

POLYGAMY MATTERS

**Creative workshops with women
in polygamous relations**



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THIS PROJECT WAS CARRIED OUT BY UNIVERSITY OF GREENWICH/SOCIOLOGY AND MEWSO (MIDDLE EASTERN WOMEN AND SOCIETY ORGANISATION)

INTRODUCTION

Rationale

This pilot project builds on the work of the Applied Sociology Group and it aims at bringing together academic researchers, third sector organisations practitioners and policy makers in order to affect social-justice oriented social change beyond academia through innovative methodologies informed by a participatory ethos. The project uses a range of participatory methods and practices aiming at giving migrants, refugee and asylum-seeking populations' a creative space to have their voices and opinion heard by national policy makers thorough civic engagement and bottom-up participation. The project's outputs will form an important case study given its relevance for social policy and the short, medium and long-term impact it envisages in both policy and academia.

The study has important policy relevance because, according to a recent policy report on integration (Casey Review 2016) and subsequent Integrated Communities Strategy Green Paper (2018) the UK is struggling with increasing numbers of both intra-European and third country national migrants. At a time when the paradigm of multiculturalism is no longer accepted as a viable route to successful integration (Vacchelli 2017), harnessing policy impact means ensuring that grassroots approaches are integrated as new frameworks for integration are being developed.

Aims and Objectives

The proposed project draws on the PI's ongoing research collaboration with the London based women's organization MEWso (Middle Eastern Women support organization). MEWso helps Middle Eastern women to break out from isolation, guide them out from the confinement of the home and make them feel more integrated in the community. Building on

the grassroots work of MEWso, the proposed project aims at achieving the following:

Developing a **bottom-up approach to addressing social segregation** and harmful familial practices experienced by migrant communities (i.e. Middle-Eastern, including Egyptian and Syrian) such as for instance polygamy and domestic violence. This entails a collaboration between academic researchers and a voluntary and community organisation leading to impactful **campaigning** in order to raise awareness of the negative financial and emotional effects of these familial practices on women and children.

Offering **methodological innovation** by deploying Digital Storytelling (DS) and other approaches as a way to create civic engagement among women affected by social segregation and those who live in polygamous familiar relationship.

Creating short, medium and long-term impact (as specified below) including (i) expanding on a track record of highly rated sociological research in order to target high impact factor journals; (ii) disseminating a range of different outputs, including multimedia outputs, for the upcoming REF and possibly future REFs; (iii) building on this work to attract external research funding; (iv) developing an impact case study to be submitted as part of the Applied Sociology Research Group's submission to GREAT2018 internal assessment process.

The research collaboration with MEWso is timely and significant because at MEWso the day-to-day care for the socially excluded and marginalised is based on the unpaid volunteer work of both migrant and British women who offer their time to help migrant women integrate and feel part of the British society starting from the communities they live in. These activities range from health workshops to art therapy, storytelling, gardening and other group sports activities (such as cycling and swimming) to support in physical and mental health, signposting and accompanying women in need to the GP to help with language barriers. Sometimes this involves organising events in the community and workshops on advocacy in welfare. In partnering with this organisation I build on my previous

research, Vacchelli and Peyrefitte (2017), which identifies that women's organisations are sensitive to gender, ethnic and class inequalities. As a consequence they are constantly developing ways to overcome institutional gaps in welfare provision by finding alternative approaches to provide customised support to the women they help.

POLYGAMY IN THE UK: LITERATURE REVIEW

This literature review provides an overview of the legal regulation and practice of polygamy in the UK. The introduction gives a very brief outline of polygamy worldwide, as reflected in the current literature. It also raises the question of whether polygamy should be seen as inherently harmful or not. This is followed by a more detailed discussion of the British context. Specific topics addressed include the legal regulation of polygamy in English law and its partial recognition of polygamous marriages celebrated abroad; the legal pluralism that enables the formation of polygamous marriages within the UK; the potential negative financial and emotional impacts of polygamy on women and children; and the transformation of polygamous marriage practices in the present day. It also raises the question of how racist and orientalist biases contained in English law and policy on polygamy could be addressed without endorsing the harmful consequences of polygamous marriage practices in the process.

Polygamy is the marriage of a person to more than one spouse. Polygyny, the marriage of a man to two or more wives, is

more common than polyandry, the marriage of one woman to two or more husbands.¹ While this literature review focuses on polygyny, it retains the term polygamy due to its common usage in policy and public discourse. Although public perceptions in the UK associate polygamy with Islam, it is sanctioned by a wide range of religious traditions - or specific interpretations of those traditions. It was and continues to be practiced in numerous societies across the world, although not as a dominant form of marriage. In south Asia, where the majority of Muslims in the UK originate from, it was also practiced by Hindus, Sikhs, Jains and Buddhists, which is reflected in English case law from the 20th century (Shah 2003)². Polygamy is most commonly practiced in Africa (Gaffney-Rhys 2012: 50-51; Federico 2014: 3; see also Shah 2003: 373-374; Sona 2005: 10), where there is less official regulation of the practice than in Asian and Arab countries (Gaffney-Rhys 2012: 50-51).

Polygamy has at least partial legal recognition in many African countries, such as South Africa, Nigeria, Zambia, Mozambique, Kenya, Botswana and Malawi (Gaffney-Rhys 2012: 50-51). Work on polygamy in Europe is focused primarily on Muslim polygamy and observes the practice within the context of immigration. This literature explores the challenges posed by immigration to the legal systems of Western European countries (Shah 2003; Naqvi 2017;

¹ The region most commonly cited in relation to polyandry are the Himalayas, where it is practiced in parts of India, Tibet, Nepal and Bhutan (e.g. Zeitzen 2008: 109-124). Although polyandry is much less common than polygyny, a survey of the anthropological literature reveals that it has been documented in numerous indigenous societies around the world including in north and south America, Africa, Asia, Australia and Oceania (Starkweather and Hames 2012).

² India now permits polygamous marriage only for Muslims, although prohibition for non-Muslims is not strictly applied. In Pakistan and Bangladesh polygamy continues to be legal for Hindus regulated by Hindu personal law (Shah 2003: 72).

Sona 2005; Federico 2014), how the practice of polygamy and legal pluralism more broadly impacts women (Rehman 2013, 2016a, 2016b; Jaan 2014; Manea 2016; Ali 2016; Bano 2012) and the transformations of polygamy engendered by transnational migration (Charsley and Liversage 2013; Charsley 2006), all of which is explored later in this summary with reference to the UK.

Polygamy is also practiced among fundamentalist Mormon communities in North America. There, Mormon polygamy has recently increasingly featured in popular culture, for example in the HBO drama *Big Love* and the reality TV show *Sister Wives* (Duncan 2008: 315; Stacey and Meadow 2009: 186-187; Petterchak 2016: 259; Porter 2015: 2107). There is a sizeable literature focusing on case law concerning Mormon polygamy in the US and Canada (Duncan 2008; Stacey and Meadow 2009; Chan 2011; Strassberg 2015; Porter 2015; Wray, Reimer and Cameron 2015; Petterchak 2016). Of particular note in this context is the the 2010/2011 Canadian reference hearing into the constitutionality of Canada's criminal prohibition of polygamy. The hearing concluded that the prohibition was constitutional and stated that polygamy is inherently harmful (Chan 2011; Strassberg 2014; Sweet 2013; Wray, Reimer and Cameron 2015).

Polygamy is framed as a harmful practice in several UN human rights documents. A report commissioned by the UN Office of the High Commissioner for Human Rights identified polygamy as a form of discrimination against women (Banda in Gaffney-Rhys 2012: 49). The UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) states that "[p]olygamous marriage contravenes a woman's right to equality with men, and can have such serious emotional and financial consequences for her and her dependents that such marriages ought to be discouraged and prohibited" (in Gaffney-Rhys 2012: 53). As highlighted by

Gaffney-Rhys, this shows that the UN considers “polygamy to discriminate against women, not simply because women are not permitted to take an additional spouse, but because of the adverse consequences for them” (Gaffney-Rhys 2012: 53). Other UN documents discourage polygamy but do not prohibit it. The Hague Convention on the Celebration and Recognition of Marriages from 1978 allows signatory states to refuse to recognise polygamous marriages but does not obligate them to do so. The Protocol to the African Charter on Human and People’s Rights on the Rights of Women in Africa from 2003 states that monogamy is encouraged as the preferred form of marriage, but should polygamy occur, women’s rights in those marriages should be protected (Gaffney-Rhys 2012: 52).

Others have argued that the framing of polygamy as inherently harmful is at best Euro-centric if not racist and that prohibiting polygamy ultimately harms women by othering their lifestyle and/or failing to protect their rights legally (e.g. Shah 2003; Naqvi 2017). This type of critique highlights that the framing of polygamy as uncivilised and immoral implicitly (or in some cases quite explicitly) positions it as failing to measure up to a Western standard of monogamous marriage rooted in Christian values wrongly assumed to be non-patriarchal and egalitarian. This approach argues that polygamy is not inherently harmful but that it is patriarchy, found in both polygamous and monogamous marriages, that is the cause of harm (Calder and Beaman 2014, Brake 2012, Naqvi 2017). The othering involved in framing polygamy as an uncivilised practice is not limited to non-Western and immigration contexts. Some scholars have argued that observing the history of opposition to polygamy in North America reveals the racist underpinnings of anti-polygamy laws that developed in the 19th century (Denike 2010; Ertman 2010). These

laws were shaped by the view of Mormons as committing 'race treason' for engaging in conduct associated with people of colour (Ertman 2010).

Some of the literature concerned with the legal regulation of polygamy observes it in comparative perspective with the recognition of same-sex marriage. Much of this literature explores the claims by polygamy advocates, particularly in North America, that since same-sex marriage has redefined marriage to no longer mean 'a union between a man and a woman to the exclusion of all others', this could be extended to polygamous unions (e.g. Porter 2015; Richards 2010; Stacey and Meadow 2009). An earlier paper focusing on the UK, written when same sex marriage was legal in Denmark but not in the UK, argues that "England should, at a minimum, recognize Danish same sex marriages on the same terms as it recognizes foreign polygamous marriages" (Martin 1994: 420). Another article contests the comparison between same sex marriage and polygamy because same sex marriage is still defined as a union between two people. In polygamous marriages, "marital multiplicity both increases the costs of intimate negotiation and complicates it in several ways, including raising questions about how power is bargained for and distributed in marriage" (Davis 2010: 1955). However, the author does not advocate criminalising polygamy, but rather suggests turning to commercial partnership law as inspiration on how to accommodate marital multiplicity and address the power disparities within polygamous marriages (Davis 2010).

Polygamy in English Law

In English law, bigamy – and by extension polygamy – is a criminal offence (Fairbairn et al. 2017: 4). There is extensive case law

relating to polygamy (Shah 2003, Naqvi 2017). Polygamous marriages celebrated abroad are recognised as valid in England under certain circumstances (Shah 2003; Yilmaz 2005: 349; Naqvi 2017: 29; Martin, 1994:423-424; Fairbairn et al. 2017: 3; Charsley and Liversage 2013: 65; Federico 2014: 10). Although much of English law regarding polygamy had developed in response to immigration, the first court case involving polygamy, dating back to 1866, involved an Englishman who converted to Mormonism and subsequently moved to the US where he married a fellow Mormon. After returning to the UK he petitioned for divorce, but the court claimed it could not grant him one. Although he only married one spouse, as a Mormon marriage, it was still considered potentially polygamous under English law (Shah 2003: 374-75; Martin 1994: 421; Naqvi 2017: 414-15). This remained the case for any potentially polygamous marriage (i.e. marriage celebrated under a law permitting polygamy even if the marriage in question was in practice monogamous) well into the 20th century. Immigration from former colonies where polygamy was recognised led to an increasing number of court cases relating to polygamy.

English courts gradually began recognising the validity of polygamous marriages under certain circumstances especially from the 1970s onward (Shah 2003; Naqvi 2017). Since 1995 this has been regulated by Private International Law. Although entering into a polygamous marriage in England is not legal, some polygamous marriages celebrated abroad are recognised as valid. This is the case if the marriage took place in a country where polygamy is legally recognised but only if the parties to the marriage were not domiciled in the UK at the time the marriage was celebrated (Shah 2003; Yilmaz 2005: 349; Naqvi 2017: 29; Martin 1994:423-424; Fairbairn et al. 2017: 3; Charsley and Liversage 2013: 65; Federico 2014: 10).

An increase in family reunification among South Asian migrants in the 1970s and 1980s also led to the legal regulation of polygamy being used as a tool of immigration control. During that time, the validity of polygamous marriages was raised in case law that related largely to the admission of second wives to the UK (Shah 2003: 370). Even if a polygamous marriage is recognised as valid, a husband can only sponsor one wife's immigration application, although the law does not specify that this needs to be the first wife (Shah 2003: 391-92). The Immigration Act of 1988 introduced a rule by which a wife in a polygamous marriage will not be permitted to enter the UK if another wife of the same man had entered previously, even if she has since left the UK (Shah 2003: 391, Yilmaz 2005: 349). According to Shah "[t]his legislation marked a new departure in the attempt within British law to control polygamy through immigration restrictions" (Shah 2003: 389). However, Shah does not interpret this purely in terms of limiting immigrant numbers, but rather as a way of discouraging what were seen as culturally unacceptable practices (2003: 392). In 1994, immigration restrictions were extended to the children of additional wives (Shah 2003: 395), which raises particular concerns regarding discrimination (Federico 2014: 10, Naqvi 2017: 33). However, another wife (and her children) can still enter the UK independently of the husband's sponsorship, if she qualifies for a different immigration status independently of her husband (Fairbairn et al. 2017: 3; Charsley and Liversage 2013: 65; Federico 2014: 10).

Second (and subsequent) wives in polygamous marriages, who have entered the UK on an independent immigration claim, have since the late 1980s also been entitled to certain benefits *as an additional wife* in a polygamous marriage. For income related benefits, the husband and one wife can claim as a couple, with the other wife or wives receiving an additional amount that is lower than the single person rate. Polygamous families living in the same

property can claim housing benefit and council tax benefit entitlements, however, these cannot be extended to wives living separately. None of the wives in a polygamous marriage is entitled to bereavement benefit upon the husband's death, unless they are the only remaining spouse at the time. Widows in polygamous marriages are also not entitled to claim for widowed mother's allowance, pension scheme and widow's benefits (Federico 2014: 10-11, Fairbairn et al. 2017: 9-10). Second wives can claim benefits as single claimants if they meet the criteria, entitling them to a higher amount than what they get as an additional spouse in a polygamous marriage (Fairbairn et al. 2017: 9). This has led some to accuse polygamous families of committing benefit fraud (Rehman 2016b).

The new Universal Credit system being currently implemented and expected to be fully rolled out by 2022 does not recognise additional partners in polygamous relationships for the purpose of welfare benefits. Federico argues that this removes "[w]hat could be interpreted as partial attempts to provide remedies to the needs of the most vulnerable members of polygamous homesteads" (Federico 2014: 12). However, according to Fairbairn et al., because benefit amounts for additional spouses are lower than those for single claimants, polygamous households will actually be better off under Universal Credit (Fairbairn et al. 2017: 12).

Some of the literature discussing the legal framework regulating polygamy in the UK argues that legislation shares the racist and orientalist underpinnings of a broader discourse framing polygamy as uncivilised and immoral (discussed in the introduction) and is particularly critical of its anti-immigration stance. Naqvi applies discourse analysis to court cases dealing with polygamy to highlight "the racist, orientalist, imperialist and sexist attitudes permeating judicial language in relation to polygamy and its participants" (2017: 1). She sees the courts' avoidance of the term

marriage in reference to polygamy in favour of union or association as reflecting these attitudes (2017: 21-23). Naqvi is critical of how judicial language positions women as lacking in agency and neglects that there are women who choose to enter into polygamous marriages. She argues that rather than preventing harm non-recognition of polygamy leaves women and children unprotected and vulnerable to abuse. Shah similarly argues that “the official law exacerbates the weaker legal position of women and children, often dividing families across continents by disrespecting their choices, as seen particularly in the operation of the post-1988 immigration regime” (Shah 2003: 398). He turns the human rights argument on its head by claiming that “the fact that UK law restricts the immigration of spouses who regard themselves as legitimately married and therefore entitled to reside together in the same country could itself just as well be argued to be a violation of human rights” (Shah 2008: 396).

There have indeed been cases where the European Convention on Human Rights (ECHR) has been invoked in order to claim that restricting polygamy is a violation of the right to respect for private and family life, the right to marry and the prohibition on discrimination. Naqvi highlights a case (*Bibi v UK*) where the “applicant complained that her right to respect for family life was infringed under Article 8 ECHR by the UK’s refusal to allow her polygamously married mother into the UK. She also argued that her mother was discriminated against on the grounds of sex because her father was allowed to choose which of his wives would live with him in the UK” (Naqvi 2017: 423). However, the claim was not successful (Naqvi 2017: 424).

Legal pluralism and its negative effects on women

Observing the language used to talk about polygamy in case law as well as broader policy and public discourse, makes it clear that it is

burdened with Euro-centric prejudice. It is also not difficult to argue that the main concern seems to be with limiting immigration, curbing impacts on the welfare system, and manipulating the language of women's rights to assert moral superiority rather than on protecting individual women. However, this should not lead us to ignore the real harms experienced by some women in polygamous marriages. Some argue that current legislation regulating polygamy only serves to drive the practice underground to the detriment of women and children (Shah 2003: 398; Federico 2014: 12).

Although it is impossible to establish accurate numbers, the number of polygamous marriages in the UK is estimated to be significantly greater than the number recognised under the legal rules described above. Rehman puts the estimate between 1000 and 20.000 polygamous marriages (2013: 187). A survey of 900 married Muslim women conducted for the Channel 4 documentary *The Truth About Muslim Marriage*, found that 10% were in a polygamous relationship and 37% of those said that they had not consented to it (<http://truevisiontv.com/films/details/295/the-truth-about-muslim-marriage>).

The existence of polygamous marriages despite their official non-recognition is facilitated by a context of legal pluralism – the parallel existence of state and religious laws that enables the parallel existence of civil and religious marriages. Although entering into a bigamous – and by extension polygamous – marriage in England is a criminal offence, that is only the case if one attempts to enter into more than one civil marriage. This is not a barrier for those whose main reference point is not secular state law. A polygamous relationship can still be created by marrying subsequent (or all) wives only in religious marriage ceremonies (Shah 2003: 398, Charsley and Liversage 2013: 66, Manea 2016: 201-202, Fairbairn et al. 2017: 11).

Muslims, among whom polygamy in the UK is most commonly practiced, often only undergo a religious marriage ceremony or nikah. This is not the case only for Muslims in polygamous marriages but also many of those in monogamous marriages. Shah describes this negotiation between different legal levels as ethnic minorities' reliance on "their own cultural resources to secure acceptable outcomes for themselves" (Shah 2003: 398). However, this leads to a lack of legal protection for women. If they are not considered legally married, they do not have the same rights as married women in case of divorce, nor do they have inheritance rights should the husband die (Fairbairn et al. 2017: 4-5; Shah 2003: 398; Sona 2005: 15). Some are not aware that a nikah marriage ceremony does not confer the same rights as a civil ceremony and is not valid in the eyes of the law (Manea 2016: 201-202; Fairbairn et al. 2017: 6). Some couples are aware of this but prefer to be married only Islamically, or postpone a civil marriage to a later date. In some cases, they are using this to test the relationship, effectively making it a sanctioned form of dating (Manea 2016: 201, Charsley 2006: 1176). However, there are also husbands who deliberately mislead women about legal marriage requirements, either to ensure themselves a favourable position should the marriage break down, or because they are already married or plan to marry another wife (Manea 2016: 202, Fairbairn et al. 2017: 6).

Some women are unaware that their husbands have married another woman or that they are themselves second wives (Rehman 2013: 188). Sometimes there is no public acknowledgement of the relationship (Rehman 2013: 187; Khan 2013: 59). Some husbands do not support their multiples wives and their children, effectively making them single mothers (Rehman 2013: 194). A community research project about women in polygamous marriages found that

27 out of 31 women surveyed were not supported financially by their husbands. 21 of those 27 relied on welfare benefits to survive (Jaan 2014: 8). Rehman highlights that women who enter polygamous marriages knowingly, often do so because they have limited options (Rehman 2013: 192). For example, the position of a second wife can be offered to women who “hold diminished value in the marriage market” (Charsley and Liversage 2013: 68) such as divorcees, single mothers, widows and women over 30 (Charsley and Liversage 2013: 68; Khan 2013: 56).

Rehman argues that polygamous marriages are often “a site for domestic and/or sexual violence, child and early marriage, forced marriage, honour based violence, sexual exploitation and trafficking” (Rehman 2016b). Living in a polygamous marriage and competition between wives can have a significant negative impact on emotional wellbeing, with some women attributing the emotional pain they experience to their own lack of faith and not being a good enough Muslim (Rehman 2013: 192). Finding out one has been in a polygamous marriage unwittingly can have similar effects. According to a qualitative study of polygamy in the UK, 85% of the women who discovered their husband had another wife subsequently experienced depression (Rehman 2013: 193). In some cases, this has resulted in suicide (Rehman 2013: 195-196). There have been no clinical studies looking at the mental health impacts of polygamy in the UK, however there are studies that have researched this elsewhere. A meta-analysis of 22 studies conducted in the (broadly defined) Middle East³, Africa⁴ and Australia found “a

³ Israel (four studies), the United Arab Emirates (three studies), Kuwait (two studies), Jordan (two studies), Iran, Pakistan, Palestine, Syria and Turkey.

⁴ Uganda, Cameroon, Malawi, Nigeria and Tanzania.

higher prevalence of somatization, depression, anxiety, hostility, psychoticism and psychiatric disorder in polygynous wives as well as reduced life and marital satisfaction, problematic family functioning and low self-esteem” compared to monogamous women (Shepard 2013: 47). Of particular interest is that several of the studies in the sample highlighted senior wives as “particularly vulnerable to psychological distress” (Shepard 2013: 60), a finding that resonates with a British qualitative study that found that some first wives felt they had failed as a wife or were “burdened by the shame of being a first wife as they knew they were being pitied at one level and judged at another” (Rehman 2016b).

The negative effects of polygamy have been highlighted by the Casey Review into Opportunity and Integration that called for the registration of all marriages taking place in the UK. The Casey Review states that “a number of accusations, anecdotes and assertions encountered throughout our engagement imply a common acceptance of polygamy – which impact negatively on women (and their children) who have not had a legal marriage, through denial of inheritance and maintenance rights – even if most people would not wish the situation upon themselves. In situations of polygamy, the power imbalance of an unregistered marriage is compounded by the power imbalance of being one of many spouses” (Casey 2016: 133-34). Although the Casey Review has been seen as controversial for failing to fully acknowledge the two-way nature of integration and for having a disproportionate focus on Muslim communities, and is therefore a questionable source regarding what would benefit Muslim women, there have also been calls from Muslim women themselves to address the protection failings created by this legal pluralism. While some argue that the UK should be able to better accommodate alternative legal systems and that wider legal recognition of polygamy would be the most

effective way to safeguard women's rights (Naqvi 2017; see also Shah 2008), others see compulsory registration of all religious marriages with the aim of limiting polygamy as the best response arguing that legal pluralism leads to "a stratified citizenry" (Manea 2016: 236; see also Rehman 2013, 2016a, 2016b).

Dissolving an Islamic marriage does not require civil court proceedings. It instead involves approaching a Sharia Council. Sharia law recognises three types of divorce: talaq, where the husband unilaterally terminates the marriages; khul, divorce initiated by the wife, and divorce by mutual agreement (Bano 2012: 40; Ali 2016). While it is possible for the wife to initiate divorce, unlike with talaq, this will not be granted unconditionally. Sharia courts award women lesser settlements than a civil divorce would were they married under English law (Rehman 2016b). Even when a civil marriage has taken place in addition to an Islamic one, husbands sometimes manipulate legal pluralism to their advantage. Some husbands do not grant their wife an Islamic divorce until civil divorce proceedings have been finalised in order to negotiate a favourable settlement regarding financial and property matters or children, or do not divorce the wife Islamically to prevent her from remarrying (Yilmaz 2005: 350). In some cases, men marry their second wife in Britain with only a nikah ceremony so that they can still sponsor the immigration application of an existing wife abroad (Shaw in Yilmaz 2005: 349). Alternatively, non-British men marry British Muslim women in a civil ceremony and divorce them after acquiring British citizenship in order to sponsor the immigration application of an existing wife abroad (Werbner in Charsley 2006: 1170). While women also sometimes make similar use of legal pluralism by refusing to grant their husbands civil divorces in order to prevent them bringing a new spouse from abroad this does not prevent them marrying again within the country (Charsley and

Liversage 2013: 70). Some men rely on polygamy to allow them to marry a wife of their own choosing as well as a wife chosen for them by their family (Charsley and Liversage 2013: 67; Rehman 2013: 195; Stewart 2013: 1276; Khan 2013: 59), however, this can later lead to the abandonment of one of the wives (Stewart 2013: 1276).

These examples highlight how a context of transnationalism has transformed the practice of polygamy. Charsley and Liversage argue that “contemporary forms of polygamy practised by Muslims in Europe are not simply age-old patriarchal traditions, reproduced in countries of settlement. ... Polygamy encompasses a broad range of family practices, some of which are new constructions arising from the specific conditions of transnational migration” (2013: 60). Migration can create new motivations and opportunities for polygamous marriage, linked to separation from families or attempts to circumvent immigration restrictions. The transnational context in which these polygamous practices occur, also allows easier concealment of existing or new marriages from other spouses or the authorities (Charsley and Liversage 2013: 64). On the other hand, it can lead to cases of technical polygamy, where the relationship is in practice monogamous, but husbands remain technically married to two spouses. This can occur as a result of the parallel existence of religious and civil marriages in the UK or due to the involvement of marriages in the legal systems of different nation states (Charsley and Liversage 2013: 71).

Another factor contesting the claim that polygamy is simply an immigrant tradition, is that the practice of polygamy is actually increasing (Khan 2013: 56). According to Aina Khan, a solicitor specialising in Islamic family law, “Polygamy is becoming more common here (Britain) than it is even in the parts of the Muslim world. The average man seems to want to exercise his religious

right to marry more than once although in my experience they want to do so without taking on any of the attendant responsibilities” (in Yilmaz 2005: 349). Some argue that the increase of polygamy is a result of Islamic revival (Rehman 2016a, Manea 2016). According to Manea the “rise of fundamentalist interpretations of islam ... has mainstreamed polygamy as part of an ‘Islamic way of life’” (2016: 202).

According to Rehman, temporary marriages traditionally practiced only by Shia Muslims, are being adopted by other Muslims in the UK to legitimise temporary sexual relationships. She also highlights the impact they might have on the status of an existing marriage and whether that makes the marriage polygamous, especially in cases where the first wife is not aware of the arrangement (Rehman 2016b). As these practices are being transformed, Rehman suggest that ‘harmful marriage practices’ would be a better term to describe polygamy and other potentially harmful practices than ‘harmful traditional practices’ (Rehman 2013: 198-99). Another recent development that has helped to mainstream the acceptance of polygamy has been the use of print (Yilmaz 2005: 349) and online media to look for spouses willing to consider a polygamous marriage, with the website SecondWife.com being the most well known polygamy matchmaking site (Rehman 2016b).

Final reflections

The literature criticising the Euro-centric bias of the English judicial system highlights how it positions polygamy as morally inferior and deviant from implicitly Christian notions of monogamy. This literature highlights that English courts positions Muslim women as lacking in agency and criticises how this neglects that there are

women who choose to enter into polygamous marriages. However, the literature addressing the negative effects polygamy can have on women stresses that “women who chose polygamy do so in a context of limited options” (Rehman 2013: 192). There is a need for balance between criticising the racist biases in legal and public discourses on polygamy and acknowledging the harms caused polygamy. As highlighted by Rehman, we also need to address these harms in ways that are not othering and “cannot let it be used as an excuse to deny those seeking refuge from countries where their marriage has legal, valid status to be denied a place of safety or demonised on this basis” (Rehman 2016b).

The work on this literature review highlighted that there is a relative lack of literature focusing specifically on polygamy in the UK, especially in relation to the lived practice of polygamy rather than the legal framework regulating polygamous marriage. This is especially noticeable when compared to the vast literature that exists on other harmful practices such as forced marriage in the UK, or on the other hand Mormon polygamy in North America. This raises the question whether there is less academic and policy interest in the issue and resonates with Rehman’s finding that “unlike the cases of forced marriages and ‘honour’ killings, polygamy failed to capture the same degree of media, public or political attention even within minority women’s organisations” (Rehman 2016b). There is particularly a lack of literature on polygamy among non-Muslims in the UK and among people of African ancestry in the UK, whether Muslim or non-Muslim. This is particularly striking given the emphasis on African polygamy in the human rights literature as well as the significant numbers of African migrants and people of African descent living in the UK. It is not clear whether this is may be because the practice of polygamy is less common among Africans in the UK or whether this is a blind

spot in the existing literature. Shah's remark that "As in other areas of concern to Africans in Britain, research on polygamy lags behind that concerning other groups" (2003: 373) suggest the latter might be the case.

METHODOLOGICAL APPROACH

This pilot research project consisted of a series of workshops to engage women who are already MEWso's service users over a 6 month period. These workshops made use of creative and participatory research tools in order to engage women in storytelling and promote bottom-up social change (Alexandra 2008, Gubrium 2009). Digital Storytelling (DS) is widely used to promote civil engagement in local communities (Burges 2006, Grossman and O'Brien 2011).

DS is a 2 to 5 minutes audio-visual clip realised over a 2/3 day workshop. This is usually facilitated by a professional Digital Storytelling expert who leads the workshops, facilitates the co-production of the stories and also edits the short videos. The first day of the workshop is designed to help the workshop participants to create a short story about one aspect of their own life (focusing for instance on migrating to the UK/being part of the Muslim community/ living around Finsbury Park). After the workshop, participants will meet with the facilitator/researchers to edit a short video featuring the participant's voice and any image or picture the participant wants to have in their digital story. Participants are assisted in creating their DS video clips in their own language or in English. The non-English digital stories have sub-titles in English.

Other creative and participatory approaches used such as body-map storytelling will be explored in the relevant sections (specifically the Finsbury Park workshop section as this is where it has been used). When necessary, a combination of in depth interviews and facilitated group activities was used during the workshops. Research

participants were all recruited by MEWso, drawing on the organisation's regular contact and activities with its own service users. Participants were reimbursed for travel expenses and were given vouchers to thank them for their time. Lunches and refreshments were organized and provided by the research team.

Not being in direct control of the recruitment process means that researchers could not explain and negotiate the research directly with the research participants. Another limitation consists of time allocated for this project which was proportionate with the resources we had and also with the limited time of the participants who had to leave at 2pm in order to collect their children from school at 3pm. This meant that each workshop, which took place over 2 days, was shorter than we were hoping for and we had to work with the amount of time available.

The workshops saw the participation of Dr Elena Vacchelli, the PI for this project who was responsible for the research aspect of the project, Tricia Jenkins who is a participatory and Digital Storytelling consultant and was in charge of designing, facilitating the activities during the workshop and delivering the final participatory artefacts (short video clips, audio-recordings, pictures). Dr Andrea Mesaric (Mc Pin Foundation) was an external consultant on this project and Halaleh Taheri is the CEO of MEWso who participated in some of the workshops, took care of several logistical aspects of the workshops and without her input and networks in the community this project would not have been possible.

This project has been financed by the Faculty of Architecture, Computer and Humanities at the University of Greenwich.

THE KICK OFF EVENT AT UNIVERSITY OF GREENWICH: POLYGAMY MATTERS

The participatory workshop took place at University of Greenwich on 8th December 2017. The workshop was the opening event for the research project entitled **Harnessing policy impact: digital stories of familial practices told by migrant, refugee and asylum-seeking women in the UK**. In line with the aims of the project, the workshop brought together academic researchers, third sector organisations practitioners and community to discuss polygamy and identify the next steps for the project. The event identified the main aspects of a potential campaign in order to raise awareness of the negative financial and emotional effects of familial practices such as polygamy on women and children.

The workshop started with some participatory activity to detect who was in the room.

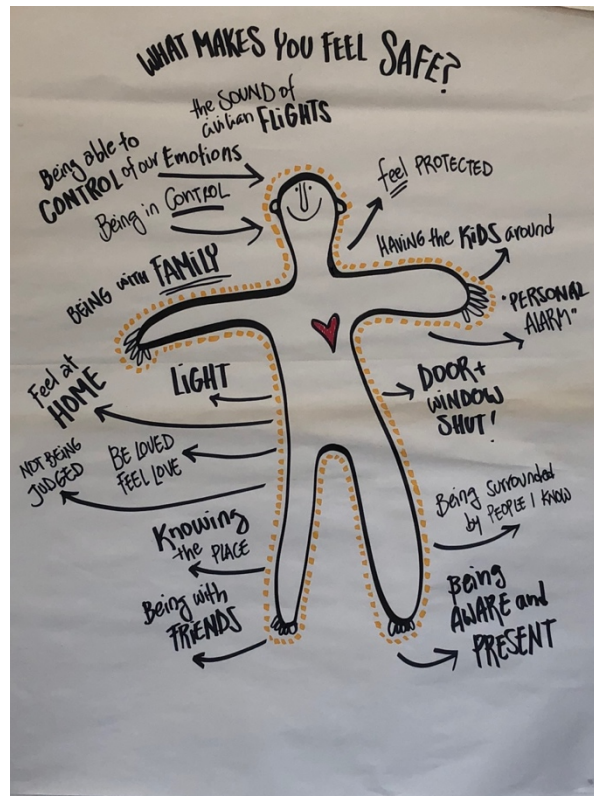
In pairs – participants had have one minutes each to ask:

What is your name?

What makes you feel safe?

Each person introduces their partner.

At the end of this process, we saw what was captured content-wise. What happened, how did it feel, what was tricky?



The second part of the workshop saw short presentations (10 minutes) which set the scene for the participatory workshop to follow:

Elena Vacchelli and Halaleh Taheri - Project Outline

Elena and Halaleh talked about their collaboration and provide some background to how the project was developed, the purpose and benefits of collaboration between academic researchers at the University of Greenwich and MEWso (Middle Eastern Women support organisation). They described the work of each of the organisations, and the rationale behind the use of participatory methods to undertake the project. They also described the impact that they anticipate not only in terms of discovering new knowledge

from a grass-roots perspective, but also in the use of that knowledge as a means to give women a voice and develop campaigning and advocacy actions to effect change at personal and policy levels.

Andreja Mesaric - Polygamy in the UK

Andreja outlined current research literature that has focused on polygamous practices in the UK.

Yasmin Rehman - Polygynous and Temporary Marriages and Muslims in Britain

Yasmin presented her key findings having interviewed women and men over the last 6 years on polygamous familial practices in the UK.

Tricia Jenkins - Digital Storytelling and Civic Engagement

Tricia talked about Digital Storytelling as a participatory, narrative based research methodology and its effectiveness as a tool for stimulating social change. She explored the value of testimony in the research process and its ability to link academic research with grass-roots activism.

Word café activity

In the second part of the workshop, we used the World Café method which was facilitated by Tricia Jenkins and Paola Rozo (who has visually illustrated the outcomes of the discussions we had on the day). The purpose of the World Café is to draw upon the combined knowledge of researchers and women who are working with migrant women's support organisations, such as MEWso, in order to:

- *Use the expertise and knowledge in the room, shine a light onto practices of polygamy in the UK in a supportive environment'*

- *Inform the ways in which these issues can be revealed through the facilitated digital storytelling workshops, through the generation of themes and possible story prompts*
- *Identify social justice issues related to polygamy, that will inform or refine a) further research questions for this and subsequent projects; and b) identify advocacy needs and campaign drivers that can feed into an active social action campaign in the future, to stimulate real and significant change.*

Further questions which were brought to the table include:

What can we learn from paying attention to women's stories? Why is it important to place women's stories at the centre, allowing them to decide for themselves what to tell, how to tell it, and how to share? How will participatory methods like digital storytelling enlighten the process and how will the stories help those working in the front line in what they do?

The World Café format was introduced and illustrated by Paola Roza as follows:

We have 4 tables of 5 participants, set out in 'cafe' style. We have 3 questions to discuss together which are printed out on each table. Each table has a set of post-it notes/VIPP cards and pens. Each table has some fruit,snacks, drinks. Each group decide who will take different roles: note-taker/reporter, facilitator, time-keeper, host, travellers/pollinators. Participants occupy the table and one person acts as table host. Table host makes notes and encourages others to do so. The table note-taker/reporter stays at the same table throughout the cafe. Other group members are free to move around the different tables.

The World Café etiquette on the wall read:

1. Focus on What Matters
2. Contribute Your Thinking
3. Speak Your Mind and Heart
4. Listen to Understand
5. Link and Connect Ideas
6. Listen Together for Insights and Deeper Questions (*Playing, Doodling, Drawing are all encouraged!*)
7. Have Fun!

Questions informing the World Café activity:

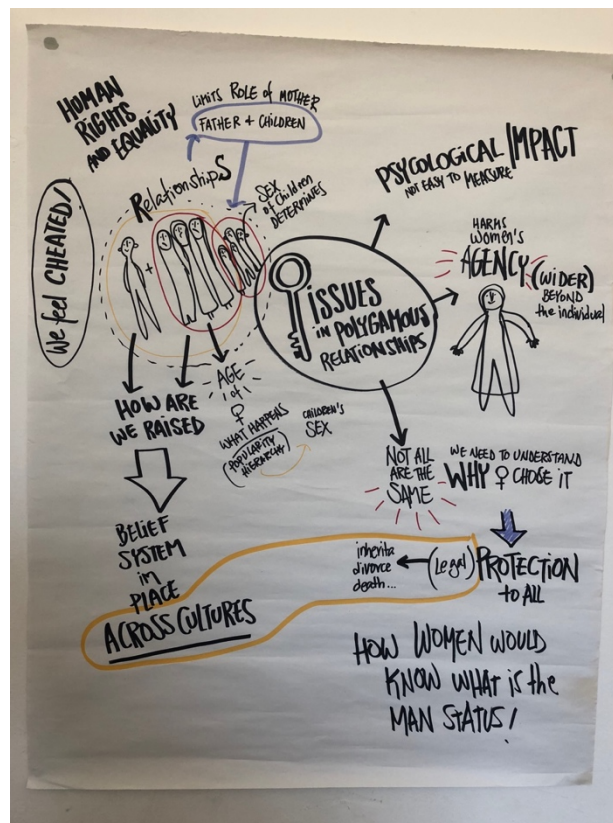
1-'Based on your experience, what do you think are the key issues for women in polygamous relationships? [Pink post-its]

2-What are the main steps to be undertaken in order to change the current situation and ensure women are made aware of their lack of protection if they don't undertake a civil marriage'? [Yellow post-its]

3-How can migrant, refugee and asylum-seeking women and their children's personal stories contribute to bringing about change? [Blue post-its]

HARVEST insights

QUESTION 1



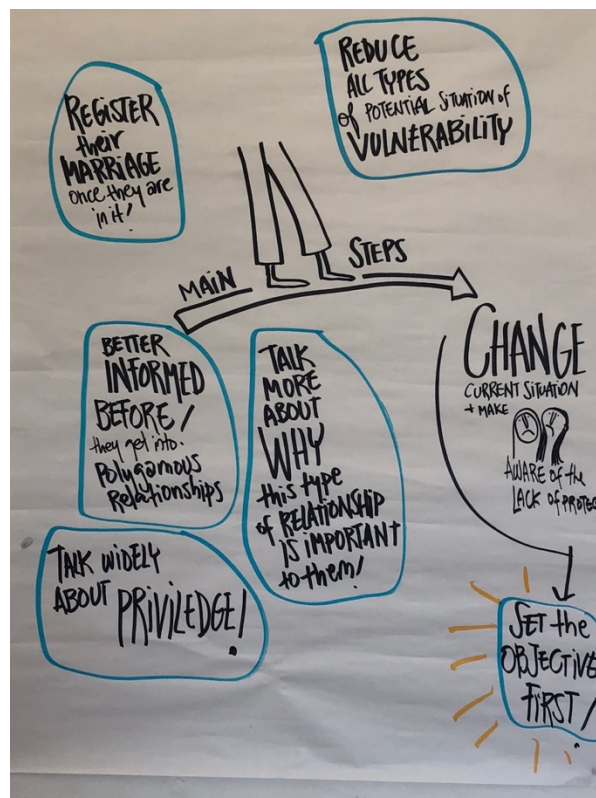
The harvesting for Question 1 suggests the following with regards to the key issues affecting polygamy:

- 1) The psychological impact of polygamy is not easy to measure
- 2) Polygamy can potentially limit women's agency-in a broad sense that goes beyond individual agency (very often this is deeply conditioned by faith)
- 3) Not everyone is the same, as some women choose it.
However legal protection (for instance in case of inheritance,

divorce, bereavement...) should be in place for those women who do not choose it

- 4) Family relationships: often sex of children is an important determinant in decision to marry more wives (males are more desirable in cultures where polygamy is practiced); women who have not been informed of their husband's decision to re-marry feel cheated; relationship between father and children is affected and role of mother changes in the new family constellation where the husband/father is absent
- 5) Practice of polygamy depends on belief system in place across cultures, however it is often a matter of human rights and equality

QUESTION 2



The harvesting for question 2 suggests that the steps to be undertaken in order to change the current situation and ensure women are made aware of their lack of protection if they don't undertake a civil marriage are:

- 1) *Talk more about why this type of relationship is important to them*
- 2) *Talk widely about privilege*
- 3) *Be better informed before accepting a polygamous relationship*
- 4) *Importance of registering marriages*
- 5) *Reduce all types of potential situations of vulnerability*

QUESTION 3



The final discussion highlighted the following points with regards to how personal stories contribute to bring about change:

- *Sharing experiences*
- *Using personal stories in films, workshops, conferences*
- *Encouraging women to tell her herstory*
- *Raise awareness of women's vulnerability in polygamy in order to get support from society*

- *Voices of marginalized women to inform strategy and policy*
- *Making links with violence against women and girls globally*
- *Enhance influence by having insiders to the culture communicate the stories (Lebanese, Syrian and Jordanian women are often highly educated)*
- *Digital aspect of telling a story is powerful for challenging dominant narratives, can be empowering for uneducated women as they see that it can happen to everyone not just to them*
- *Digital stories are social media friendly and can be useful for campaigning*
- *Inclusive of migrants and refugees so that the stories come from within the community*
- *Highlight that there are different cultures in the Middle East*

WORKSHOP 1: WESTMINSTER

The workshop at Westminster took place in February 2018 over two consecutive Fridays and saw the participation of 6 women from Bangladesh in their 30s and 40s. The workshops took place in a community centre in Westminster where several women volunteer on a daily basis. During this workshop despite the ice breaking activities and our attempts at helping the participants with telling stories about their families, there was some reticence in disclosing personal stories in the group, especially when it came to relationship with their husbands. While the relationships the women have with their children was talked about openly, the relationship with their husbands was more difficult to discuss. The participants already know each other and belong to a small community of Bangladeshi migrants and we guessed that our effort in setting up a safe space with rules about non-disclosure and anonymity were not enough. We had to think about an alternative activity for them to do together and while Tricia facilitated an alternative activity, Elena

carried out interviews with the women on a one-to-one basis to see if a more private interaction would help with disclosure.



From the interviews it emerged that most participants came to the UK via arranged marriage with a relative already based in the UK in possession of British citizenship in the early 2000s. Those who did not come specifically to marry, came younger with their mother to reunite with their father who was already based in the UK and a British citizen. When they came as children of reunited families they came with several brothers and sisters and accessed schooling in the UK. Another common trait is that most of these women are practicing Muslims who place Islamic practices at the center of their life and identity. As part of this world view and religious practice they are active in the community and despite busy family lives, they regularly contribute to their neighborhood and community by helping others.

Despite the relative success of this workshop, more time and resources are needed to create the trust needed to talk about such personal issues. Moreover the group dynamic between the participants, who all knew each other and are part of the same community, might not have helped disclosure in the group. The women felt much more comfortable sharing memories about their childhood in Bangladesh, nostalgia for a lost sense of communal life, sang songs in Bangladeshi and shared images to talk about a community pond they all seemed to have where they used to live.

The video realized as part of the Westminster workshop will be online soon. Meanwhile please contact E.Vacchelli@gre.ac.uk if you'd like to watch it.

Emerging themes in the interviews include:

Community work

One participant frames community work as an exchange where she learns as well as offering support to vulnerable people (int 4)

Religious interpretation of what she does in the community and talk about Allah-importance of smiling to others (int 2)

Role of women in the family

Role of women as emotional labourer and constant cooking for the family (int 3)

Pressure for women to have boys (int 3) (despite the fact that sex in human reproduction is determined by male genes and not female ones!)

Intergenerational births: mother and her daughter pregnant at the same time (int 3)

Having an open mind very important to her, her dad was empowering for girls and did not pressurize her on dress code (int 3)

Arrived in 2002 after marrying in Bangladesh with a cousin she had hardly met before. Her auntie was now her mother in law and the whole relationship had changed as she needs to pay extra respect to the in-laws. Her husband who is a British citizen came to the UK when he was 10 with a brother of her father. (int 2)

Stresses several responsibilities of a bride including cooking for everyone and paying respect to the in-laws. Highlights the asymmetry of this caring, her mum had to look after others but nobody looked after her (int 2)

Several commitments in the community including looking after new mums and speaking in Bangladeshi language. "This is why I spend so long in the community, because this is how it used to be back in Bangladesh" (int 2)

Education of children

With re. to education of children she argues that she does not want to alienate them and says: "we have to live in this world" (int 4)

Open with children and positive attitude, suggestions without forcing them to do anything (including praying) (int 2)

Very busy life as a mum with several children and active community member, stresses importance of open-minded education of children (int 2)

Divorce

Participant speaks about divorce which happened 7 months before and says she does not know if the husband has another family- he might have- sounds quite cagey about it. She says she would have accepted him being in a polygamous relation if he had asked her and so long as he can look after both families. But her husband is poor. Very resourceful women who places other people's happiness at the core of what she does, although she admits to having depression (jnt 4)

Uncomfortable talk about her divorce, family pressures and her resolve not to tolerate abuse, admits having sought help but kept it quiet as her community does not understand and would think she is mad (int 3)

Ideas about polygamy

Participant talks about polygamous relations in an accepting way if the husband can keep same standard of living for all the families involved. Talks about her family: her grandmother had her granddad re-married because she could not have boys (as if it's the woman to determine the sex). However keeps talking about other people's anecdotes and stories (int 3)

Struggles with child who sees himself as an outsider because of his father abandoning him at a young age, son was very angry about his dad abandoning him. Fuzzy information about her ex-husband with whom she re-engaged after a 10 years break (married Islamically the second time), this is when she had second child (int 3)

Participant would be ready to accept husband takes another wife if he is able to be equal and is skeptical about it, the husband himself said it would be too much (int 2)

What is interesting about this interview is that participant inhabits a very ambiguous position, she says about her husband: "he is my someone special, nobody wants to share this". And then she goes on saying that if he wanted he could get another wife but he would need to have enough money, 'it might be a little hurting but may be I don't mind" . Can sense a real tension here (int 2)

She thinks many people are not interpreting Islam correctly and take advantage of this misunderstandings, so you should be able to check directly on the Koran yourself and interpret it yourself, important of education and checking the sources directly (int 2)

Participant dodges question about husband, highlights that their religious practice (praying) takes place in separate places (int 1)

When prompted about polygamy she said that her idea is that men should not take a second wife, 'you don't have to follow anybody and have to think for yourself'. Again speaks about anecdotes about

other people but not about herself and her relationship with her own husband. She says that many women are in this situation (polygamy) and that men going on holiday without the family is usually a detectable sign that the man could be in a polygamous relationship (int 1). *Sense that husband might be in a polygamous relationship but prefers not to speak about it as it's too painful for her.*

WORKSHOP2: FINSBURY PARK

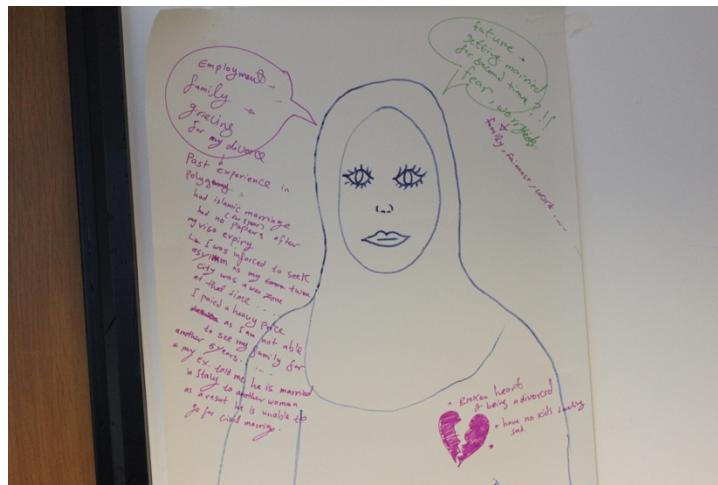
The second workshop took place in March 2018 on two consecutive Wednesdays. Participants of the second workshop included Kurdish women from Iraq and Iran and north African women from Libya and Morocco. These women's ages range from early 30s to 50s and they are all service users of MEWso, they all have children and they are in the UK as refugees on humanitarian grounds. Two women are highly qualified, one has a PhD as a molecular biologist and another one lived for several years in Denmark after leaving Iran at the age of 19 and spending two years in Turkey. While in Denmark she was a translator of Kurdish children books into Danish.

Most of the participants have been involved in polygamous relations in a way or another. Two of them were unaware to be second wives when they married. Three of them were abandoned for another woman when they refused permission to allow them to contract a second marriage. In one case the husband had anyway gone ahead to marry another woman (through religious marriage) while still legally married with the first wife. Most of them were in relationship characterized by DV and other forms of emotional manipulation and blackmailing.

With this group we decided to use body-map storytelling, which is particularly appropriate for helping participants to tell their story

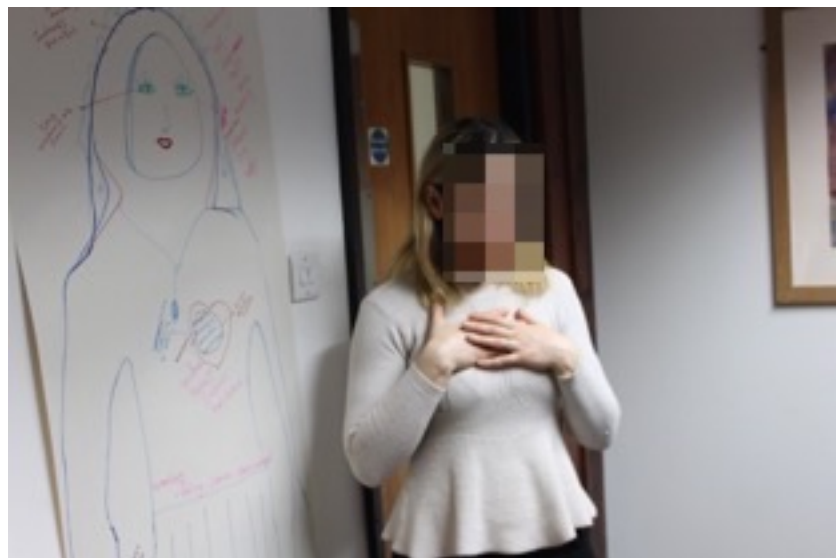
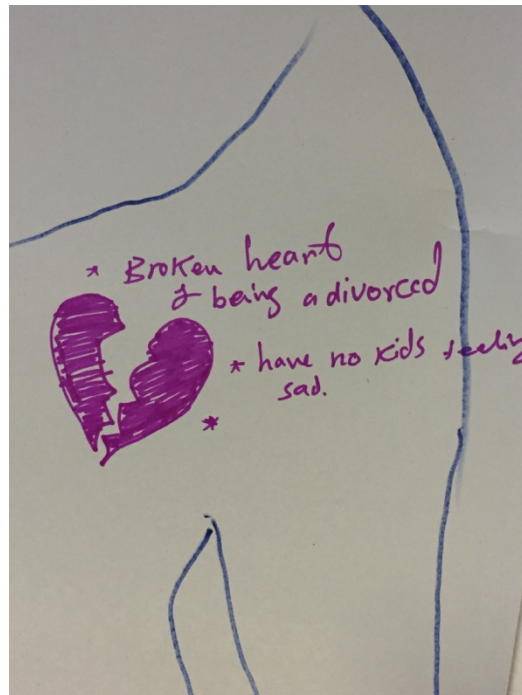
through the activity of drawing a life-size map of their own body and plot visual elements (such as speech bubbles or details of the body that have a meaning for the participant) on the real-sized body map that are then talked about. This approach has also been called 'visceral methods' because it draws on the sensory and affective experiences researchers mobilise to reveal discursive, material and structural aspects of their stories (Sweet and Ortiz Escalante, 2014). Cognitive maps have been seen as a mixture of spatial cognition, place representations and spatial imagination that can provide information not only about places themselves, but also about people's identities and behaviours in relation to them (Vacchelli 2018). Cognitive maps are able to fulfil ideas and images of individuals' economic, political, cultural or social contexts with an emphasis on their emotions and feelings (Mendoza and Morén-Alegret, 2013: 775).

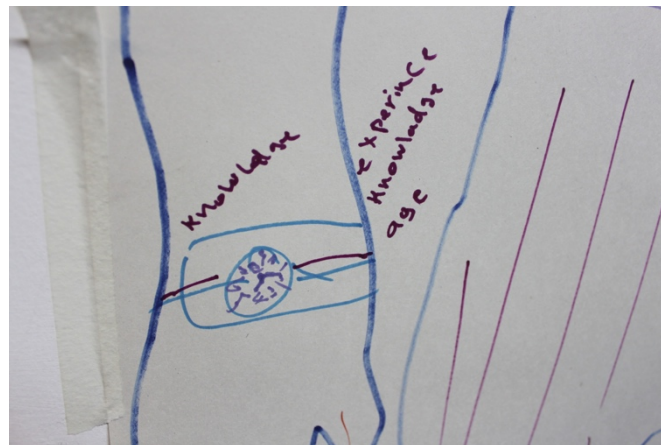
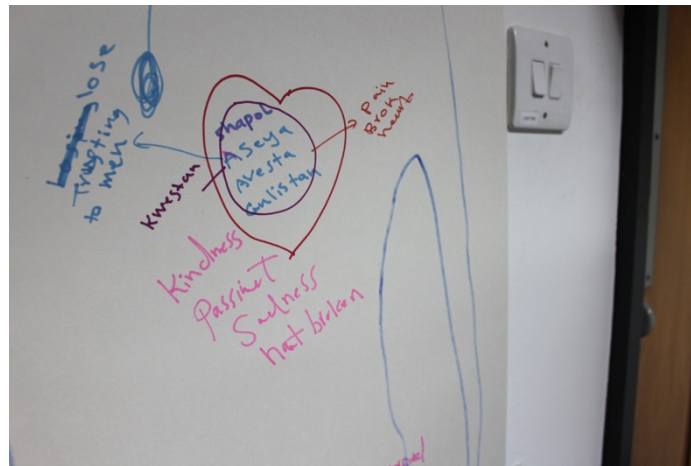
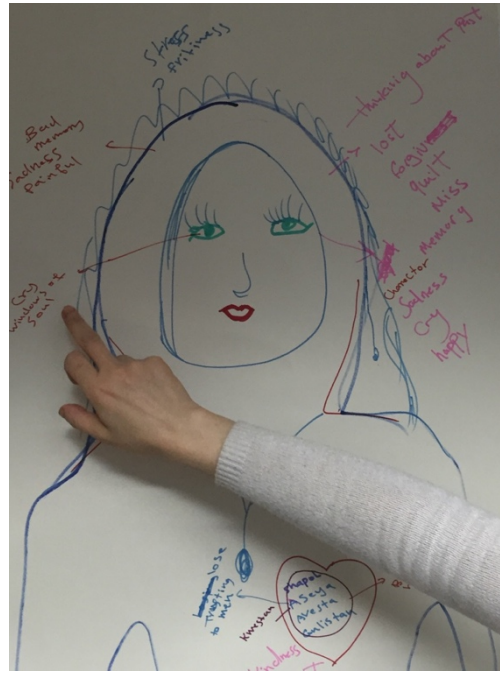


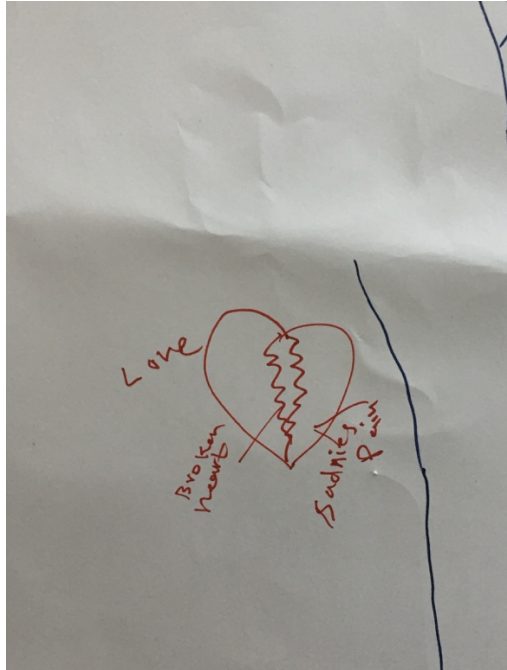
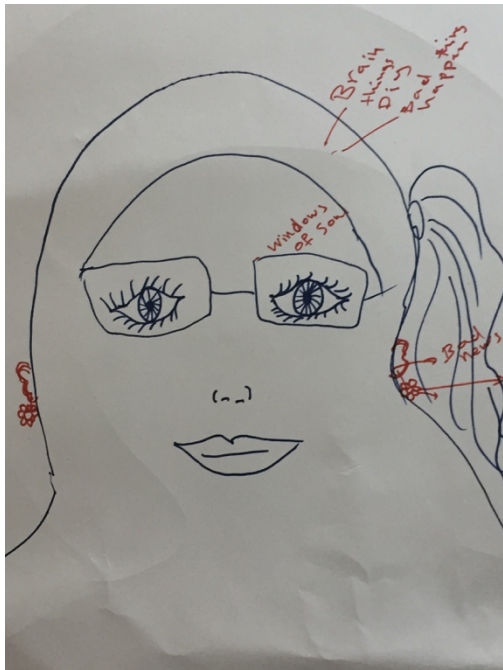


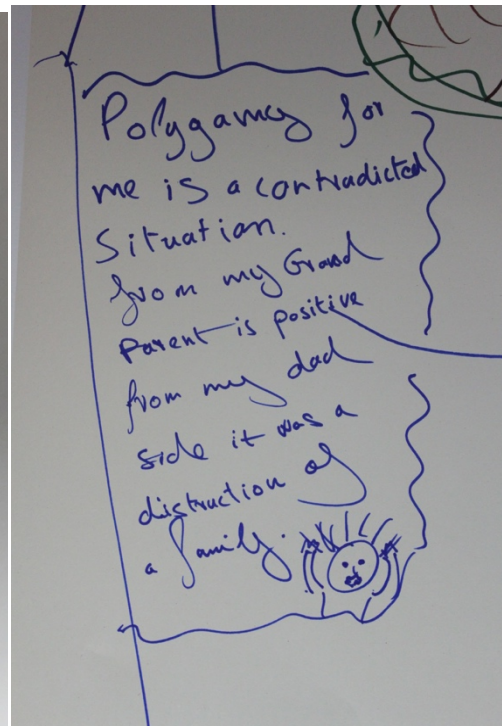
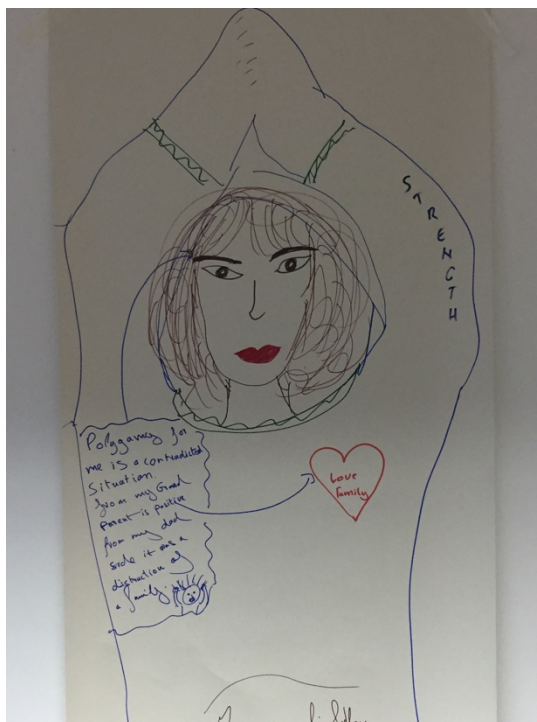
→ I was inforced to seek
asylum as my ~~town~~ town
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another 5 years. . . .
* my ex told me he is married

another 5 years. . . .
* my ex. told me he is married
in Italy to another woman
as a result he is unable to
go for civil marriage.











The participants engaged in creating a real-life map of their body and mapped their feelings on polygamy directly onto the maps, as can be seen here:

The themes that were more discussed on the day were:

Emotional pain (represented through depiction of broken heart)

Pressures from the family to accept a polygamous relationship rather than facing the stigma of divorce

Love for children can help women in polygamous relations to be resilient in the face of a broken marriage

Trauma and inability to live in the present talked about by several participants

Grief in one case being a second wife who then was rejected meant that she could not have children and she was unable to come to

terms with it- this is also aggravated by her own family stigmatising her for having divorced

Time there is an intergenerational dimension with polygamy as it fitted more rural life-styles of grandparents in Morocco

The spousal relationships discussed in this group were highly abusive and traumatic for the women involved, they also often included DV and other forms of abuse.

WORKSHOP 3: ARCHWAY

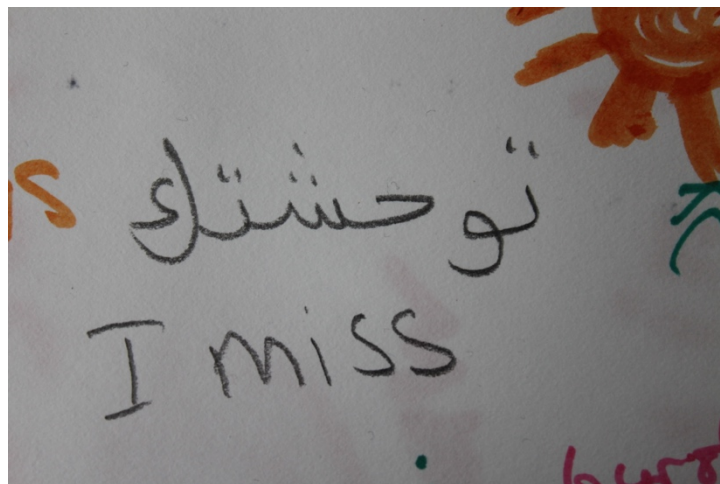
The first day of the workshop in Archway, which took place on two consecutive Fridays in April 2018 in the building a Methodist church at the heart of Archway in North London. These workshops saw the participation of a range of women from North Africa (Algeria), and Kurdish women from Iran and Iraq.

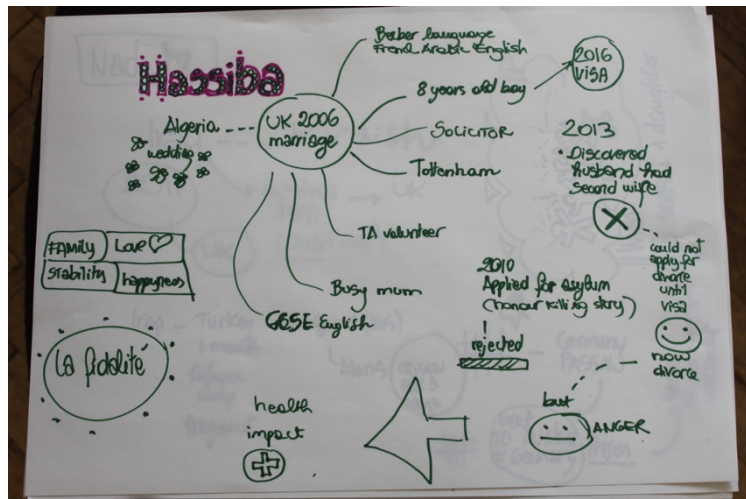
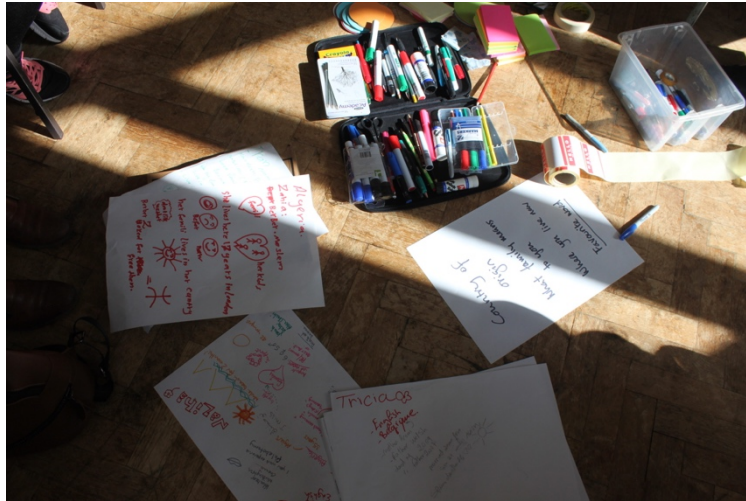
One of these women is highly qualified (a solicitor) who came to the UK with her Algerian husband in 2006. In 2013 she discovered her husband had a second wife but could not divorce because she did not have a visa. Even though now she has obtained a legal divorce, she still feels angry for the time this process took and the extent to which this has impacted her life, her 8 years old child and her health. A Kurdish Iranian woman shared the story of her difficult escape during the Kuwait war in 1991. She firstly lived in Austria and arrived in the UK in 2011, where her marriage broke when she heard her husband had married another woman without asking her.

All of these women experienced difficult divorces caused by un-consensual situations of polygamy combined with domestic abuse and heavy going psychological manipulation, in one occasion with threats of honor killing. The approach we used during this workshop consisted of mapping the individual stories on a paper initially, through work in pairs. After the individual stories were shared in pairs, the participants did not mind sharing their stories with the rest of the group. The stories of two Kurdish women stood out as particularly difficult in terms of impact they had on the research participants' lives. One of the women was already traumatized by having to flee Iraq at a time when Saddam Hussein was persecuting the Kurds. This experience is mixed with a sense of failure and remorse towards the teen age daughter for having lived in an abusive relationship with the husband for a long time, when she did not realise he had several other women and at some point even married Islamically her best friend. She now feels empowered for having moved on but is still picking up the pieces of a weakened self-esteem and sense of self-worth.

Similarly an Iranian Kurdish woman spoke at length about her relationship with her ex-husband who also married somebody else while was still married to her and deceived her into promising her a different kind of life to the one he was able to offer.

Some pictures from the workshop in Archway can be seen here:





In order to see the digital stories of two of the participants who come back in the second workshop, please contact E.Vacchelli@gre.a.cuk

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