach towards the plan to migrate (for example, in relation to duration and dynamics of integration). Therefore, the shared life-project may be disrupted because of differences in choices and stabilisation, ultimately made worse by the woman’s new, emancipated condition (Viapiana 2011).

The dysfunctional dynamics between men and women within a relationship are often linked to one’s own identity crisis when migrating, combined with the difficulties of trans-acculturation of gender models (Yeoh 2010). The arduous daily challenge lies in “finding a balance via a variation in one’s role, whilst maintaining at the same time one’s own ethnic identity” (D’Atena 2008: 91).

As a result, tensions tend to explode at the level of ‘family’ and ‘co-habitational unity’. Both of these are areas where the individual participants are continually reshaping their roles and responsibilities within the ever-changing circumstances of the family context. “Marital violence is unleashed against the background of a situation full of economic problems caused by difficulties in finding a job, together with the reduction of
confidence in their own identity that many immigrant men experience” (Balsamo 2003: 37). A case where the foreign female seeks help while lacking a temporary residence permit renders the aid process even more difficult (Van der Troost and Vial 2008: 299-310). The foreign women find themselves with first-hand experience of all the contradictions of a society that, instead of welcoming them, struggles to integrate them and from which they often feel excluded. Similarly they frequently encounter (and in dramatic fashion) divergences with their existing point of reference, the world of values possessed and defended by their original family, which they themselves no longer consider as part of their own new world (Tommasi 2007).

The experience of migration alters the linearity of inter-generational relationships with regard to both moral and cultural values It is an event or experience of 360-degree change as regards the family context (Scabini and Rossi 2008) and the living environment (Yeoh 2000). Comparison with the host country brings to mind one’s previous existence, often generating a re-thinking of one’s adhesion to traditions and values in the culture of origin (Ambrosini and Abatecola 2010). The ensuing tensions, which are particularly acute in children’s pre-adolescent and adolescent phases (Andolfi 2004), end up as extremely diversified attitudes. These may range from a radical and rigid return to one’s original cultural models, to a laissez-faire impotence because one lacks the necessary tools to define a model of “being suitable” (De Cordova and Inghilleri 2014: 4).

Second generation adolescents are subject to strong expectations and pressures from the family in different areas of their lives (Tognetti Bordogna 2008). This obviously exposes them to a greater risk of victimisation. The relationship between generations, which for many foreign parents has been represented by an image of vertical asymmetry, can be seriously challenged by the disorientating proximity and symmetry of roles between adults and children. Because of the tension that derives from these choices, children become “true foreigners in the eyes of their relatives and probably to themselves” (Gozzoli and Regalia 2005: 155).

In inter-generational dynamics, the comparison between different organisational models also concerns difference of gender, and in particular, the role of the woman in society (Mariti 2003). This comparison often erupts into tension and conflict with regard to children’s upbringing in general, and that of young girls in particular (Gennari and Di Nuovo 2011).

The issues that are most emblematic of the difficult situations in which young immigrants might find themselves are the two customs, considered to be ‘nefarious traditional customs’, that invade their freedom and integrity to the greatest extent. These include underage marriage, arranged/forced
brigages, and female genital mutilation. These forms of abuse are passed
down through tradition and custom and represent symbols of honour and
virtue, which a woman is expected to carry forward. Opposition to these
customs would, in many cases and in various countries, entail heavy
sanctions, and might even result in death.

Although these phenomena are still largely well concealed, mediators,
cultural operators and social assistants are receiving increasing numbers of
pleas for help from foreign women (Danna 2010). For those working in
social services, the handing-on of relational patterns (between men and
women and between generations) acquires today an ulterior and, to a
certain extent, greater significance in migration, where family dynamics
become stronger both as a system of gender building and as a system of
safeguarding one’s belonging. (Morrone and Vulpiani 2004). Polarisation is
typical of this kind of family conflict, in terms of moral (and therefore, to all
effects, cultural) values, and needs to be avoided absolutely. There is a risk
of exasperating this confrontation, resulting in an authoritarian rigidity in
the older generations and an exacerbated consolidation of traditionalism
(Markova 1993).

Presentation of research

We begin by acknowledging extensive literature on this subject, with two
aspects chosen as a starting point for the research. Firstly, both the
definition of any given behaviour, such as violence, and its condemnation
are the product of cultural belonging and a social context of reference with
the perception of its ‘acceptability’, on the part of women who depend on
this definition. Secondly, every existential change affects the lives of one or
more family members, especially if the entire family has shared the
migratory experience. This has effects on the perception and assessment of
the behaviour carried out and can therefore also influence the reaction of
subjects (participants or witnesses) who are involved in the episodes of
violence.

Starting from these assumptions, the research moved in three directions:

Investigating the changes in relational dynamics triggered by the
migratory experience, together with redefinition of identity and belonging
of the individual subjects.

Verifying whether, and to what extent, migration alters the
perception of ‘acceptability’ of violence on the part of migrant women and,
at the same time, whether, and in what way, it may influence the degree of
acceptance/refusal and the possibility of taking one’s distance and/or reporting it.

Understanding what, in terms of “expressional shortcomings or, on the contrary, relational abundance”, can lead to violence becoming the actual binding element on which male-female relationships are based within stable unions and among generations (Bartholini 2013).

The research was carried out through hermeneutic interviews with migrant women (singled out by health and social services) who, at the time of the interview, had managed to sever the relationship and distance themselves from the context where the aggression had taken place and build a new life elsewhere.

The interviews provided material regarding life-experiences (including violence), migratory plans and relations with the host society, while at the same time there was an attempt to reconstruct not only the interviewees’ own representation of violence in general, but also the actual image shaped by personal experience as victim and/or witness.

The material emerging from their life stories will be presented in the subsequent paragraphs, devoted to the recurring themes recorded. These include the risk and the opportunity for familiar relations in migration, the experience of violence in their lives, its perception according to their native culture and the points of contact/distance with the values of the country of migration, the women’s propensity to react and the specificity of second-generation experiences.

**Opportunity and risk factors linked to migration**

The stories that we heard confirmed how migration might render relationships within the family more fragile. Migration constitutes a clear risk factor for potential marriage failure and poses the parent problems with the redefinition and reformulation of family ties and internal equilibrium. The transformation of gender roles faces numerous obstacles, including tensions due to reorganisation emerging between man and woman in the country of migration. These will be subject both to strong pressure from the reference group and to regulation from the family that has remained in the country of origin. Tensions can increase when the wife (but also the

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1 PRIN 2008 Research – Palermo Unit, regarding “Repeated abuse in close relations of intimacy. An evolving model of redefinition of identity” as part of the national research “Abuse in intimate relationships: generations, gender and intervention policy” co-ordinated by Consuelo Corradi, LUMSA, Roma.
2 For an explanation about hermeneutic interviews see Appendix 2.
3 For information about interviewed women see Appendix 1.
daughters) behaves in ways that differ from those acknowledged as valid in the culture of origin.

Migration also exposes the individual to considerable change, and presents a challenge to adapt that is not easily met. Difficulties are represented by integration, uncertainty about the future, the separation of families, difficult material conditions of life, and different values and cultural models.

Although violence towards women is transversal with regard to space, time and social conditions, it may be noted that for migrant women involved in our research, whenever the difficulties for the male/husband increased, so does the physical abuse towards the female, both within the family and in their country of origin, because of their “multiple and multiform discriminatory” condition (Macioti et al 2006: 30).

From our study it emerged that migrant women may experience different forms of violence. If we wish to summarise ‘typical’ forms of abuse as experienced by them, it is evident that some forms are more closely linked to cultural values, such as the following:

- ‘Punitive’ corporal punishment in cases of disobeying the head of the family.
- Enforcement of sexual relations with spouse/partner.
- Downgrading to a state of slavery in the husband/partner’s family.
- Serious or complete restrictions on freedom of choice in terms of personal life (for example of study, choice of husband, work).
- Subjugation to the male figure, implemented through relegation of the woman to a state of total dependence and isolation from her external context.
- The man having control over the family’s income including that of the woman herself.
- Permanent physical damage (genital mutilation).

With regard to relational factors, emphasis is placed on the dysfunctional couple relationship, including the presence of difficulties in integration, identity crises or contrast between gender and familiar models. Notably, some of the families of women interviewed point to episodes of domestic violence that are often exacerbated by other problems such as men’s alcoholism, addiction and/or depression.
I split up with him because he didn’t want to go to work; he drank too much; then he’d beat me up continually; it was always chaos with me going out to work as a seamstress in a factory. If he didn’t smoke his hashish, wow what happened…. it was terrible, awful what he did. He’d beat me and he had to have it (…). I’ve suffered so much; look he’s left scars on my face (…). I couldn’t go on and bear all this, because he’d also beat the kids (…). (Morocco, aged 59).

Two categories of risk factor can be identified from the stories heard. Firstly, generic factors, linked to the psycho-cultural events of the migration, to anomalous behaviour in relationships, consequent to situations of socio-sanitary marginalisation that regard the poor conditions of life, housing conditions (Di Rosa 2008), economic difficulties, the low quality of working experience, frustration arising out of daily subjection to external discrimination and exploitation, or “stress from trans-culturalisation” (Mazzetti 2003: 83). In addition, there exist specific risks linked to more personal experiences, such as the difficulties encountered as both individuals and couples, the fear of the emigration project failing, the implications that “the success or failure of the project may have on the future of the family as a whole” (Sall 2001: 142) and, lastly, comparison with models of couples and parents other than one’s own, and more specifically, “the loss of one’s points of moral reference” (Ghiringhelli 2010: 21). In particular, it is the inversion of breadwinner roles that heightens tension and, because people are so stressed that they cannot handle it adequately, it then leads to manifestations of violence.

Me and my husband were living in Pordenone (…) he had problems at work; we didn’t get on; we’d argue all the time and one day he started slapping me, because I was angry and told him what I thought and after that, for a month, he’d slash me on the belly, he tied my feet together and I couldn’t run away (Ghana, aged 37).

In this sense, it emerged from the interviews that experiences of violence function to re-establish the balance of power and authority within the family nucleus, even more so in cases of family nuclei with traditions that make provision for the use of violence in re-ascertaining family authority and equilibrium. For the male, the sensation that he is losing the dominant role that he enjoyed in his country of origin, plus the fear of no longer being acknowledged as the holder of power and the head of the family, provokes violent attitudes towards the women and often to the children as a last attempt to hold onto his traditional role and power-base.

**Cultures, communities and violence**

Whereas in Italy a justification for violence as a consequence of male power is nowadays quite insufficient, for many other countries and cultures the patriarchal family remains the model that principally generates and breeds violence. Whatever form it takes, violence presupposes the woman to be in a subordinate role to the man. In some countries the inequality is explained
as possession of inferior civil rights on the part of the woman, while elsewhere, although law endorses equality, traditions and customs of a patriarchal nature perpetuate a cultural model that debases women and envisages their subjugation by men, who believe they can exercise arbitrary power over them. This was confirmed by the women interviewed through the narration of their experiences.

I often walk on the streets alone, without anyone accompanying me, even when it’s raining, I go back home and have to cook, because there’s never anything ready for me; then I have to do the shopping, I have to see to everything, and he and his mother are never happy with what I do. Always against me, bad-mouthing me. He’s got a scooter and never gives me a lift; he only goes out with his mother and takes her wherever she wants (Sri Lanka, aged 39).

We are still a long way from the removal of those cultural systems that continue to condemn women to a confined domestic space where their opportunity for expression is delineated by sexist models of social, cultural, political and religious organisation. However, migration, with its power to transform people and their relationships, also lessens the rigidity of this model, drawing it closer to the modern world (Schiavon 2011).

For the women interviewed, the experience of abuse was not ‘unexpected’ or exclusively linked to the intimate environment of the family. Rather, it was viewed as a constant risk, a scenario that lay behind every action performed both within the family and outside it.

When they’re subjected to violence, women have to put up with it, keep quiet. See what happens at home: everybody’s at war, while I keep quiet and pray. The woman has to be kind, she has to hold fast and be patient. She mustn’t hit anybody (…) If the woman is beaten by her husband, she has to be kind. Understand? The wife has to be kind, so nobody beats her any more (Sri Lanka, aged 39).

The idea that the husband has the right to beat up a woman or to threaten her physically is deeply rooted in many societies and it is not rare for women themselves to justify, under certain conditions, a given degree of violence.

The man doesn’t usually beat the woman if she hasn’t done anything wrong. The wife might happen to say something bad to her husband because she’s angry and the husband, in a fit of rage, might start hitting her. This isn’t fair but it can happen. If a woman is married she mustn’t go out and about alone too much. If the wife trusts her husband and shows affection he will never use physical violence and treat her badly (Ghana, aged 37).

Moreover, women are not always in a condition to react, due to having already experienced abuse in childhood in their country of origin and thus accepting it as ‘normal’ or regarding it as routine.
I know of my cousin who has two kids by another man and her present partner behaves badly towards her with his bad language and physical actions, and also with her kids. But the problem is that she doesn’t understand that he isn’t the only man on the planet and doesn’t have the courage, the strength to leave him or report him. He happened to beat one of her kids, who is now 7, and the kid ended up in hospital with problems to his head (…). I don’t think she has ever reported him, or maybe, once she pretended to, because my mother told me that they met in hospital and she was there because he had beaten her up and had torn out one of her nails (Russia, aged 26).

Furthermore, it appears that the women tolerated the abuse because it was never questioned within the community to which they belonged.

The Muslim culture in Senegal doesn’t let the law enter the household, because it’s considered a disgrace: it’s better to work everything out with the families and if they don’t manage to work it out, you can resort to the law (...). In our country there aren’t many cases of women reporting; everything is resolved within the family (…) (Senegal, aged 43).

It must be underlined that the respondents identified physical abuse most readily as such, and, less so, sexual assault, psychological abuse or economic abuse.

There’s this friend of mine from Nigeria who is still getting maltreated by her husband. Once he even stabbed her in the leg. She called the police, but as soon as they arrived, she said it was an accident and not her husband. (...) There are many men from Nigeria who are violent, but not all. There are many men who think it normal to lay their hands on their wives. It’s the women who don’t talk about their lives to strangers (….). And they don’t rebel, for them it’s normal (Nigeria, aged 41).

In the host country, the community, consisting of their fellow countrymen/women, acts as the social and cultural reference point for individuals. However, it is interesting to underline that the community plays an ambivalent role in cases of domestic violence, as the respondents’ stories show us. On the one hand, culture has the function of being a guarantor of cultural identity and therefore often exercises pressure on women to adhere to behaviours that belong to their society of origin (thus legitimising the behaviour of husbands who are maltreating them). Opposing the community by reporting the husband in this case would mean negating one’s own roots and experiencing disorientation with regard to one’s own identity, increasing the woman’s anxieties and fear for her own future and that of her children.

In Senegal now, if a woman reports her husband she is protected, but the problem is that women never report anything. In Senegalese culture there is a saying that goes: “everything a woman does against her husband will return against her children”, and “A woman’s work is her child’s dinner”, in the sense that all the things a wife does against her husband, like not cooking well, taking his money, having him go to prison, insulting him, beating him, rebelling etc., all this will have repercussions for
her child. This belief is rooted in all Senegalese women, and that’s why they don’t report anything (Senegal, aged 38).

On the other hand, by consulting a community of fellow countrymen/women, the couple might be able to limit the negative consequences of potential family tensions.

If there is a real danger to a woman’s life, because the husband is threatening to kill her, then it is right to report it. But if it’s only for the beatings, no, this doesn’t mean anything. In African culture, no woman reports anything. If anything, a relative or a trusted acquaintance will intervene and hear both sides and then report what exactly happened. It is this person that can resolve the problem and that’s why there is no need to resort to reporting to the police (Liberia, aged 21).

The community, in fact, offers certain advantages for mediation in cases of family disputes, offering the couple concrete support (above all from women), which might take the form of an exchange of services or direct control over the violence. To a certain extent, the community of reference may take the place of the family left behind in the home country, the family that, in the case of violence, would have had the power to intervene in controlling the husband’s behaviour and “absorbing tensions” (Balsamo 2003: 37).

A woman shouldn’t report her husband immediately, if he has been beating her. She should first try to talk to him and if that doesn’t work she should talk to his father and then she can report her husband, because she can always go back to living with her father. The problem is when one’s family is a long way away…(Morocco, aged 23).

In fact, the cases where the couples do not have a community of reference are more serious, as the fragility or absence of a network of relations or community members is directly proportional to the isolation and withdrawal into itself of the family unit, which in turn favours the instigation and worsening of the problems in the couple’s relationship.

If a man beats his wife or hurts her and although she tries to talk to him he continues, it is better to leave him and, if she can, go back to her parents’ house. I believe that it is not right to report to the police (…). It’s the way men are; they change. I don’t know why, but I don’t believe in reporting to the police, in beating and bad-mouthing (Eritrea, aged 33).

In the opinion of almost half of the women interviewed, the distance from their family of origin and the consequent absence of social control is a major problem because it means a lack of mediation of an extended family. This isolation of the couple may lead to an even more rigid codification of the male and female roles, which would also “manifest itself more frequently and with no filter on the abuse” (Sall 2001: 144).

Conflicts and violence between generations
According to the interview responses, another highly significant issue is that of change in parent-child relationships, which occurs as a result of rootedness in a country with a different language and culture. The younger women interviewed, who had arrived in Italy in their infancy, talked about their personal difficulties in finding a balance between their lives and family rules and those of the outside world. On the other hand, the interviewees arriving in Italy as adults and with pre-existing family relations, confirmed, from a directly opposite point of view (that of the mother) the existence of these inter-generational difficulties. For the former, the issue consists of reconciling their culture of origin (continually perpetuated by the family) with the culture of the country of residence, which is experienced daily in their relationship with their peers.

The latter, on the other hand, often consider themselves guarantors of family identity and the group’s traditions. They feel responsibility for the community’s cultural heritage, to such an extent that they often become more assiduous followers of their faith and its prohibitions than they were previously in their country of origin, something which they then also impose on their children (Saint-Blancat 1995: 72).

Comparisons between two or more moral systems are inevitable and quite often constitute a reason for deep tensions regarding integration and marginalisation. After experiencing the moral standards of the host country it is not simple to hand down the ethics of one’s own culture from one generation to the next. The feeling of threat to one’s own identity may be perceived as an external issue created by the host society, but also as internal, via the calling into question of the family’s established norms on the part of the children.

In 2007, a friend of mine reported her father for beating her, because he didn’t want her to go out and have a boyfriend. I was present throughout this period personally and I encouraged her to rebel and when she left the social centre here in Palermo, I put her up at my house and then she and her fiancé decided to move to Rome (…) it isn’t true that they do it because of their religion, because my husband is also very religious, but he doesn’t agree with all these things (Tunisia, aged 25).

The media reports increasing numbers of violent stories, often involving young immigrant women. These are often caused by strong clashes with their families, caused by “the generational gap established in parallel to the process of migration” (Schiavon 2011: 47). As recounted by the young women interviewed, in the second generation it is the female immigrant who often suffers when finding herself caught between two approaches to family roles and understanding the differences between genders. Behaviour common to all teenagers (such as returning home late, or wearing make-up) defies the rules of the family.
My brother, who was always a bit like this, never let me do anything.... He controlled me too much and he told me not to go here, not to go there. Even though I’m older, he wants to adopt the male role and give orders. So he’d tell me that I couldn’t go out or do this and that (Morocco, aged 23).

Violent and dramatic reactions may also result, such as running away from home, suicide attempts, sexual relations and underage pregnancies, involvement in abusive relationships (given the need for strong affective bonds in order to break away from the family). The actual possibility of seeking external aid for support against the constraints imposed by their family of origin is rarely contemplated.

But if these acts of violence are carried out by the father or the brothers it is better to try and talk to them and not report them. Otherwise the woman will find herself alone, not knowing where to go and so it’s always worse. I’ve met women who were beaten by their fathers, they reported them and ended up with more problems because the father wouldn’t speak to them for the rest of their lives, he’d go to prison, the mother and brothers would no longer speak to her and she finds herself on her own and homeless. Unless you find a husband who is better than your own family, somebody who can always welcome you and is better than your relatives (Morocco, aged 24).

In most cases the victims remain oppressed by their dual role, trapped in situations of abuse and violence, hidden within the family or community of origin, and thus difficult to single out.

Violence, for me, is also something that a woman can suffer at the hands of a father or brother; this is family violence and a woman should also report it in these cases. The fact is that many women don’t report their fathers or brothers because they’re afraid of remaining on their own or they’re afraid they won’t know where to go (Ukraine, aged 27).

The social structure of communities of migrants living in certain areas and coming from particular regions or social classes in their country of origin, continues to endorse the legitimacy of parental choice in arranging their children’s marriages, occasionally ending in actual imposition.

I got married when I was 20. I was very young whereas he was 44. Now he’s old, with a walking stick, but now he’s married another woman, younger than me. My family chose him. I was forced to marry him. When I saw him for the first time I immediately realised he wasn’t the man for me. When his family spoke to mine, they showed a photograph in which he was much younger and they said he worked in a factory, but it wasn’t like that at all. He wasn’t working. If something came up, which it rarely did, he didn’t want to work because he wasn’t used to it (…) My wedding day was awful. I was crying in front of my family. I was acting crazy and kept saying to them: “I don’t want him. I don’t like him. I don’t want to go with him”. But they just said: “Keep quiet, keep quiet” (Morocco, aged 59).

This choice is often challenged by younger generations, who have grown up in a cultural environment where sentimental relations are not determined
by the family but by the individuals involved. Actually, the imposition of a marriage affects both young men and women, but it happens far more often to females. Daughters are subjected to greater control than sons in the family of origin. Forced marriage persists not as a phenomenon in itself but as a specific ideological aspect and a means of controlling women/daughters. In fact, the imposed marriage cannot be considered as an isolated phenomenon, as it always occurs in nations or in social contexts where many other forms of restrictions on female liberty exist.

In this case too, it is the migratory experience that intervenes to provoke a transformation sparking off another transformation and a generalising comparison with other socio-cultural models. Among the women interviewed, those who have lived there for a large part of their lives have the perception that arranged marriages are increasingly felt to be forced marriages. As a result they are increasingly rejected, thereby amplifying the conflict between generations.

The same can be said for Female Genital Mutilation (FGM), a traditional, ancient and deep-rooted custom. In these cases, gender violence is carried out on the woman by other women as agents of patriarchal values. They are women who, through maltreatment, express and reinforce an asymmetrical social order, taking on the role of the ‘good abuser’ believing that this action might be in the girl’s interests, and that in carrying it out they are applying legitimate authority at the cultural and religious level (though the practice might have been severely condemned by various countries at the international level).

The results of our research are in line with other surveys carried out in Italy (Scoppa 2012). We are witnessing a change in perception with regard to this custom, with a decline in this practice from one generation to the next. Not all women view it in the same way, and it is no longer a necessary practice for all.

In Senegal FGM is no longer carried out because we are free now and the practice has stopped. It hasn’t disappeared completely but it’s gradually being eliminated. This is important because these mutilations have extremely negative consequences for women’s health. They are forms of violence (Senegal, aged 43).

This phenomenon is by no means disappearing. The dilemma about the future of their daughters torments many foreign women living in Italy. The change, however, is not automatic, but is linked to a positive integration experience after migration. If the mother’s experience is negative, this might lead to her shutting herself off within her own culture, viewed as a refuge from contamination and contact with models and values that are “alien and, as such, dangerous” (Scoppa 2011). Consequently she may wish to follow the rules and customs of her culture of origin for her own daughters. As has
emerged in the interviews, women who are sufficiently integrated in the host country have already distanced themselves from practising traditional rites in order to reaffirm their own identity, both in Italy and in their country of origin. In particular, it appears that women with a higher level of education have started to distance themselves from this custom. On the contrary, recourse to this practice (instead of its elimination) can be bolstered by obstinacy from the first generations as a result of failure in their migratory project, or frustration with the impossibility of integration, which may lead to entrenchment in traditional cultural models as the only bedrock defining identity and belonging.

Perception of violence and inclination to react

One of the problems with gender violence that renders the search for ways to stop it more difficult, is that in many cultures it is accepted, tolerated and justified, as amply demonstrated in the report edited by Spinelli (2010) on customs involving gender violence around the world and confirmed by our interviewed women.

Reporting is awful because all the family is ruined. I’ve met lots of girls who have reported a father or husband and have then had only problems, being thrown out of the house. Because if I report; then I lose my husband. And if I’m not working it’s even worse. Even when the woman is working, if she has kids, they will always scold her because she had their father sent to prison. And this is so, even if the woman has done a lot for her kids, the blots remain. That’s why it’s better to avoid reporting and I’ll repeat it again, it must always be the woman who puts things right (Morocco, aged 23).

The respondents identified the following main causes of vulnerability:

- The premature experiences of violence within one’s own community.
- Poor or non-existent command of the language of the host country.
- Inadequate access to appropriate work and lack of guaranteed regular income.
- Limited knowledge of one’s rights.

Limited social contact and diminished contact with the family and original community of belonging, especially in societies where the extended family plays an important role in the couple’s internal relationships, seem to increase the probability that the violence may continue and for quite a long time.

The problem was that I didn’t speak Italian and I was never able to speak about it to anybody for many years (Ghana, aged 37).
Other risk factors include age, education, ethnicity and legal status. Furthermore, and, in certain cases, taken together, they reduce the capacity of immigrant women to protect themselves against possible situations of maltreatment or violence. Among significant elements at the level of social policy, there emerges from the interviews (apart from poor relations with the external world and difficulty in communicating with the world outside) a low level of faith in Italian services in seeking a real solution to the problem, an element that constitutes a significant obstacle to recourse to anti-violence services.

It’s better to leave things as they are, it’s not worth reporting. Because then, there are too many documents and all this merely to obtain a sheet of paper. He won’t change, and at home it’s the same old story (Sri Lanka, aged 39).

Synthesising the general feelings of the respondents gives one the impression that the host country is seen as distant and relatively ineffective in guaranteeing real protection for anybody wishing to report, in the face of much stronger and deep-rooted dynamics within the community. More than one of the interviewed women stressed how, in these conditions, it is really hard for a woman to make a break with her system of reference. Furthermore, women’s altered perception of ‘normality’ of violent behaviour might actually boost the phenomenon of domestic violence, rather than help eliminate it.

Among respondents, the voluntary acceptance of oppression seemed to emerge as a significant fact with the greatest semantic importance. At the same time, it was evident that the experiences of violence seemingly had the function (in the intentions of their perpetrators) of re-establishing, within the family nucleus, the balance of power and authority (all to the detriment of women).

In this relational dynamic, a different perception of the violence undergone over a long period and, above all, by women from the same countries of origin, is seen as ‘acceptable’. In other words a range of reactions, attitudes and alternatives represent the ‘scores to be settled’ and tolerated as an integral part of the challenges of migration and not as distortions in the relationship, but as unfortunate ‘collateral damage’ deriving from external tensions, and connected to the context of incorporation (or marginalisation) in the host country.

**Uprooting violence against women: a cultural revolution**

Domestic violence, especially from the perspective of the migrant female, inherently points towards the need to reconsider the topic as a subdivision of the more general and universal problem of male violence against women and the implied imbalance of power between the sexes.
In the light of the responses, a determining element seems to be the fact of belonging to highly traditional cultural models or to other more modernised ones (regardless of nationality). Nowadays, many cultures co-exist in most nations, and these may range from a rather orthodox affiliation to traditional systems to established forms of modernised civil society. Consequently, it seems overly risky to try to single out those nationalities that are most affected by the phenomenon as a result of cultural characteristics.

Above all, a new way of regarding immigrant women (both by the host country and by the women themselves) needs to be contemplated. They should no longer be seen simply as “oppressed, exploited losers, since they are incapable of escaping their family and the cultural ties of their country of origin and since they are linked to a marginalised social condition in the host country” (Vicarelli 1994: 7). Instead they could be seen as women who “in their daily lives show themselves to be capable of an autonomy and an identity that is not that of their past, but neither is it the one desired by western women” (Vicarelli 1994: 9).

It is commonly accepted that personal identity usually has its roots sunk deep in one’s original community. A crucial element in one’s identity is certainly constituted by one’s original culture of belonging, therefore distress may be caused by the absence of one’s fellow countrymen/women who might provide one with an image of oneself, or, from disorientation arising out of the subject’s reconfiguration of his/her identity. As a result, the immigrant might find him/herself actually beginning to ‘see’ him/herself in a new image conveyed by another person (Sacchetti 2007).

In any firmly entrenched social context, people will often hesitate to acknowledge a newly arrived identity and the values it brings, and will probably not even be open to negotiation about it. If anything, the previous context may repudiate the new identity completely. If one distances oneself from one’s own cultural models as points of reference, and moves into a context that one does not know, one will often undergo, in the sphere of these relations, a process defined as “uprooting of oneself” (Remotti 1996: 54). This may generate bewilderment and suffering typical of the migrant condition.

In the light of all this material, it can be stated that the critical situations linked to migratory paths and the migrant’s incorporation into Italy as a country, may actually exacerbate violence within the family nucleus, as a consequence of the resultant re-styling of identity and culture, while causing increased tensions within relationships.
There emerges a clear need for experts to re-interpret this new scenario according to varieties of culture, and to ‘decipher’ the experiences by comprehending the system of symbols and values at its root. It is necessary to monitor the various stages of the modernisation process that so-called ‘backward’ cultures are also launching, albeit sometimes in forms that are not easily comprehensible by western culture. “A need to know and understand that has nothing to do with a logic of acquittal and even less with sharing practices that violate the body, sexuality and freedom of women” (Alessi and Bodelon Gonzalez 2011).

Conclusions
Violence undergone by migrant women points us in the direction of the complex relationship, slowly unravelling in our society, between universalism and differences (of gender, culture, religion). We therefore need to go beyond the interpretation of ‘we/they’ with its connotations based rigidly on our most deep-rooted convictions, and to move towards a pluralistic society where one might obtain citizenship, identity and composite models and where all the dysfunctional dynamics of integration might receive care and attention, with the ultimate, common goal of creating a transcultural community.

It therefore seems essential to tackle this abuse against women who migrate, not only to defend the rights of passive victims, but, above all, to confront this misery and programme positive responses to it, via actions geared not only towards women, but also towards men who are undergoing the existential upheaval of being ‘somebody else, somewhere else’. It is necessary to draw attention to the distress of migrants (men and women, adults and young people) when reconstructing personal and family equilibrium in contexts very different from their country of origin.

Only by insisting on a policy of respect and attention can we promote a real solution to the problem of domestic violence. To really oppose old/new forms of abuse, it is essential to go beyond the merely repressive perspective of condemnation and involve the community of origin, as a fundamental source of help and support.

References

Gender violence in migration, Di Rosa


Turkish Women in Alsace: Language Maintenance and Integration

FERAY JACKY BASKIN
Indiana University, USA

Abstract
European political themes in the 21st century are dominated by concerns about the nature of national identity, the role of Islam in democratic society, and the impact of immigrants and their descendants on the perceived cultural homogeneity among the majority of EU countries. The immigration policy in France is known for having an assimilationist model of integration, in which immigrants are asked to become fully integrated into the French society, that is, to give up their own culture and language in exchange for the French language and culture. What is unique to the French case is that culture is prescribed through linguistic competence. In this article, I propose to examine ethno-linguistically the process of language shift and/or maintenance and its relationship to integration and identity among Turkish women in Alsace, France based on the following research questions. What is the correlation between integration and the linguistic varieties spoken by Turkish immigrants in French society?

Keywords
Language, immigration, women, discourse analysis, integration

Introduction
European political themes in the 21st century are dominated by concerns about the nature of national identity, the role of Islam in democratic society, and the impact of immigrants and their descendants on the perceived cultural homogeneity among the majority of EU countries. The immigration policies of the European Union have been critical towards immigrant populations in the sense that policies have been inconsistent and heavily focused on assimilationist processes.

French immigration policies are dictated by the assumption that full citizenship and inclusion in the French state is only achieved through proficiency in the French language and culture. While such a model of national identification is not unique to France, French immigration policies have vehemently upheld the assimilationist model (Tribalat 2013, Modood 2013) Furthermore, it is difficult to make a clear-cut generational distinction for the immigrants who arrive to European countries through marriage. These are, immigrants from the second generation marrying from Turkey instead of from France. What should one call these new grooms and brides? Is this a repetition of the first generation? In contrast to North African immigrants, who form the largest immigrant ethnic group in France, the
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Turkish community has a different migration background. The Turkish speaking community from Turkey (which I define as immigrants coming from Turkey). This category can included minority groups as well i.e. Kurds and Alevis), is described as being the least integrated in France. According to a 1994 survey by l’INED\(^1\), the Turkish case is described as: “aucun group d’immigrés ne comporte les signes d’un repli identitaire aussi nets et répétés que celui de Turquie”… les femmes “sont presque totalement coupées de la société.” (Bozarslan 1996: 14)\(^2\)

The Migration Policy Institute (2014) defines immigrant integration as: “the process of economic mobility and social inclusion for newcomers and their children.” There are four important domains where integration can be measured: work, education, social inclusion and active civic rights, which are all intertwined and attained through language.

**Methodology**

In this paper, I address the question of integration by conducting discourse analysis of an interview extract with a couple of participants. The focus is on language and identity, linguistic choices and the preservation of culture through language in the Turkish community in Alsace.

The research was carried out in Wissembourg, France. The area is geographically advantageous as it is a border town between France and Germany. The town has a population of less than eight thousand inhabitants, of which approximately five hundred are of Turkish descent. In Wissembourg, national (French) and regional (Alsatian) values and identities are reinforced by the locals. Immigrants as well as locals cross ‘linguistic borders’ (France-Germany) to run errands on a weekly basis. Three of my participants who are shop owners, expressed the importance of knowing German in order to do business with German tourists when they visit the region. The linguistic market (Bourdieu 1991) is very well defined for these female entrepreneurs in order to enable economic growth and make tourism attractive. The intrinsic identity and linguistic negotiations in Wissembourg are key to the study and examination of Turkish women’s practices, attitudes and what they can tell us about immigrant integration in Europe, more specifically in France.

In this paper, my sample consists of 16 adult female of Turkish background/heritage living in Wissembourg, France who are members

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\(^1\) Institut National d’Etudes Démographiques ‘the National Institute of Demographic Studies’

\(^2\) My translation: “No other immigrant groups show communalism as clear and repeated as the Turkish one…women are almost completely cut off from the society.”
of generation 1.5 (born in Turkey but raised in France) and members of the 2\textsuperscript{nd} and 3\textsuperscript{rd} generations (born and raised in France). I met with each of these women and conducted semi-structured interviews in their homes as well as in the work place for a few of them. The language of the interview was either in French, in Turkish or a mix of both. I also conducted participant observation in public spheres such as the work place and associations. Each participant was asked to complete a questionnaire either in French or in Turkish. In the semi-structured interviews the following modules were introduced: basic demographic information, language proficiency evaluated through a scaling method, language choices and uses in different settings with different interlocutors; identity and integration; importance of cultural activities, and connections with Turkey. The question on language proficiency was measured on a 5-point scale where participants were asked questions such as: “How would you rate your speaking, reading, listening, and writing in Turkish and French?” The interviews enabled me to gather data about participants’ uses of their language in different settings and with different interlocutors. Conducting participant observation in the households has enabled me to describe and investigate the importance of media, especially television, in language maintenance. It is worth noting that television, in most Turkish households, is regularly switched on. The programmes are all in the Turkish language and are diffused through a satellite dish, effectively bringing Turkey into Turkish households all across Europe since the late 1990s. In order to understand the role of Turkish television in the preservation of the ethnic language, participants responded to questions about the role of Turkish TV in the maintenance of the language. All responses were positive. However, where opinions vary was about which channels and which programmes were better in preserving what they call asas türkce (‘real/authentic Turkish). In addition, a significant number of the participants complained about the large amount of French borrowed words\textsuperscript{3} in the language.

There is a passive and slow process of adaptation to the French society, which is paradoxically facilitated by the Turkish TV channels. With the boom of the satellite dishes in the mid-1990s, Turkish women started to access information in Turkish. As of today, many Turkish women are only watching Turkish shows (e.g. cooking, talk shows, religious, entertainment and news).

\textsuperscript{3} The Turkish language has borrowed lots of French words. This borrowing had already started during the Ottoman Empire and is still happening.
Although Turkish television brought Turkey into the Turkish migrants’ households through its cultural programming, and became the Turkish woman’s best friend, it has also brought a new way of life through commercials, advertisements and more liberal channels showing the ‘Western Way of Life.’ This helped encouraged modernisation and hence partial integration by influencing consumption of similar types of goods as the mainstream population. However, Turkish channels can be seen as a hindrance to integration in the sense that they reinforce the use of the language and cultural practices.

**Migration and Policies in Europe**

**Definitions**

Politicians and (social) news media tend to use the words assimilation, integration and multiculturalism interchangeably. This is especially the case for the terms assimilation and integration (Modood 2013). The Migration Policy Institute (MPI) (2014) defines immigrant integration as: “the process of economic mobility and social inclusion for newcomers and their children.” There are four important domains where integration can be measured: work, education, social inclusion and active civic rights, which are all intertwined and attained through language. Whereas, Johnston (1969: 1) defines assimilation and integration as follows:

Assimilation generally implies the acceptance by immigrants of a way of life typical of the receiving community…[whereas] integration is understood in terms of fusion of the immigrants’ culture with the culture of the host group…it allow[s] to preserve their own [Turkish] culture, to influence the indigenous [French] culture and to be influenced by it.

A more recent distinction between these terms suggests that assimilationist policies “require ethnic minorities to become essentially undifferentiable from the host population, embracing its culture and identity along with its language, customs and traditions” (Hale-Williams 2013: 22-23).

The goal of this model is “sameness and unity” therefore homogeneity. Integration can be defined as representing “an inclusive state strategy whereby host societies provide clear legal and procedural channels for immigrant incorporation without requiring that they set aside all differentiating cultural manifestations of their native culture.” (Hale-Williams, 2013: 2).

In contrast, “Multiculturalism attempts to celebrate diversity while promoting harmonious coexistence” (Hale-Williams, 2013: 2). This definition can be represented on a continuum with ‘assimilation’ and ‘multiculturalism’ on each end and ‘integration’ somewhere in the middle,
with different degrees of integration embraced by immigrants throughout time in the host society.

Therefore, there are thus different understandings about these crucial terms. And for many, including; political actors, members of the public, and researchers, the terms can be used interchangeably, which can lead to erroneous conclusions about ethnic groups, and policy implications.

**Turkish Migration in Europe: France**

After the Second World War, Western European countries needed cheap labour in order to rebuild their economies. Therefore, West Germany, France, and other European countries signed bilateral agreements with Turkey (starting in the early 1960s). These agreements made it possible for 640,214 Turkish citizens to migrate to Western Europe in search of work between 1968 and 1971 (Abadan-Unat 2011: 14). In 1973, France allowed “family reunification” for its immigrants. This was done in order to promote the integration of migrants into the host society. As a result, there was an influx of Turkish women between 1974 and 1990. Most of the migrants came from rural places in the central Anatolian area and the Black Sea region of Turkey. The immigrants were from lower social classes and experienced two levels of migration: 1) migrating from rural to urban areas, and 2) migration to a new country where they worked in low wage jobs. For men it was mainly in construction, and other physical labour related industries, while women ended up in the cleaning, textile, and food (family owned restaurants) sectors. (Kastoryano 1986, Hüküm 1996, Abadan-Unat 2011)

There are currently about half a million Turkish-speaking immigrants residing in France. In the French media, one hears negative discourses on immigrants from Turkey and their poor assimilation of French values, especially women who are portrayed as insulated within their own ethnic communities and unmotivated to learn the French language.

Caught between the standard and prestigious forms of both French and Turkish immigrant women from Turkey in France are pressured to understand and use both languages. Can one assume that there is a linguistic continuum between the two languages? This research will demonstrate whether or not there is a continuum and how these women are developing their own ways of speaking, including code-switching and/or “immigrant Turkish” (Backus 2005).
In France, immigrant women from Turkey negotiate the use of their linguistics varieties, i.e. French and Turkish and their variants within their social networks (e.g. family, friends) and national institutions (e.g. public spaces, government agencies). This helps them build their monolingual and bilingual communities, and it allows, to some extent, language maintenance across generations. It also facilitates or hinders their integration into French society. France is known for having an assimilationist model of integration, in which immigrants are asked to become fully integrated into the French society by giving up their own culture and language in exchange for the French language and culture. What is characteristic to the French case is the prominence of language competence in prescribing culture. Although the assimilationist model has failed in France (Tribalat 2013), does it mean that the French government should give up on integrating its immigrants altogether?

**Measuring Integration**

How can integration be measured? It is defined at the MPI (2014) website, ‘Immigrant integration’ as: “the process of economic mobility and social inclusion for newcomers and their children.” Even this definition is not accurate in the sense that it applies to newcomers and not necessarily to those who migrated in the 1960s and 1970s for instance. In France, for instance, integration is defined as language mastery and it is measured in work, education, and social inclusion. As Akinci and Yagmur (2003: 112) highlight, “[the mastery of the French language is] seen as the most fundamental aspect of the acculturation process because language is considered to be the overarching value to achieve social cohesion and national unity in France.” According to the interviews I carried out for this research in Strasbourg and Wissembourg, migrants’ main goals were to earn, save money and return to their home country. After five decades, the myth of returning ‘home’ has taken another direction. There is still a plan to return among the first generation, however, it is not a definitive return but rather a temporary one, which starts once they retire. Thus, this temporary return allows the first generation to have one foot in the home country and one foot in the host country. Women have plans and projects for the future: investing in home ownership in the host society, working, buying a car, and/or becoming business owners. This is a strong and stable indicator of integration. Those who work already feel integrated, and for those who do not work the relationship with the other remains at the basic greeting level: “*bonjourlasma* (say ‘hello’)” (Bozarslan 1996: 8). Despite this type of integration “*la durée du séjour est envisagé comme plus longue, mais il n’y a pas pour autant une volonté d’intégration.*” (Petek-Salom 1997).  

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4 My loose translation: (even though) they decide to stay longer, there is not a greater will to integrate.
Linguistically speaking, French and Turkish are not related. French is a synthetic romance language whereas Turkish is an agglutinative Altaic language. There was already a linguistic handicap for the Turkish migrants when they arrived in the mid-1970s and were linguistically isolated. French language courses for migrants were not popular back then, which encouraged sticking together in order to ‘survive.’

According to people I interviewed, some were able to express themselves by using tarzanca ‘Turkish foreigner talk’. It was the same for women who worked, because of their interactions and their linguistic environment, they were able to learn a ‘broken’ French, but enough to be understood by their French interlocutors. Families with children relied on them as their translator when going to the doctor or for administrative tasks, which is still the case today in many Turkish immigrant families in Europe. Parents, especially mothers, were dependent on the children. Because they were put into housing project neighbourhoods with their own community as well as other ethnic communities, the French language was not dominant in their daily life activities at all. This was especially the case for those who were not working.

Naturalisation and Integration

In France’s assimilationist model, language is key to integration and opens up the door to many resources and new identities. For instance, in 1996 only 15,000 immigrants acquired the French nationality, and language deficiency seemed to be the main reason for this low number (Akinci and Yagmur 2003). Naturalisation applications had dropped by 30% between 2010 and 2012 during the former government administration (Sarkozy era), because of the level of difficulty. Applicants were required to take a multiple choice question exam (MCQ) on French culture and the history of the country, an oral exam, followed by an interview – all of this is in French. Applicants also had to show that they have a permanent job (i.e. not on the black market), in an economy recognised to be in crisis. (France24 2012)

With the new government of François Hollande, Prime Minister Manuel Valls made changes in the naturalisation application process. While maintaining a requisite for adequate knowledge of the French language as well as charte des droits et devoirs du citoyen français ‘charter of the rights and duties of the French citizen’, the MCQ examination was removed. For Valls “La naturalisation doit demeurer la conclusion logique d’un parcours d’intégration réussi.” (France24 2013).

Thus, with these new

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5 Personal communication with an informant.

6 My loose translation: Naturalization must remain the logical conclusion of a successful process of integration.
implementations, more immigrants will be able to apply for naturalisation, which will then allow them to express their voices during elections, and thus fulfil their civic rights as citizens. This point was strongly supported by Pierre Henry, director of France Terre d’Asile ‘France land of Asylum’ who advocated for immigrants who have been in France for decades, but because of not speaking le bon usage were not able to vote. This certainly includes Turkish immigrant women (France24 2013).

Turkish marriages are mainly endogamous (Tribalat 2013, de Valk and Liefbroer 2012, Milewski and Hamel 2010), which in our context means marrying someone not only from Turkey, but from the parents’ village or town. In general Turkish families do not favour exogamic marriages. The spouse must be from Turkey or from Turkish heritage and preferably from the same region or village in Turkey. Most all new Turkish brides and grooms are ‘exported’ from Turkey, and they are referred to as itahl gelin and ithal damat – ‘exported bride’ and ‘exported groom’ respectively. According to the 1997 statistics of the French National Institute of Statistics and Economic Studies, 98% of the Turkish women and 92% of the Turkish men married a Turkish person living in France or coming from Turkey. As an indirect result these endogamous unions seem to aid the maintaining of culture as well as language, and thus hindering integration.

New Immigration Policies

“Today [in the mid-1990s] it can be noticed that there are very few differences between a woman who came to France 20 years ago and one that just arrived; if we take as criteria language, mobility and knowledge about the host society” (Hüküm 1996: 2)

This generalisation can only apply to the first generation, because the French-born generation is involved in the society and in politics as well, enabled by their fluency in French. Back in the mid-1970 and early 1980s, language proficiency was not mandatory as it is today. Furthermore, the immigration policies were not as strict as they are today. For instance, any ‘imported’ bride or groom has to have taken French language and cultural

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7 It is more tolerated when a man marries a non-Muslim woman, but with the exception that she converts to Islam. In the majority if the Turkish immigrant families, for women an exogamic marriage is not conceivable, as it is perceived as a sin unless the spouse converts into Islam.

8 In Denmark there has been a discussion on passing a law to prevent the union of exported brides and grooms, but rather encourage unions between immigrants living in Denmark. This would better help the integration process because both parents having grown in the Danish society, know the culture and the language, and thus, can pass it on to their children. [This information was brought up during the Q&A of a paper on Turkish immigrants in Denmark, presented at the International Turkish Migration Conference in Europe: Projecting the Next 50 Years,- London, December 2012]

9 My own translation from the original: « On constate aujourd’hui qu’il y a très peu de différence entre la femme entrée en France il y a 20 ans et celle qui vient d’arriver; si l’on prend comme critères la langue française, la mobilité et la connaissance de la société d’accueil. »
classes at the French embassy in their country prior to coming to France. Once in France they are also required to take around two hundred hours of French language class. These laws apply strictly to non EU-citizens joining their spouse in France.

The French educational system is a challenge for immigrant students, especially those with a Turkish background and whose parents are from the first generation immigrants. Most of them did not achieve more than primary school education, especially women who are often illiterate. This ‘handicap’ and the lack of knowledge of the French language unable these parents to help, participate and assist their children in their education. Crul et al. (2012) analysed the integration of second-generation immigrants conducted in fifteen European cities, and found that Turkish parents are supportive at the emotional level for their children and in supporting the pursuit of an education. In addition, the role of older siblings is not negligible in helping their younger siblings, because they went through the same educational system and have the knowledge of the language and the material.

Religious as well as cultural associations are domains that aim to help integration. However, Akinci (1996) states that Turks who are unable to integrate into the French society gather in associations, of which they become members, in order to maintain their practices, customs and cultural traditions. This is not necessarily the case because cultural associations are created in order to be a point of reference, a resource for the immigrant community, where culture and language are valorised and where cultural activities and events are organised and introduced to the local host community. In other words, associations are a bridge between the ethnic community and the host society.

**Preserving Culture Through Language**

Studies on gender and language demonstrate the relationship between gender roles and language change in different migration as well as regional dialectal contexts. Gal’s bilingualism study (1978) on Oberwart, a small town in Eastern Austria, where German and Hungarian are spoken, showed that women were leading the language shift by moving away from using Hungarian because of its association with ‘peasantness’ (hence the rejection of that identity) to German, which was associated with job opportunities, better life as a spouse, i.e. socially prescribed modernity. Another study in which social mobility and prestige is demonstrated through language shifts is in McDonald (1995: 55) in which Breton women associated
their language with “the peasant lifestyle and the French language with finery and a city life.”

Cavanaugh (2006) also demonstrated the prestige of the standard language versus the dialect. She studied the language shift of the vernacular of Bergamo, a small town in Northern Italy, to standard Italian. She stated that women are not maintaining the vernacular - on the contrary; they are encouraging and facilitating the use of standard Italian within the household and elsewhere. In fact, women are blamed, in a social context, when using the vernacular with their children because “they are responsible for their children’s linguistic habits and abilities, just as they are held responsible for their socioeconomic futures through their education” (Cavanaugh 2006: 200), which is in standard Italian and not in their regional dialect. This is an expectation from within a female community to see pressure to speak standard Italian, to their children early on, so that “they will not endure the linguistics difficulties and social humiliation their parents and grandparents suffered in school as they struggled to learn Italian.” (Cavanaugh 2004 in Cavanaugh 2006: 201). If standard Italian is associated with women and social prestige, the dialect of Bergamasco is associated with a particular type of blue-collar man, either isolated shepherds or manual unskilled labour, and thus with a low social economic status.

Furthermore, there is a stigma attached to bilingualism in this community among the teachers who describe the situation as follows: “[children] arrive at school speaking a localised Italian, with numerous Bergamasco features. Children who speak in this way are often judged to speak incorrectly in general and deemed rough and uneducated.” (Cavanaugh 2006: 202) For these reasons women do not maintain the (ethnic) vernacular language because of its association with ‘non-modernity.’ In all three studies, upward cultural and economic mobility is associated with the language of the host society at large. To avoid digressing, I will not bring up additional questions related to universal generalisation on the role of women as leaders of their ethnic language shift and maintenance.

During my interview with Züleya, a 2nd generation informant, her brother joined us and made the point by saying that he and his siblings were required to speak Turkish until their 15th birthday. This was in order to preserve the Turkish culture. The interesting part in his utterance is when he switches to Turkish (line 13.3) to refer to the Turkish culture.

13.1 parce qu’on avait

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10 I conducted the interview in French, but participants were free to respond in either French or Turkish.
because we had

*pour pas qu’on oublie le turc*

so that we don’t forget Turkish

13.3 *kendi kültürümüzü falan unutmayalım diye*

so that we don’t forget our own culture

Later on in the same conversation I asked about whether losing one’s own language means losing the culture (line 14). For my female participant, the response was partly affirmative (line 15), because only a part of the culture will be lost if language is not preserved, whereas dining practices may still be observed.

Nevertheless, she thought that the transmission of the culture occurs through language. In contrast, her brother strongly believed that if the language is forgotten, everything is forgotten (line 18). The utterance “*on oublie tout*” (line 18) refers not only to culture, but also to the identity of the individual.

14. **FB**: OK

okay

*alors est-ce que oublier la langue c’est oublier la culture ?*

so does forgetting the language mean forgetting the culture?

15. **Z** : *une partie quand même*

some of it though

16. **FB**: *comment ça ?*

how so?

17. **Z** : *ben pour comprendre la culture faut quand même avoir des connaissances en langue*

so in order to understand the culture you must at least have some knowledge of the language

*enfin j’ai pas*

well I don’t know

18. **B** : *chez nous on a un proverbe si on oublie la langue on oublie tout*

(here) we have a saying if one forgets the language one forgets everything

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11 [Key: FB: researcher, Z: Züleyha, B: Züleyha’s brother. The use of Turkish is indicated in bold.]
This phenomenon, of culture being maintained through language in ethnic communities, has been accounted for in the literature by Mukherjee (2003) and Zuercher (2009). For instance, in Malaysia, Bengali immigrant women with a close network use the Bengali language more than those who have a diffused network (Mukherjee 2003). Furthermore, in order to preserve their culture through language, the elderly women in the community advocate for brides from India, because they are more valued than the young women born into the Bengali Malay community in preserving the language (Mukherjee 2003). Thus, women in the community are involved in different activities to preserve their ethnic language, and so consciously decided to use Bengali as an identity marker (Mukherjee 2003) as well as a form of loyalty toward their culture. In comparison, the younger generation chooses to speak English primarily for economic reasons (Mukherjee 2003).

In essence, through linguistic practices, i.e. speaking the minority language in the household, the ethnic culture is preserved and passed on to the future generations. In contrast to the Bergamasco case, in some cultures, such as Turkish for instance, women are perceived as bearers of tradition and culture specifically through their choice of language. In my interviews some of my participants alluded to their role or bearer of the Turkish culture and the language. However, there are reasons to think that language contact will result in language shift and that women are the primary leaders of this process. Nonetheless, this is not universal, as women are also the gatekeepers of their culture through language (Mukherjee 2003).

**Language Choice in the Process of Preserving the Ethnic Language**

In bilingual societies and communities there is a case of diglossia which is defined as a “stable language situation...[where] there is a high codified superposed variety...which is learned largely by formal education and is used in [formal settings], but it is not used by any sector of the community for ordinary conversation” (Grosjean 1982:130). This definition has been extended to situations where two, or more, (unrelated) languages are in contact and used in different settings (formal or informal). In an immigrant community, it is more complex than the clear-cut distinction between the use of the high versus low variety, in ‘formal’ versus ‘informal’ settings respectively. For instance, in a formal setting two bilingual speakers may code-switch instead of using the high variety as expected. Furthermore, how are these settings defined? Aren’t there other variables that need to be considered in deciding which variety to use?

Fishman (2000) uses the notion of “‘domains of language behaviour’” in order to analyse multilingual settings within groups and to describe pattern choices. According to Fishman (2000) in describing language patterns in multilingual settings, three areas need attention: 1) **Group membership** (e.g.
Age, gender, religions, association, social status, etc.; 2) Situation also called Setting (e.g. physical settings, topics, functions of discourse: greetings, apologies, information, offering information, and style), and 3) Mode of intimacy and familiarity which refers to speaking one particular language because speakers perceive it as the language of solidarity (e.g. the use of verlan -a slang and youth language- among male immigrant teenagers in France as an identity marker) and/or intimacy (e.g. mother using words of affection with her child).

In my preliminary ethnographic fieldwork conducted in Wissembourg, France, among the Turkish community, to the question “Are there any topics that you think you use more French rather than Turkish or the other way around?” One of my second-generation female participants’ responded as follows: “When talking about religion to my son, I use Turkish because that’s the language in which I learned about religion.”

This is a typical phenomenon that happens among all bilinguals, the use of one language with one topic, because the jargon of the topic has been acquired in that same language and is thus easier to access, rather than trying to translate into the other language.

Another second-generation participant from my preliminary fieldwork said that, with her siblings, she uses French if the topic of the discussion is abstract and Turkish if it is about mundane everyday activities or topics and thus more concrete themes. Like the example of religion for one of my participants, at times language choice in a multilingual setting also occurs for reasons of verbal ‘economy’, in the sense that retrieving the information as quickly as possible, (lines.5.3 and 5.7) in order to keep the conversation going smoothly. This sentiment is clearly expressed by my informant:

5. Z\textsuperscript{12} & ouais
Yeah

5.3\textsuperscript{12} en fait
actually

\textit{ne kolay geliyorsa}
what ever is the easiest

\textit{şimdi böyle}
here is the thing

\textsuperscript{12} [Key: FB: researcher, Z: Züleyha, B: Züleyha’s brother, M: Züleyha’s mother – the use of Turkish is indicated in bold.]
In the above extract (5), the setting, topic of the conversation determines the use of one language over the other. For this participant, the dominant language of French allows her to express herself with her siblings, in a more abstract way than her ancestral Turkish language. Therefore,

“[d]omains [of language behaviour]…help us understand that language choice and topic, appropriate though they may be for analyses of individual behaviour at the level of face-to-face verbal encounters, are…related to widespread socio-cultural norms and expectations. Language choices, cumulated over many individuals and many choice instances, become transformed into the process of language maintenance or language shift.”(Fishman 2000: 93).

The benefits of anthropological tools, such as ethnography, including but not limited to observing and interacting intensively with the participants, will tell us more about the different cultural and social factors which are at play in language maintenance and language shift.

**Discussions**

Studies of (regional) bilingualism (McDonald 1994, Cavanaugh 2006, Gal 1978, Mukherjee 2003, Zuercher 2009) have examined choices and uses of different varieties of languages by women and their significance for the community as well as for the larger society. Since in many cultures the mother is the primary caretaker of the infant (Cavanaugh 2006) she decides what language to speak to her children. For this reason, when it comes to the preservation of the ethnic language, women are either conservative, and use the ethnic language as the main linguistic tool within the household and with their friends, or they are un-concerned with the preservation of their ethnic language and encourage the use of the host country’s language within the household (Cavanaugh 2006, Khemlani 2003). In Wissembourg, France, the Turkish
language of the immigrants is still alive within the household and the ethnic community.

The intergenerational transmission issue reveals that it is much more complicated than it appears, especially among the younger generations. Generations 1.5, 2 and 3 maintain their parents’ dialectal Turkish language to some degree, within the household and in the communities, they may speak French with their friends; and they may even mix both languages when talking to a peer, as some of my participants have noted, “whatever is the easiest.” In addition to parental use of Turkish, Akinci (1996) argued for the essential role of television and other forms of Turkish media, which I question in another paper.

In a sociolinguistic study, about the future of the Turkish language in France, conducted among participants from Lyon, Akinci (2003a) concluded that there is a generational difference. The first generation did not see a future for their ancestral language; on the other hand, the younger generation believed that “the Turkish language is going to obtain a strong status in the future” (Akinci 2003a: 140). Why this disconnect from what the youth believe and what adults predict? Who is right? Are both groups right in a way? In this research I found that the first generation continues to use the Turkish language within the family, and when gathering at the cultural Turkish associations, for instance. In this research both first and second generations agree that the Turkish language is changing mainly due to the introduction of satellite dishes that allow Turkish channels into the immigrants’ households. Therefore, Turkish media seems to play an important role, though not as important as the role women play, in the change as well as in maintaining the language in the community.

For immigrant languages to be preserved and accepted at some level, the mainstream society at large needs to welcome the “bilinguisme de masse,” and not stigmatise its immigrants’ languages, so that, as Grosjean (1982) noted, the bilingual immigrant does not have to reject his or her language, and culture.

References

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13 The “"bilinguisme de masse” refers to Turkish, Arabic in contrast with le bilinguisme d’élite, which are languages such as English, German, Spanish, and Italian, viz. languages being taught in schools.


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Finding the right spouse: Young Sri Lankan Tamil Hindu women in Denmark

MARIANNE QVORTRUP FIBIGER
Aarhus University, Denmark

Abstract
This article focuses on second-generation, well-educated Sri Lankan Tamil Hindu women whom now live in the university towns of Denmark. After leaving their parents’ homes in Denmark, they have begun to speak out, criticising matters concerning the Tamil Hindu tradition that they believe conflict with their lives in modern Danish society, both as Tamil Hindus, and as women. At the same time, they emphasise elements within the same tradition that, from their point of view, are so important, they want to pass them on to the next generation. This contradiction or conflict between connecting and disconnecting to tradition becomes obvious with regard to the discussion of finding the right spouse, where the young Sri Lankan Tamil Hindu women are caught in a conflict between following their parents marriage patterns and requirements with respect to including caste or kinship, or following their new effort to find an equally educated husband no matter of caste affiliation. This article gives examples from this discussion, which I have followed on the Internet over the last couple of years, supplemented with about 50 semi-structured interviews with young, second-generation, Sri Lankan Tamil Hindus.

Keywords
Cultural or collective memory, cultural hybridity, identities, generation conflict, gender

Introduction
In Denmark, there are about 11,500 people of Sri Lankan origin, of which approximately 10,000 are Tamil Hindus. The first Sri Lankan Tamil Hindus came to Denmark in 1983 because of the escalating conflict in Sri Lanka. They were mostly men and categorized as de facto refugees. During the 1990s, they were reunited with the families they left behind, or they married Sri Lankan Tamil women, and began to settle down.

1 She is an associate professor of religious studies at Aarhus University. Her work focuses on Hinduism in general (in Denmark and in the diaspora, in particular), ktsim, religious plurality and diversity, how concepts and worldviews travel between East and West, and religion in cultural encounters.
2 Because Statistics Denmark, which registers all newcomers to Denmark, do not take religious, but only geographic affiliation into account, it is difficult to give an exact figure when it comes to religious grouping. In Sri Lanka, the Tamils are, and always have been, a minority group. According to the 2012 census, the total population of Sri Lanka is 20.2 million people, of which the major ethnic group (up to 75%) is the Sinhalese, mostly Buddhist; then comes the Tamils, comprising about 15% of the population, divided between Sri Lankan Tamils (approximately 11%) and Indian Tamils (approximate 4%), most of which are Hindus.
This article focuses on how they balance between being part of a presumed, shared, Tamil cultural heritage or cultural memory, and at the same time, being part of Danish society. This article gives examples from this discussion, which I have followed on the Internet over the last couple of years, supplemented with about 50 semi-structured interviews with young, second-generation, Sri Lankan Tamil Hindus. Theoretically, this article both takes advantage of, and contests, the theories of cultural hybridity and third space (Homi Bhabha 1994). It is my conviction that even if the intention, when introducing these theories, was to criticise a static and essentialist idea of ethnicity, identity, and culture in a migratory and diasporic setting, they still support it. Therefore, I supplement the notions of hybridity and third space with the idea of a ‘translocal positionality’, as developed by Floya Anthias (2001), emphasising that ‘identities’ are located outside old ethnicities and localities. This is a fact even though, which my case study shows, that these are still understood by their constructors (in this case, second-generation Tamil Hindu women) as being something worth keeping in a new form, suitable for modern women in Denmark: here, the Tamil language and the temple, understood as a religious and cultural preservers, seem to be given particular importance. This statement does not imply that culture is not constructed (individuals are not passive recipients), however, it does suggest that such a construction is based on at least two aspects. First, it is based on specific socialisation within a family that is affiliated with a particular group – be it ethnic, cultural, religious, or connected through shared values – to which the individual is introduced, and in which he/she has to act accordingly (by partially adopting, fully adopting, or rejecting these values). Second, it is based on the conferred flexibility or elasticity within the same tradition that a group of individuals understand as shared, in this article, labelled ‘cultural’ or ‘collective’ memory (Assmann 2006; Hervieu-Léger 2000).

Background of Tamil movement

Although a full description of the conflict cannot be given here, it is important to point out the escalation of pogroms and riots during the 1970s, ending with the so-called ‘Black July’ of 1983, when Tamil shops were burned, and the slogan, ‘Sinhala only’ (referring to the Sinhala language) was heard in the streets. Consequently, the Tamil militant group, The Liberation Tigers of Tamil Eelam (LTTE), also called the Tamil Tigers, increased their fight for an independent state in the northeast part of Sri Lanka. This very well organised militant group, equipped with both an air force and a navy, but especially known for having had a charismatic leader, Velupillai Prabhakaran (1954 – 2009), and around 10,000 well-trained soldiers and child soldiers, was both supported and feared among the Tamil minority group in Sri Lanka (Swamy 1994; Amarasingam 2015). The LTTE
was supported because most Tamils sympathised with the fight for Tamil equal rights, including the right to speak and use the Tamil language in every aspect of life. But at the same time LTTE was also feared, because most Tamils did not like their methods, and the way they recruited soldiers for its army, which was often a forced duty (Swamy 2003). This launched a wave of Tamil refugees. In the beginning they were mostly men who wanted to escape recruitment by the LTTE or to be imprisoned by the Sinhala government troops, who saw the young Tamil men as possible LTTE sympathizers, and therefore as a threat.

Today, more than 8,000 of the approximately 11.500 Sri Lankan Tamils living in Denmark have become Danish citizens. This shows their sincere wish to settle down in Denmark permanently. Compared to most other refugee and immigrant groups in Denmark, the Sri Lankan Tamils are, according to seven criteria’s formulated by a so called “Think-tank” set-up by the government year 2000 and still used as a parameter to day (see the Ministry of Justice Website 2015). They are well integrated into Danish society: most of them work, their children, especially the girls, are doing well in the Danish schools, and they often choose to speak Danish to one another. In other words, they have passed through an adaptation process much more quickly than many of the other immigrant and refugee groups in Denmark (see Danmarks statistics 2014). However, although they wish to stay in Denmark, they do not wish to lose their relationship to Sri Lanka, which they still regard as some kind of homeland. Therefore, in this sense, ethnicity relates to both homeland and to the society in which they have settled; at the same time, this shows how the relationship between the old and the new homeland is dialectic and constantly reconfigured.

In this process of adaptation, they are especially reluctant to lose their connection to Tamil Hinduism, which they continue to understand as a form of translocal identity marker. The six Sri Lankan Hindu temples in Denmark are a testament to this. An elderly Sri Lankan Tamil Hindu told me, back in 1994, when the first Tamil Hindu temple in Denmark was consecrated: ‘Now I really feel at home in Denmark, too’. This statement shows that religion, at least in this case, seems to transcend place of settlement. This does not mean that the Tamil Hindu religion is not changing in the new settlement in Denmark, and it does not mean that new

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3 The Ministry of Justice. In 2011 the government imposed the Ministry of Integration and integrated it in three other ministries - among them the Ministry of Justice

4 Unfortunately, the scope of this article does not extend to a discussion of the role of religious organisations as tradition keepers, and in the social integration of immigrants. Regarding the latter, Breton identifies at least four ways in which religion may assist; it may: a) provide practical services and social opportunities; b) foster social and civic participation; c) make available cultural tools to cope with the moral challenges encountered in the new cultural milieu; and d) offer a paradigm by which the new society is defined by members of the group (Breton 2012: 97).
elements within Danish culture are not taking into account and supplementing or succeeding parts of the Tamil religious or cultural tradition, but the religious institution as a concrete, visible sign in the new setting seems to be given particular importance.

The second generation of Sri Lankan Tamils in Denmark, who were either born in Denmark or came to Denmark as small children, also feel that the old homeland and the Hindu religion matter, but they are struggling to connect to both the old homeland and the new, and to the Hindu religion. As expressed by a 25-year-old woman (asked Where do you feel you belong?), this seems to depend on the situation and the location and an example of translocality:

It really depends on where I am. When I am asked at home [Denmark], I answer either Sri Lanka or Struer [city in Denmark]. When asked abroad, I tell them I am from Denmark. (Sri Lankan Tamil Hindu, female, 25 years).

When it comes to cultural adaptation, an increasing number of Sri Lankan Tamils are adopting selected Danish traditions (for example, Christmas Eve), but on their own terms. A Sri Lankan Tamil Hindu father 40 years of age remarked:

We do celebrate Christmas with presents and a Christmas tree, decorated with things our children make at school, in our living room, but we don’t sing Christmas Carols or go to church. Some of our Tamil friends in Germany go to church, but we have decided not to. We think it is important that our children have a relationship to our temple, instead. It’s not that they are not allowed in church—they go there with the school—but just for them to get an idea of where our tradition comes from, or is strongly connected.

This inclusion of elements from the Danish tradition and culture also makes Tamil Hindus more aware of what they consider the important hallmarks associated with being Hindu and Tamil, and it provides us not only with an interesting example of how inclusiveness and exclusiveness related to tradition or culture may mutually affect each other, but also, how these hallmarks are under constant negotiation, and changes related to context, or to what these hallmarks are understood as being hallmarks of. This is true, even if the motivation for adapting to westernised and Christian forms is to achieve greater respectability among the majority, as observed by Vertovec while investigating Hindus in Trinidad (Vertovec 1990: 232). At the same time, the Danish Christmas Eve reminds The Tamil Hindus in Denmark of Divali, the most important festival for many Hindus – in some ways, this may be called the transference of one religious celebration to another. At the same time, the outcome is both something new and something recognisable. As one Sri Lankan Tamil Hindu, woman, 50 years of age, told me:
I compare your Christmas to Divali. The first thing that comes to my mind is the decoration and lighting. Divali is a festival of lights. So most of the houses are decorated with lights. Also, we also make very delicious food items, just like here. We also set off lots of firecrackers.

Today, the Sri Lankan Tamil Hindus are scattered over most of Denmark in small groups that are anchored in many different localities. Some have moved following new job opportunities, while those belonging to the second generation of Tamils have moved to the capital, Copenhagen, or other university towns, such as Aarhus, in pursuit of higher education. Especially the Tamil young women have done well in the Danish secondary school system, and have now started a university education. In general, around 67 per cent of all Tamils in Denmark are fully employed, which means that, together with the Indians and the Vietnamese, they have the largest rate of employment of all immigrant (and refugee) groups in Denmark. Also, the educational level among young Tamils is high, compared to other groups, which can be noticed in statistic material published every year on Denmark (Denmarks Statistic 2014). One reason for this is found in the very strong work ethic that seems to be implicit in the Hindu tradition, and consequently, the children are raised in an atmosphere where education matters. In my interviews it becomes clear that education is not only understood as an instrument for doing well in society but is also a kind of token or offering to God fulfilling the possibilities given by God. This is at least what one of my informants a 55-year-old, first-generation Sri Lankan Tamil Hindu father emphasises to me:

I have raised my children to understand the importance of education. They have opportunities in Denmark for education that I myself didn’t have in Sri Lanka – they just have to fulfil them – from my point of view, God-given possibilities.

Multiple identities

Cultural interchange and the conflict between criticism of an imagined, shared tradition, and using it as a reservoir for legitimising a new view on life and gender relations, becomes especially profound among second-generation Sri Lankan Tamil Hindu women who have started a longer university programme and now live in the university towns of Denmark. They have begun to speak out, criticising matters within the Tamil Hindu tradition that they believe contradict their lives in modern Danish society, both as Tamil Hindus, and as women. That is at least what I have noticed in my research within the last couple of years. This does not mean they are dismantling their tradition; instead, which become clear in my interviews, they are using elements or arguments somehow supported by tradition to overrule others within the tradition that are not compatible to their new strive in life here in Denmark. A crucial example is how they use education
or their implicit work ethic as an argument for overruling caste as the main criterion when seeking a husband. So, although a permanent reinterpretation process is going on within the whole group, I find a generation gap, as well as a gender gap, in this process. In their self-understanding, they all seem to emphasise being both Tamil and Hindu, but in many respects, what they put into these categories seems to differ. This is of course the case for every individual, and changes according to circumstances and situation, but an overall pattern may be noted when comparing the first and second generations. Whereas first-generation Tamil immigrants generally try to keep up the traditions, explicitly as they know them from Sri Lanka, second-generation immigrants do not (Fibiger; 2011). They reinterpret or pick out the specific elements of what is understood as important parts of an imagined tradition, but in a translated or reinterpreted form, which helps them to engage in the society of which they are now a part, and at the same time links them to the imagined tradition they share with their parents.

The idea of a mutual, shared tradition is particularly vulnerable and profound in relation to new generations that are struggling with not only their hybrid, but also translocal identities, including the identity of being both Danish and Sri Lankan Tamil Hindu on new terms, without the opportunity to anchor their cultural, ethnic, social, or religious identity to a specific place or space, as a specific homeland.

This conflict of linking and unlinking is something the second generation of Sri Lankan Tamil Hindus share with all young immigrants living as minorities in a diaspora situation, but as I state, the Hindu tradition, which on the one hand is very closely linked to right conduct but on the other very difficult to define seems to contribute with arguments that fit both the idea of belonging to a specific tradition, but on the other also provides arguments that fit the lives of well-educated, modern, second-generation, Tamil Hindu women in Denmark or wherever they want to settle down later in their lives. When it comes to the last point, yoga, guruism and God as an entity within oneself is often highlighted among my informants as core elements within their religious tradition.

The strive for balancing between belonging to a tradition but at the same time adapting it to their lives in Denmark also becomes obvious when it comes to gender matters. Here the content of the concept stree-dharma (stree = ‘woman’, dharma = ‘duty’) has raised a debate on how to find a spouse for a modern woman with a Tamil Hindu background, in Denmark, still bearing in mind the idea that her duty is to become a mother, and to raise her children without disconnecting them from the idea of a mutually-shared tradition. The answer is most often a man with a Tamil Hindu
background who is equally educated. This is expressed for example in the following quotation:

For me it is about the balance between our Tamil background and our Danish upbringing. I try to combine the good things from both cultures. I would like to have a husband who thinks the same, also in relation to the upbringing of children, in relation to education, values, religion, boys/girls, alcohol etc. (Sri Lankan Tamil Hindu, woman, 24 years of age).

They are openly caught in a conflict between following their parents’ marriage patterns with respect to caste or kinship, and following their new desire to find an equally well-educated husband, without losing the possibility of connecting their children to the tradition they understand as an important identity marker, and also as an important resource in many life matters. However, despite their open-minded criticism of the way they were raised by their parents and of parts of the Tamil Hindu tradition, most of them emphasise their roles and duties as caretakers and transmitters of tradition. This may be the main reason for questioning a marriage with a man of Danish descent. This is also what the following statements by second-generation Sri Lankan Tamil Hindu women indicate:

Hinduism doesn’t take up much space in my daily life, but it is still part of my identity, and it is my wish to keep up traditions, for example, in relation to marriage and raising my children. I feel I have a duty (out of respect for the tradition) to keep up the relationship to Tamilness and to Hinduism, but out of loyalty, not as a forced duty (Sri Lankan Tamil Hindu, woman, 27 years of age).

Another woman also added that:

I don’t want my children to become rootless. I do have roots here, but anyway. The Tamil language, but also the Hindu temple, must play a role (Sri Lankan Tamil Hindu, woman, 24 years of age).

In these statements, it becomes obvious that these young Tamil women attach meaning to the idea of a mutually-shared tradition, but what is of special interest to me as a scholar of the Hindu religion is to understand why or which elements of the tradition the young Tamil Hindu women attach such great importance to that they want to preserve and pass it on to the next generation. Furthermore, they relate these traditions to their self-understanding and striving for what they believe is the ‘ideal life’.

As stated before, this particular group shares many of the same problems of other young, second- and third-generation immigrant women in Denmark or in the diaspora in general (identity construction, dual belonging,

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5 Various surveys and research on Hindu women’s roles in the diaspora emphasize how Hindu women have an important role as cultural/religious caretakers and transmitters (Hole 2001; Knott 1996, 2000; Lourenco 2011; Rayaprol 1995, 1997).
generational conflicts, gender conflicts, cultural hybridisation, relation to tradition, multiple identities, etc.), but additionally, this article states that these processes are also shaped in a particular way by being Sri Lankan Tamil Hindu woman in Denmark. This negotiation between being Hindu (religious identity), and Tamil (cultural, ethnic, and social identities), as well as being a Danish citizen (social and cultural identities) is constantly present, and even if constructed, shapes their particular understanding of belonging, not only to a place in history or in the world, but also in the mind. What I find interesting is that they do not seem to want to let go of any of these anchoring points, and they appreciate this form of cultural hybridity. They understand all elements to be important resources, which seems to be the main reason for wanting a Sri Lankan Tamil Hindu husband, a man that shares the same relationship to the above-mentioned elements of belonging. Or, as expressed by a second-generation Sri Lankan Tamil Hindu, woman, 26 years of age:

I would like to get married to a Tamil Hindu, who lives and was raised here in Denmark. The reason for this wish is that we would understand each other: for example, in relation to lifestyle (relationship between man and woman, independence, work) and interests (concerts, go out to a dance, drink a cold beer, travel). At the same time, we would share a common idea of belonging, as being both Tamil and Hindu. I think that will help us when raising our children.

**Cultural memory**

The common source of ideas or references is what Jan Assmann (2006) and Danièle Hervieu-Léger (2000) call ‘cultural’ or ‘collective’ memory. Both scholars emphasise that memory is culturally transmitted, and is not found only within the individual, but is somehow stored in institutions or texts and, I would add, in relation to the Hindu tradition, also in rituals, behavioural patterns, and ethical conduct, and is shared by a collective of beings in a special setting, situation, and location. This does not indicate that the individual is only part of one collective of being, but it does show that the individual attaches more explicit meaning to some group affiliations than others.

According to Assmann (2006) and Hervieu-Léger (2000), elements of a tradition retained for more than three generations qualify as cultural memory. It does not mean that these supposed core features are not changed or (re)constructed, but rather that, in the minds of the bearers of the tradition, they are understood as essential to their sense of cultural, ethnic, and/or religious belonging. Assmann (2006) differentiates between communicative memory and collective memory, an important distinction in this article. He states that communicative memory occurs in the immediate interaction between people, and does not go back more than three
generations. The individual’s state of mind or emotional state of being plays an important role in communicative memory, because it helps to preserve the content of the experience (love, anger, disillusion, etc. (Assmann 2006: 3). However, it does not help to preserve collective memory, which may be transmitted from generation to generation. Therefore, as a survival mechanism in an evolutionary cultural scheme, it is important to store core features of the tradition in the collective memory, since, in contrast to communicative memory, cultural or collective memory goes back in history, and may be stored in either institutions or as text. From Assmann’s (2006) point of view, cultural or religious texts are a special class of oral or written texts, which may be recalled, irrespective of time and place. It may be added that these texts continue producing meaning for those who understand themselves as part of a particular group, sharing the same presumed reservoir of meaning provider.

In relation to religion, Assmann (2006) defines cultural memory as an institutionalisation of what he calls ‘invisible religion’ (with reference to Luckmann’s book with the same title from 1967). Invisible religion is understood as the process of individuation, and the formation of a personal self. Assmann (2006) does not reject invisible religion he simply aims to understand why we find the maintenance of symbolic universes over generations, and a continuity of a special system of meaning and identity (2006: 37). What interests me is not so much the maintenance of symbolic universes, but the recalling or awareness of symbolic universes that may be used in the formation or establishment of collective memory.

When it comes to second-generation Sri Lankan Tamil Hindu women in Denmark, they are generally very critical of their parents’ relation to collective memory, which they find too narrow, too local, wrongly interpreted, or lacking reflection. These elements are mostly anchored in local Tamil Hindu tradition, tied to a particular locality in Sri Lanka, which does not seem to fit many well-educated, second-generation, Sri Lankan Tamil Hindu women’s world- and life-views, which are constructed to fit their new setting, and position in life in Denmark. It is obvious that they do not want to become mono-cultural, but cultural hybrids, taking elements from Tamil Hindu and Danish culture, in a patchwork culture that fits their circumstances – both geographically and in life. This does not mean they reject collective memory, which links them to their parents, but they qualify it so it fits their new setting in a way that may also exist in the future. In that way, it becomes a floating signifier with translocal positionality potential, so it can be meaningful also for the coming generation in a changing world, even if they leave Denmark.

Hinduism is full of superstition. Just look at our parents. As an example, I can tell you that my mother was very engaged in astrology, especially how
The planets were placed in relation to each other. Sometimes she said: ‘now we are facing a bad period’. And we had to fast or we had to go to the temple to make offerings. It was driving me crazy. Today, I have to admit, I look a bit at it myself - but in contrast to my mother, I consult books about the subject. (Sri Lankan Tamil Hindu, woman, 27 years of age).

This statement is an example of how she relates to her parents’ tradition, though not without hesitation. She needs proof or a textual authority to support a belief, before she will let it become part of her meaning system, or approve it as part of collective memory. The fact that the Tamil Hindu tradition matters is also expressed by another young Tamil women, who wants to transfer the tradition to her children, but in a changed form:

I don’t want my children to become rootless. I do have roots here, but anyway. The Tamil language, but also the temple must play a role. (Sri Lankan Tamil Hindu, woman, 24 years of age).

And of her relationship to the temple, which openly differs to that of her parents:

Hinduism is for me to believe. And I see the temple, when I think of Hinduism. Because it is in the temple I worship, not at home, as my parents do. They have a mandir (altar) at home, I haven’t. And the rituals in the temple have an impact on my understanding of being a Hindu, but also when it comes to the ethical aspects and how to behave. In a funny way, I become aware of these aspects in the temple. Even if I don’t understand the rituals that are conducted in the temple, they give me some kind of confidence or structure. It relates me to my tradition, and then you are reminded of what to do and what not to do. (Sri Lankan Tamil Hindu, woman, 24 years of age).

Using the idea of collective memory as a theoretical framework does not mean that I disagree with Judith Butler, when she argues that gender is a construction, but I especially agree with her when she simultaneously questions the gender construction by asking ‘to what extent “identity” is a normative ideal rather than a descriptive feature of experience’ in this matter (Butler 1990: 23). In other words, the presumed normativity anchored in the collective memory is being negotiated, or interpreted and used in such a way that it still gives meaning to those who relate to it, as something they share. In relation to the theme of this article, it is interesting to decipher how the construction of gender is negotiated or enacted among young, second-generation, well-educated Sri Lankan Tamil Hindu women in Denmark in a way that enables them to cope with their efforts to be modern and independent women following Danish patterns, but without losing their relationship to the Tamil Hindu tradition, which they still find important as a norm-giver, and as an important contribution to the feeling of belonging in a fluctuating life situation, a feeling of belonging that they want to pass on to their children, to some degree. What seems of great
importance to this group of young Sri Lankan Tamil Hindu women is that their children become part of Danish society in daily aspects, on the one hand, but on the other hand, become aware of their special cultural and religious roots. Here, it becomes obvious how the westernised conceptions or selection of Hindu concepts and particular worldviews has an impact on what they understand of profound or ‘real’ Hinduism (yoga, the personal relationship to God, that God may have many different names, etc., without losing their local understanding of belonging to a specific Sri Lankan Tamil Hindu culture (language, particular temple rituals, ethics, gender-specific roles, etc.). The gender roles, which may be called ‘implicit religion’, seem to be of special importance to the young women when they have children, particularly because they understand themselves, as women, as the primary bearers and transmitters of religious tradition:

It has always been my mother who told me religious stories, and in many ways raised me in the Hindu faith. She was also the one who did the daily puja (worship) at our little mandir (altar) in our home. It is not because my father isn’t religious, but it was just not his obligation. Therefore, being a woman, I see it as my obligation to raise the children in the religious faith. I just want to do it in another way than my mother did. It has to fit the Danish society where my children are born. (Sri Lankan Tamil Hindu, woman, 30 years of age).

As indicated earlier, I will now give an example of how the dichotomy of being a modern Danish woman, and a Tamil Hindu woman, has started a discussion of how to find the right husband, who can live up to their ideals as independent and aspirational women, and balance that with their need to keep up traditions that link them to their families, to Sri Lanka, to the Tamils, and to Hinduism.

**How to find the right spouse?**

“Tamil girls beat every record when it comes to educational level and integration in Denmark. But then follows the question: can we find enough well-educated Tamil men for all these Tamil girls, when they are looking for a husband?” (Poster quotation, March, 2009).

This was the main statement and question on a poster, inviting young Tamils and other interested parties to a debate at an event on 8 March 2009 (The International Women’s Day), in Aarhus, Denmark, arranged by the individuals behind the Internet chat forums, such as Nizhal.dk, Tamilgirls.dk, Tamil Magazine and the Bridge-builder (in Danish: Brobyggeren). The poster’s headline was: Challenges Tamil women meet when choosing a partner. After the above-mentioned introductory question, the poster further asked the following questions:

1) What kinds of opportunities do Tamil girls find on the marriage market?
Young Sri Lankan Tamil Hindu women in Denmark, Fibiger

2) Do freedom and independence have an impact on Tamil women when choosing a partner? 3) How do parents, society, and unwritten rules have an impact on Tamil women’s lives? 4) Does the fact that the women are better educated than the men have an impact on the gender relations? 5) What expectations and demands do modern, independent, and well-educated Tamil women have of their prospective husbands?

Unfortunately, the morning of the scheduled event, it was cancelled because of problems in Sri Lanka, with a flow of refugees from Jaffna to different refugee camps causing new political tensions on the island, but the invitation was published on the Internet, and further elaborated with even more questions, such as: Have Tamil women found a new social status to replace their parents’ patriarchal values? Why is it more common for a Tamil woman to marry a Danish man than for a Tamil man to marry a Danish woman? Do we see a pattern in which young Tamil women are increasingly breaking with their parents’ values and socioeconomic relations, and marrying for love? Has the concept of love changed? (Questions launched a bit later on the following two web pages or chat-groups: Tamilgirl.dk, Nizhal.dk, 18.4. 2009). This started a long, on going debate, both on the Internet in the two above-mentioned chat groups, and in the magazine, The Bridge builder. It also started broader reflection on being a Tamil Hindu woman with a Danish twist among many of my informants. For some, it seems like the situation in Denmark differs from other Sri Lankan Tamil Hindu groups living in the diaspora. This is at least what the following comment from an anonymous woman writing on Tamilgirl.dk demonstrates:

Dear all, I write this comment as a person who has followed the development of the discussion from the side line. I have noticed two different groups of critics [...] One group argues that the problem does not exist, and criticizes the arrangers for making up a problem. The other group argues that the arrangers are making the problem too vague. They want an even more critical announcement. I think that things are changing quicker in Denmark, in comparison to England and Canada, for example. It is not because the Tamils in Denmark are more ‘humane’, but because we are a small community. It is more difficult for a small community to reproduce and keep its values in their original form. In England and in Canada, Tamils do mostly marry within the same caste, and they mostly interrelate with Tamils within the same caste. At the same time, they also marry within their own educational levels. Both are possible in big communities.

In 2005, around 16% of all Tamil marriages were mixed marriages between a Tamil (mostly women) and an ethnic Dane (source: the Ministry for Integration). I have been told by some of the Tamil women that it was

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6 Both homepages are under reconstruction and for the time being not accessible. I tried to access 10 October 2015.

7 The young woman refers to the following research by Statistics Denmark, Table 2: Education among 16–29-year-old women and men from Sri Lanka in 2007.
In her comparison of the situation in England and Canada with that in Denmark, she emphasizes that the ‘right’ match, with respect to caste and educational level, is possible there, but not in Denmark. At the same time, in using the word ‘humane’, she insinuates a criticism of the way things are done in Canada and England, but without suggesting that the Danish model is ideal. This is also expressed in the concluding paragraph, referring to the fact that an ethnic Danish husband was chosen by Tamil women not because he was an ideal match, but because they never met Tamil men matching their educational level while studying.

With regard to mixed marriages, most of the second-generation Sri Lankan Tamil Hindu women I have interviewed have mixed feelings. One the one hand, they are attracted to the idea, on the other hand they do not think it will turn out well in the long run. This is especially questioned in relation to children, whom they do not want to ‘become rootless’.

Regarding to the traditions they share with their parent’s one interviewee said, this ‘has formed me to become the person I am today’. This underlines the fact that connecting to tradition matters, but when it comes to disconnecting, it becomes obvious that most of the second generation of Sri Lankan Tamils9 would like to get rid of caste as a parameter determining whom to marry. This is also what the implicit criticism of Canada and England hints at. Instead, the second generation of Sri Lankan Tamil women would like for a new hierarchical system to be considered, namely that of educational achievement. What is of interest here in relation to tradition or collective memory, is that young Sri Lankan Tamil Hindus I have interviewed seem to find arguments within their traditions that align educational levels with caste. They refer – at least indirectly – to purusha-artha, the four goals in life that are part of the Hindu ethic, and underline the need for engaging with life. These four goals are dharma (ethics, morality), artha (wealth, political power), kama (erotic and aesthetic enjoyment), and moksha (liberation from reincarnation). Each is related to the others, and to the four ashramas (life stages). Even the fact that the specific rituals required for each life goal is seldom followed by the Tamil Hindus in Denmark10, does not mean that the implicit goals are not. This have become clear in my interviews where the young Tamil Hindu women somehow manage to make these four goals becoming an argument, when discussing their strives in life. In particular, artha is used to legitimate

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8 The homepage is under reconstruction and is for the time (17 October 2015) being not available.
9 It shall be noticed that the caste system is also in play when it comes to the smaller group of Catholic Sri Lankan Tamils in Denmark. So they were part of the discussion.
10 The four life stages are as brahmacharya/brahmacharin (student), as grihastha/grihini (housekeeper), vanaprastha (wanderer in the forest), samnyasin (ascetic).
engagement with a modern society, because it is interpreted as emphasizing
education, ultimately leading to a prestigious job, as its fulfilment. The other
three goals are also taken into account. Dharma in relation to their emphasis
on how they want to be good and decent Danish citizens, who can
contribute to the Danish welfare state. Kama, they relate to their hope for
finding a husband that suits them both intellectually and socially; and
moksha, the final goal in the Hindu soteriology, they think in some ways fits
to the idea of reincarnation – something that have a positive appeal to many
people in Denmark with a Danish descent. So, in that way, their negotiating
is not a question of dismantling tradition, but a question of adapting it to
their lives in Denmark. This is also sometimes combined with references to
some of the goddesses in Hindu mythology, such as Parvati and Sita, who,
as mothers, nurturers and wives, but also as yielders of power in their own
right, (Shakti) can be role-models for young well-educated Hindu woman in
Denmark.11

Conclusion

Young Sri Lankan Tamil Hindus who are either born in Denmark or came to
Denmark when they were small children, have a different relationship to
their traditions when compared to their parents. This is not a new
observation but what I have tried to show in this article is that their self-
understanding as young Sri Lankan Tamil Hindu women balances the
encompassing and renewing of elements from their tradition in a way that it
still is understood as a ‘collective memory’ they share with their parents,
and at the same time, accommodates their lives in Denmark, as modern and
independent women. Ideally, as having job, getting children and having a
husband, who supports her in her civilian career.

Through my interviews with well-educated second-generation Sri Lankan
Tamil Hindu women in Denmark, it has become obvious that not only do
the language, religious texts, and the temple institution play important roles
in preserving their traditions, but they also associate these traditions to their
self-identity as Tamil and/or Hindu which they wish to pass on to their
children. I have given the example of how, by referring to purusha-artha,
they argue for taking educational attainment into account, instead of caste,
when finding the right spouse, but it is also notable to mention how parts of
Hindu mythology that describe the goddesses as both ideal mothers and
wives, and as independent figures, are used in arguments by my
informants. For instance they refer to some of the stories of the goddess
Parvati and her relation to the God Shiva. This suits well to Mandakranta

11 Bose identifies the kinds of ideals that nurture the conceptions of the female gender, their assigned
roles, and the treatment of women in Hindu society. This influences the archetype model, which
distinguishes between the following four types: 1) mother/nurturer; 2) wielder of power/protector; 3)
wife/helper/daughter; 4) destroyer.
Bose overall analysis on the meaning of Hindu goddesses of today, where she emphasise how the goddesses function both as philosophical and social archetypes (Bose 2010: 13).

The foregoing are examples of how young Sri Lankan Tamil Hindu women reinterpret or pick out elements from what they understand as tradition, which helps them to engage in the society in which they are now a part of, and at the same time, links them to what they consider as a collective memory that they share with their parents. Something, if not everything, changes in a new setting (adaptation), but from these women’s perspectives, only to a certain extent, and without losing what seem to be core features within the same tradition (preservation). Thus, collective memory, understood as a shared belonging to a specific group, despite its constantly changing form, may still be understood as the custodian of a presumed, mutually shared tradition.

The need to keep up a presumed shared tradition in a new setting and under new circumstances makes these well-educated Tamil Hindu women question how to find a husband in Denmark. They both want a man who can live up to a certain educational level, and at the same time they want him to have the same references to the parts of the Sri Lankan Hindu Tamil tradition, which they find important to transfer to their own children. Here, the Tamil language and having some kind of relation to the Tamil Hindu temple and to some of the festivals is emphasized as having special importance for them.

In the case of the Sri Lankan Tamil Hindus in Denmark, encountering a country with an implicit secularization paradigm starts a process of a more profound or reflected exclusion and inclusion of elements within a presumed, mutually-shared collective memory. This is done in a way so it suit their lives in Denmark, but without they loose their relation to the traditions they somehow share with their parents and which link them to a mutually shared descent.

This construction of a specific Hindu, Tamil, Sri Lankan, Danish, female identity, they hope can be accepted as something valuable, both among other Sri Lankan Tamil Hindus in Denmark, and the Danish society at large.

In many ways, this effort goes hand in hand with the concept of cultural hybridisation, suggesting that identity and culture are generated by a cross-cultural or multi-dimensional communication. The constructed meeting point that Bhabha (1994) calls a third space, both contain elements of and differ from the ‘original’ cultures. This meeting point is never fixed, but comprises heterogeneous elements with shifting points of view. In this way, cultural hybridity is continuously constructed, and is a product of an on
going process of negotiation and identification, formed in relation to context, and from different points of departure. However, because the meeting point is lifted out of the locality in which the negotiations took place beforehand, it may be more suitable to use the concept of ‘translocal positionality’, emphasising the even more complex and multifarious nature of identity formations. What I have tried to show in this article having the second generation of Sri Lankan Tamil Hindu women as my case study is how this complexity is coped with, by focusing on but also by refining to the imagined idea of a mutually-shared, collective memory which are located in rituals and texts and therefor possible to move to new localities shaping a constructed translocal focus point. This was illustrated in this article by the Sri Lankan Tamil Hindu women’s strive for finding some important, mutually-shared, cultural hallmarks to be preserved and passed on to their children. Here, the religious institution, some few rituals, and the language, seem to have particular importance but only as long they do not intervene with their new ideals being and independent woman living in Denmark.

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BOOK REVIEWS


With the book ‘Legal Pluralism in Action: Dispute Resolution and the Kurdish Peace Committee’, Latif Tas, uniquely puts the explanation of one of the most topical theories within legal studies, namely, legal pluralism, into theoretical and practical examination by observing how ‘legal pluralism’ plays out in dispute resolution methods used by the Kurdish community in the UK. By doing so, he not only elaborates upon the theory’s academic explanations, but through his extensive field research, demonstrates that legal pluralism, which is a combination and interaction between customary and religious laws (unofficial laws) and state laws (official laws) is indeed a ‘living’ reality and practice in state-centric legal systems, particularly in communities with a rich history of customs and norms, such as the Kurdish community. This research book offers much to be learned, both in theory and practice, particularly for law enthusiasts insisting that rule of law is strictly found by observing state laws.

This research book is an organised, coherently structured and fluid read, which begins with a clear introduction explaining the larger importance of the topic at hand, and a breakdown of the book’s ideas and chapters to come. It consists of five main chapters, starting with a thorough explanation of legal pluralism as a theory that considers the analysis of personal law, customary law, natural law and other ways of life equally important as official state law (p. 15). The first chapter covers an array of legal pluralism scholars’ work ranging from Ehrlich (1913) to Chiba (1989), Menski (2006, 2011) and Shah (2005). The second chapter presents a historical background of Kurds in Turkey. Tas states that a historical discussion of Kurdish history contains important factors for understanding “why Kurds choose to follow their own alternative legal systems” as one of the well-known ‘stateless nations’ in modern history (p. 29). The third chapter elucidates the settlement affairs and adjustments of Kurds as migrants in the UK. It discusses how they have transplanted their customs and identity codes as they have settled and assimilated into their new homes. “They developed unique hybrid institutions, mixing traditional village ideas with some of the British values they chose to adopt.” (p.65). Most significantly, this chapter discusses how and why many Kurds in the UK still choose to rely on their customary practices and often resolve legal disputes through the Kurdish Peace Committee (KPC), a community organisation set up for legal disputes, often sought out instead of official British legal processes. In cases of high crime or transnational issues, the KCP and British legal institutions are sought as a dual remedy. Importantly, Tas sheds light on why the Kurds
do not trust formal state laws and where this derives from in the case of Kurds, tying their historical displacements from their ‘homeland’ to their sense of isolation in their new ‘home nation’. Tas also states that during his interviews, it became quite clear how important it was for Kurds living in the UK to form an organisation dedicated to solving community problems. They told him that “without something of this kind it would have been very difficult to maintain either a group or individual identity or to provide the support necessary for life in gurbet” (Kurdish and Turkish word for diaspora, implying sadness while away from the homeland) (p.76). Hence, the KPC was set up in 2001 to help Kurdish community members during times of dispute. In order to demonstrate Legal Pluralism in Action (in the context of Kurds in the UK), marriage and divorce in Kurdish communities is discussed in chapter four. Similarly, Chapter five highlights business and criminal disputes and their according customary solutions as witnessed by the KPC and/or a combination of KPC and British institutions.

As a reader of comparative law, I was particularly interested in chapters four and five, which offer socio-legal and statistical explanations of Kurdish customary laws and practices in Turkey and the UK, and (with emphasis) examine legal case facts and outcomes (as observed by the KPC) on such topics as marriage and marriage processes (including official registration), adjudication of different types of marriage including endogamy and polygamy, divorce, business dispute resolutions, criminal injury, and transnational cases of business and crime. The fact that these cases and the KPC’s approach which can be described as ‘customary’ exist demonstrate the “long-established if unwritten legal system” Kurds have been following, and the inevitable hybridity of these customary laws and procedures while living in the UK (p. 102). With relation to marriage and divorce cases, Tas tells us “the compromises the KPC often recommend are similar to a bargaining process in business - no one party loses out altogether” (p. 127). Other cases discussed, such as the Tulay Gören murder case, as widely reported by UK media, demonstrate “how things can go wrong” when Kurdish family disputes are brought to British institutions for remedy and a lack of cultural understanding of societal “shame” and “honour”, when combined with inflexible legal requirements of the state may contribute to a young girl’s death (p.130). While Tas mentions this lack of cultural understanding and a slow growth by British institutions to learn cultural norms and the risk taken, it does not delve into this critical topic long enough for lawyers and avid law-makers to gain a critical understanding which will help them become more aware and sensitive to the shortfalls of the British legal system in accepting ‘unofficial’ laws and organisations, and the pluralistic laws which are practiced by necessity outside of the state’s legal radar. Indeed, it would have been interesting for the book to include another chapter following chapter four and five’s case examinations, in
order to analyse the dangers of British institutions not understanding ethnic minority groups’ customary laws with enough sensitivity, rejecting community organisations such as KPC as official legal and mediating institutions, and being blind to plurality in practice.

Overall, ‘Legal Pluralism in Action: Dispute Resolution and the Kurdish Peace Committee’ is a very important research book that tells us many legal truths. It is a vital read for lawyers, scholars and graduate students of law, politics, Kurdish diaspora and transnational studies, and equally for communities and activists who are concerned with and/or deal with the rights of ethnic minorities and migrants.

*Tania Khojasteh, SOAS, University of London*

Territory is at the heart of some of the world’s most difficult issues. Israel and Palestine, militarisation of the South China Sea, and the messy response to the migrant crisis all boil down to disputes over territory. And yet we still have no real cohesive theory of territory with which we can begin to assess and judge the various claims and counter claims raised by contemporary conflicts in which it is a central issue. Margaret Moore’s new book, ‘A Political Theory of Territory’ is intended to fill this gap.

Theories of territory, says Moore, should seek to find the appropriate relationship between people, land, and the state. This leads to questions about the purpose of territory and about who the proper territorial right-holder should be. Through clear and detailed philosophical argument, Moore offers a theory distinguished from those of other scholars by its ambition, breadth, and nuance.

Two points are made clear from the outset. The first is that it is morally valuable for individuals to have “control over the collective conditions of their lives” which includes the notion of territory (p. 6). The second is the fact that the relationship between people and places is “normatively significant” (p. 6). A good political theory of territory must therefore acknowledge that territory provides not only crops and pastures but also that it cradles the memories and sentiments of the people who live in it. The proper territorial right-holder for Moore, therefore, is “the people, defined in non-cultural terms” (p. 9). ‘The people’ are a “collective agent” who see themselves as a group, are able to enter and maintain political institutions to exercise self-determination, and have a history of political cooperation together (p. 50). Collective self-determination of peoples is thus not only a legal but also a moral right. Notably, the territorial rights held by ‘the people’ are not property rights; rather they are rights to jurisdictional authority over the territory.

To put her ideas into context, Moore offers a detailed explanation and evaluation of the dominant theories of territory to date: cultural and statist. One problem with cultural theories of territory such as David Miller’s is that they do not distinguish between identity and culture. Indeed, the USA and Canada have shared cultures, but their political identity is very different. Statist theories of territory, such as that offered by Hobbes, are problematic simply because they argue that justifying political authority over people necessarily creates territorial rights for the state. Because Moore looks to non-state groups – ‘the people’ – defined by their political identity, her position overcomes the limitations of both cultural and statist theories of territory.
The latent tension between the collective and the individual begins to emerge here. However, with regard to territory, Moore’s theory sees this dynamic as mutually constitutive in terms of individual rights of residency and group rights of occupancy (p. 36). Indeed, Moore argues that “individuals think of themselves as members of groups, who share a place-related connection, who see themselves as located within a specific geographical area” such that “the [territorial] right in question is not simply a right held by individuals, but a right held by…the group, which in turn is valuable because it is important to the individuals who are members of the group” (p. 39). Therefore when discussing forcible expulsions, for instance, it is clear that even if a certain individual were not a member of the dominant group, their rights of residency would still be violated not because group rights of occupancy are a collection of individual rights of residency, but rather because individuals also hold “collective identities” which are often located in a “specific place…bound up with the specific geographic area…which is the locus of their plans and projects” (p. 39-40).

Such ideas could have important public policy implications. Consider London. It is widely reported that continually increasing rents are pricing many low-income Londoners out of the market. Many have to move out of areas in which they and their families have lived for generations. Moore states that if people took seriously the “morally significant relationships between people and places”, attempts would be made to intervene in the housing market to prevent rents from forcing people out of territory to which they have a group right of occupancy (p. 44). Moore also suggests that such rights could empower people to resist gentrification and other “unwelcome change”, though she does not claim that such rights can or should categorically interfere with free markets (p. 44).

Moore is not afraid to address difficult issues with intelligence and balance. Using her theory, she argues that past wrongs related to territory should be judged based on criteria related to the types of wrongs committed, how much time has passed, and how restitution might affect current residents. Sometimes the right of return can diminish as time goes on, since the initial right of occupancy is rooted in the notion that territory is central to people’s various interests; something which can change over time if the wronged people have spent many years away from the territory in question. With regard to claims over unoccupied land, such as islands, Moore is clear that these should be viewed as property disputes rather than territorial disputes. On the related issue of natural resources, she argues that to ensure self-determination, ‘the people’ need only a right to jurisdictional authority over resources rather than enjoying the full benefits of those resources. This is because Moore values the right to subsistence of all peoples but rejects luck egalitarianism as a method for distributing resources, since it does not take
into account particularist attachments to territory. On the topic of immigration, Moore proposes a right to exclude using both policy-related and culture-related arguments. For instance, immigration can affect policy goals for collectively self-determining groups so they must have a say in who can and cannot enter their territory. More controversially, Moore argues that mass immigration of one culture can threaten the collective self-determination of another, as in white European colonisation of North America and Australia. In circumstances where one group is threatened with the dominance of another, there is a right to exclude. Moore also argues that ‘the people’ have a right to defend their territory in the name of political self-determination. This supposedly covers national defensive rights and national liberation rights, though Moore’s deference to flawed just war principles means this argument is the least convincing of the book.

‘A Political Theory of Territory’ is an important work that deals seriously with some of the critical questions raised by territory-related issues today. Its detail, rigorousness, and honesty are only compounded by its lucid style. Whether or not Moore’s arguments convince the reader, they have established a new benchmark for discussion about territory.

Liam McLaughlin, King’s College London

This book looks at the entire life of a Kazakh poet, philosopher and educator, Shakarim, between his birth in 1858 and death in 1931. However, this is more than a biography of a man; it is a short history of a nation. Through every description of a family gathering, marriage, education, social engagement of an extraordinary, yet singular man, the author brings out the story of a people at a time of great upheaval and change.

Yerlan Sydykov has been president of the Gumilyov Eurasian National University for the last four years. He is a fellow of the Kazakhstan Academy of Sciences, and professor of History. Sydykov has worked in the Kazakh higher education system since 1978. As a teacher and researcher he has close ties with three of the major universities of Kazakhstan, the Semipalatinsk Technological Institute of the Meat & Milk Industry, where he is now Vice President, the Semipalatinsk Institute of Education, and the Shakarim State University of Semipalatinsk.

The book is a result of important academic research, yet it is written in a highly accessible and engaging style, offering its reader both historical information and the sense of the lived experience of the time.

From the very first pages it is an indispensable resource, providing a chronology, a list of historical figures with short biographies, as well as a glossary of both Kazakh and Russian terms, which are used in the text. To add to its numerous achievements the book will be now available in a wonderful English translation.

Shakarim’s life is described in a style that befits the great poet himself – with a strong sense of open-minded acceptance of various viewpoints and a very balanced take on history.

This is the first comprehensive biography of the poet and it places Shakarim as well as his ancestral lands in the epicentre of the Kazakh national consciousness.

History is linked with both people and land – which for Shakarim as well as the author of the book form an umbilical cord for Kazakh soul. The soul historically had found its expression through the oral literary tradition. Shakarim is shown as one of the central figures in the transformation of this tradition into written record. Coming from an intellectual family, the poet was born at a time when traditional views on religion and education coexisted with the Tsarist officialdom and management of society.

Through the pages of the book we learn about the linguistic changes that
were taking place, and the growing status of the enlightened nobility. Moving on though the prism of Shakarim’s extended family we learn of the gender relations and status of women in the steppe at the time. This, like other aspects of Kazakh every-day life, is shown by the author to be a far more complex issue than may be otherwise perceived.

Class difference is also explored, together with how children were raised. One could pick up positive parental advice from the book, where Shakarim’s early childhood is filled with games and perception of study as entertainment rather than a chore.

Through Shakarim’s reading list as an adolescent we learn of Kazakh epic poetry. Through his encounters we learn of the trade with Russians and the meeting of tradition and knowledge. Tsarist societal structures are explored through Shakarim’s own involvements in the governing bodies. His connection to Abai, the greatest Kazakh literary figure and his uncle, is explored in depth.

Changing lifestyle and lack of preconceptions are made visible through Shakarim’s interest in poetry both Russian and Eastern, and his enthusiasm about music from different parts of the world.

We further read of the Kazakh-Russian connections, as the poet becomes the translator and also a representative of the government in the steppe. We also read of his involvement with Russian exiles and intellectuals in the region.

Shakarim is part of the Kazakh identity today, however he started the conscious building of this identity with his writings on the genealogy and history of Kazakhs.

His interest in Sufism leads to him translating and transforming traditional poetry to contain both the religious outlook and the familiar forms of the steppe. This unity, acceptable to the poet, later exposes the conflict between Islam and Tengrism in a family matter.

He goes on to write one of the first poems in Kazakh written literature on the subject of national history Kalkaman and Mamyr. The story further considers the traditional customs and rules of the nomads. It seems the great poet and thinker is revealing the underlying tensions between tradition and religion. Another tension – between Tsarist and later revolutionary Soviet rule and national autonomy also seems to be traced through Shakarim’s life and writings. From him learning the Russian language, and his correspondence with Tolstoy, to him becoming the symbol of the Kazakh cause, his own life was a complex weaving of thought.
and contemplation.

The first part of the book centres on Shakarim’s creative and cultural work, itself written in a very melodic and flowing language. The second part is a much darker and denser examination of the Revolution and the genocide. Here Shakarim’s life is seen as the backdrop to momentous events that were unfolding not just in Kazakhstan, but also in Russia, showing the links between the Kazakh uprising of 1916, the First World War, the Russian Revolutions and the Civil War. Here the first genocide of the nation becomes part of world history. Shakarim is shown as a reluctant revolutionary, the man who believed in change, but not in violence.

The first attacks on knowledge come fast, with closures of newspapers following the revolution. Shakarim witnesses the abuses of power on all sides. The author cites the statistics of killings carried out by both the Reds and the Whites. Written in the true spirit of Shakarim the chapters on upheaval take no sides in this book.

However, as the history gets darker, the book becomes a bleeding record of the time. Confiscations, collapse of nomadism, indiscriminate killings, uprisings, violence, secret police, and most stunningly, rumours become the norm. These are rumours that condemn Shakarim to the fate that is so symbolic of his own time. Killed by a bullet, named enemy of the people, he was confined to near extermination not only as a man, but also as a memory. His family members disappearing one by one, his literary legacy prohibited. His family was victim to the second genocide that author talks about, that of the 1930s. Persecutions and the famine that took away half of all Kazakh population.

However, the book leaves us on a positive note, Shakarim’s name is once again spoken aloud and his works are published. The author asks in the preface: “why is it that Kazakhs should want to read the work of this one hundred year old poet?” (p. 20) We could wholeheartedly ask today: whether Kazakh or not – if you are interested in Kazakh history, culture and soul – how can you not read Shakarim’s work? His life and his writings are the story of this nation.

Aliya de Tiesenhausen, Independent art scholar
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