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Intermarriage, mixedness and social change

Binational and cross-cultural families: a joint process of migration

Intermarriage and mixedness have had and still have implications throughout societies. The control of the family is rooted in history: communities and national states have always tried to manage the matrimonial dynamics of their members and citizens. It is through such relationships that the entrance in the community or in the nation is realized. The dynamics of these processes and their intimate and public consequences are good lenses for studying family and institutional-social changes over time. Thus, in my researches, I investigate the effects of migration, family and the State by analysing the impact of laws and of social representations on binational families.

A first comparative research conducted on intermarriages for my PhD (Odasso 2016) in two European regions, Alsace (France)

and Venetia (Italy), aimed to provide an insight to the influence of some forms of racism on the lives of binational and cross-cultural families, namely, those formed by an Italian or a French spouse and a partner that defines himself/herself as "Arab" (Mardam-Bey/Sanbar 2007, p. 11). As a category, couples where one partner is a European citizen of European descent while the other is a migrant from an Arab country seem to stand somewhere between mixed-European couples on one hand, and migrant couples on the other. To deeply understand if such couples have had specific difficulties to get married and to build up a stable family life, I reconstructed – with their help – the case histories of 45 couples, among them 10 French-Lebanese and 10 Italian-Jordanian couples (where some of the partners were of Palestinian origin) and 13 French-Moroccan and 12 Italian-Moroccan couples. The difference of nationality within the marriage has been the predominant criterion for sample eligibility. The foreign partner arrived in France or Italy over a period from 1980 to 2010. The nationalities chosen permit to nuance the subtle differences of the otherwise widespread monolithic notion of the Arab world.

In the frame of a wider multi-sited ethnography (Marcus 1995), I collected the life stories of each spouse

and their children questioning them on the steps of setting up their life in Europe and abroad. The "crossed life stories" approach (Bertaux, 2013) allowed me to consider stories as clues to the sociological understanding of the phenomenon of shifting boundaries between the individual orientations, the family ones and the couples' entourage attitudes over time.

Stigmatization or acceptance of mixed marriages

Temporalities are at the core of this research. The degree of what is considered to be a mixed marriage has changed over time. Some marriages that in the past were considered mixed, nowadays seem less mixed. Or, on the contrary, some marriages – such as those studied by this research – maintain a high "degree of being mixed", as they are socially perceived as "abnormal" or somehow "problematic". Without imposing any categorizations, the hypothesis of the research is that a common sense of normality and the opposite thereof may lead to the stigmatization or to the acceptance of some unions. The temporalities of migration laws and international events also play a role. These men and women live and act in a changing discursive space where media reflect the politicization of each and every issue, from international events to crime news, and



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present otherness and mixedness as problems. In order to deconstruct common ideas and to understand the origin of some prejudices, the analysis of the data (life histories, notes from observations of family moments and in associations, newspapers press releases, laws, administrative documents, etc.) collected has been developed by using and by enlarging Goffman's concept of "tribal stigma" (1963). These stigmata that are "race", nationality and religion have the peculiarity of being passed on to generations; and, as with all stigmata, they not only affect directly the individuals that bear it, but they can also impact their mates, which become "wise". From this theoretical premise, nationality, ethnic-cultural origin and religious affiliation have been selected as the key elements that help to understand the stigmatization affecting the families due to the presence of an individual that is a foreigner, a migrant, an "Arab" and, maybe, a Muslim. Referring to the gender, age, social class and economic capital helps to better analyse the strategies of each member of these families to cope with the elements of tribal stigmata. The social construction of differences based on these elements and the consequent reactions need to be treated for studying such intermarriages and the consequent mixedness.

Migration laws, Arab family codes, political and media discourses of right wing parties, and accompanying representations do affect the lives of these couples. Institutional racism (Carmichael/Hamilton 1967) combined with cultural systemic racism (Balibar/Wallerstein 1997), and somehow islamophobia appear during the course of their lives. Administrative difficulties occur, for instance, because their planned marriage is suspected to be 'in name only' in order to gain entry to European territory for the non-European partner. Some degree of rejection from the partners' families may also happen (gender and family roles are often advanced as justifications), which may diminish when children are born. Furthermore, the dynamics beyond the racial relations, as the dynamic process that create the "race" and thus some forms of racism (Guilamin 1972), generate unattended consequences for the families in their socio-professional environments.

Unexpected problems for both of the couple

One of the interesting sociological findings of the research is that, since immigration laws and administrative

practices have hardened considerably, it is not only the foreigner, but also his/her European partner that has to face a number of unexpected problems; not only in order to get officially married, but even long after that. The full citizenship status of the European partner seems to deteriorate in her/his own country of birth. Thus, the originality of the research results in studying the intermarriage dynamics by considering the physical migration of the Arab partner, who really moves from one country to another and has to integrate into a new society, and also the "inner migration" (Odasso 2016) of the other partner, the European one, due to the contact with a foreigner he/she decided to marry with. In addition, the research shows how quite often, instead of weakening them, this process may strengthen the couples and lead them to emerge as agents of change for themselves, their families, and their society.

Moreover, during fieldwork, it was striking to witness how many and how often the histories of the member of these families have been touched – and possibly disturbed – by international tensions and events happening at an altogether different level, the "macro" level of history. The Palestinian refugees' issue, the Jordanian economic crises (1975), the Lebanese civil war (1975–1990), September 11th 2001, and also the debate around the Arab – and, at times, Muslim – presence in Europe (with all the mistaken assimilations), and the restrictions in family migration were repeatedly mentioned in interviews and conversations. These macro-events have impinged on the belongingness of the parents and of their children to both their countries of residence and of origin. Inevitably, this process modifies not only their personal history and memories, but also the migrants' pride and their partners attempt to pass it on to their children. It thus impinges on the affective links created between these children and multiple geographical and socio-cultural territories, origins, histories and political spaces of which they have only heard about from their parents, thus contributing to the children's construction of identity as European citizens of Arab descent. Thus, the research reveals the essential role of oral narratives for understanding the international history, the migratory careers and the family transmissions.

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Precarious and unstable relations

This first project led me to deepen the aspect of the impact of recent reforms of family migration laws on binational couples. As a result of large-scale mobility, the number of binational families in Europe has grown in recent years. From 2008–2010, one marriage out of 12 was between persons of different nationalities. In France, the rate of binational marriages rose from about 10 percent in 1996 to 16 percent in 2009. In 2004, one in five marriages – 20 percent – in Belgium involved a foreign spouse (the rate had been 12 percent until 1997) (Lanzieri 2012; Collet 2012). The rate seems to be rising fastest in Mediterranean countries: In Italy, these marriages accounted for less than 5 percent of the total in 1995; by 2009, the share had risen to 14 percent (ISTAT 2012). For a foreigner with a precarious residency permit or that is administratively “irregular” and a European citizen, the institutional formalization of the union, i.e. a marriage, is becoming necessary for planning a stable family life. Twelve years ago, a pilot project compared the situation of binational couples in some EU countries (i.e.: Austria, Germany, Holland, France) (Verband binationaler Familien und Partnerschaften, 2001). But the legal and political framework severely changed after 2001. After this date, national migration laws in European Member States have become considerably more restrictive, making it much more difficult for foreigners to stay, to get a legal job and to pursue a family life in Europe. Recent studies have reported how these legal constraints affect binational family partners’ choice to marry (because of changing legal requirements, delays in administrative procedures, delays in providing the required visa, etc.) (Maskens 2013). Instead, my project “Awareness & Migration: Organizations for binational family Rights Empowerment” (AMORE) aims to bring an action-research approach to the study of migration policies and administrative practices regulating access to citizenship and residency permits after marriage celebration. What happens to binational families that share a common family life after marrying and until they obtain a common EU citizenship?

This project focuses on binational families formed by a third country national (TCN) and a European Union citizen. A TCN is a citizen of a non-European

country who resides in a Member State, and is thus affected by specific administrative practices and regulations. In binational families, these practices unexpectedly affect the European spouse too. By focusing on the consequences of migration policies, the question that this project addresses is at what point these policies and practices threaten the freedom of family life, widely considered to be a universal human right (Odasso 2017a). While public opinion is still largely unaware of such families and their problems, binational family members are asking for support and/or actively participating in Civil Society associations that defend family and migrant rights (Odasso 2017b).

Many legal obstacles

Using biographical methods and participant observation to achieve its goals, the project has compared different scenarios in Belgium, France and Italy, and more specifically, in the three cities of Brussels, Strasbourg and Turin. Unexpectedly, even after marriage, the TCN spouse has to overcome many legal obstacles. It can take several years to obtain a residency permit (independent of the one from the spouse) within the national legal framework. The Stockholm Program has reaffirmed the Member States’ obligation to guarantee to a foreigner rights and obligations “comparable” to those of European citizens. The spouses of citizens and their children should be among those groups whose application for citizenship is facilitated (art. 6.4, EU Convention on Nationality). In practice, these couples have many obstacles to overcome: they have to certify the stable existence of a common life and/or a common household before and during the marriage; they also need to certify the duration of their marriage for at least a specified time, and so on. Thus, even if respect for family life is among the fundamental rights safeguarded by international and European conventions (arts. 8 and 12, EU Convention on Human Rights; arts. 7 and 9, Charter of fundamental Rights of the EU), stricter national migration laws result in the failure to fully protect binational family members: for instance, delaying and imposing stricter conditions on the acquisition of citizenship by marriage goes against the principles of the EU Convention on Nationality. Furthermore, all these obstacles and requirements discriminate, in practice, among different categories

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of foreigners on the basis of their country of origin, social status and class. Binational families with at least a TCN symbolize the fundamental contradiction that migration represents for the host country at a national and local level: who is the “other”? Immigrants are “others”, but, paradoxically, EU citizens married to immigrants become “others” too. In this perspective, existing studies report of differential treatment of foreigners in some legal texts and practices especially in public offices. The main focus of this project is, instead, the concrete “degradation” of both spouses, even of the citizenship status in his/her country of residence, because of his/her marital choice. Depending on whether the citizen lives in his/her country, his/her foreigner spouse may be affected either by the national laws, or directly by the European Parliament and Council Directive 2004/38/CE.

A form of bottom-up citizen empowerment

These women and men face severe interferences in their family life that sometimes leads them to change their country of residence. They suffer from several forms of discretionary treatments and abuses perpetrated (voluntary or involuntary, for ignorance of spe-

cific laws) by state agents and policemen. Somehow, forms of violence and blackmail appear even among spouses or partners due to the rigid legal delays to obtain a residence permit independent from the sponsor for foreigners’ spouse.

As a consequence of these difficulties, spouses often turn to associations to help them overcome these obstacles. Many studies have shown how migration policies have created a new discourse and a new “political field” in Europe and, consequently, have led to the formation of ad hoc institutions and political or civic organizations. There have been few studies, up until now, on binational family members’ participation in associative movements to defend their own rights or, more generally, migrants’ rights (Odasso 2017b). These associations permit to enhance couples’ “legal consciousness” (Ewick/Silbey 1998) and these collective actions may represent a form of bottom-up citizen empowerment that has to be taken into account by policy makers in the preparation of immigration laws and anti-discrimination measures. (The results of the project AMORE are presenting during the international workshop AMORE outcomes and future challenges, organised by Laura ODASSO at the Université libre de Bruxelles, 20 janvier 2017).

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