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Forced marriage: What do professionals know?

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ABSTRACT

The adoption of a victim-centered approach to forced marriage requires implementing measures beyond prosecution oriented at preventing it and protecting its victims. To this end, professionals need to be able to identify its victims and recognize its effects on them. This paper aims to assess professionals' knowledge of the phenomenon, its dynamics, and its effects by presenting the findings of a qualitative research study conducted with 34 individuals in Spain. The results show that victim service providers have a broader understanding of forced marriage than criminal justice system professionals. They also indicate that the negative effects on victims vary depending on whether they submit to the forced marriage or escape from it. The study concludes with a discussion of the need to train professionals to recognize the various forms this reality may take and proposes that family-led cases be dealt with differently from those involving the sale of young women.

1. Introduction

Forced marriage (FM) is a complex reality that affects young people – overwhelmingly women – restricting their individual freedom. Although it can be considered a prevalent manifestation of honor-based violence (HBV) (Bates, 2020; Begikhani et al., 2015; Chantler and McCarry, 2020; Gill, 2014; Gill and Brah, 2014; Idriss, 2017, 2021; Yurkadul and Kortewg, 2013), it remains under-researched. This paper aims to address this gap. Linked to certain harmful traditional practices, FM is strongly related to gender and family violence (Gangoli and Chantler, 2009; Gangoli et al., 2011; Gill and Anitha, 2011a; Psalia et al., 2016). Because it is defined as a marriage concluded without the consent of one or both partners (FRA, 2014), traditional conceptualizations of FM recognize only cases in which coercion or duress is used to force one or both parties to marry, thereby differentiating the practice from arranged marriage (Anitha and Gill, 2011a; Home Office, 2000; HM Government, 2010). However, it is increasingly considered a manifestation of gender violence (GV) (Bunting et al., 2016; Gill and Anitha, 2011a), and a growing number of authors are embracing a more comprehensive, intersectional conceptualization that focuses not only on gender, but also other factors, such as race, social class (Crenshaw, 1991), disability or sexual orientation (Clawson and Fyson, 2017), to explain how youths can be pushed into unwanted marriages and how this reality should be addressed.

According to these authors, FM encompasses the entire continuum from consent to coercion (Anitha and Gill, 2009, 2011a), as a whole array of actions can occur between the two extremes – i.e., total freedom of choice and an absolute lack of it – entailing control, coercion, and violence. They argue that the force in question need not necessarily involve violence or the threat of violence, but could also be exerted by means of coercive control (Anitha and Gill, 2009, 2011a; Chantler and McCarry, 2020). They also accept that, in

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addition to being forced to marry against their will, victims may continue to endure coercion during the marriage, preventing its potential termination (Gangoli et al., 2011). Furthermore, if FM is understood as a process – i.e., a pattern of behavior rather than an event – it may also include cases in which women have not yet been forced into marriage, but are at risk of being so (Chantler and McCarty, 2020). This broader understanding of FM, which this paper also assumes, includes formally contracted, as well as customary and religious marriages.

Although from a Eurocentric and Orientalist perspective, FM has only been associated with certain minority cultures (Anitha and Gill, 2011b; Chantler et al., 2009; Patton, 2018; Razack, 2004), in recent years analyses undertaken in Western countries have shown that FM is also a reality in the first world (UNICEF, 2014). Studies conducted in Europe in the last decade have detected the presence of the phenomenon, as reflected in the annual statistics on FM published by the British Forced Marriage Unit since 2012 (Home Office-Foreign and Commonwealth Office, 2018). Research reports in Germany (Mirbach et al., 2011), France (Hamel, 2011) or Italy (Trama di Terre, 2014) have also been issued showing that victims of FM have likewise been found in those countries.

The Orientalist regulatory approach adopted to deal with FM in most European countries following the adoption of the Council of Europe Convention to prevent and combat violence against women and domestic violence of 2011 has consisted of preferential recourse to criminal law in accordance with Article 37 thereof. Although the Convention highlights prevention and protection measures to be adopted by member states, most European countries have criminalized FM (Ebeturk and Cowart, 2017; FRA, 2014; Gill and Anitha, 2011b; Sabbe et al., 2014). Raising the legal age to marry (Gangoli and Chantler, 2009) and hindering family reunification with minor wives (Wijffelman, 2017) are other legal tools that have been enforced. However, these measures have not stopped FMs from taking place (Askola, 2018; Ebeturk and Cowart, 2017; Patton, 2018; Sabbe et al., 2014).

In contrast to Orientalist visions, which base action against FMs only on aspects inherent to minority cultural parameters in host societies and focus on recourse to criminal law, a more victim-centered strategy is emerging that proposes that FMs, as a manifestation of GV, be approached from an intersectional and holistic perspective that places victims' protection at the system's center (Anitha and Gill, 2009; Ebeturk and Cowart, 2017; Sabbe et al., 2014). Under this strategy, the different discriminatory grounds affecting women belonging to certain cultural minorities must be addressed not only when prosecuting these types of behaviors, but also, especially, to prevent them from happening and to protect the victims. Indeed, prevention and early identification of victims need to be prioritized if a truly holistic or victim-centered approach is to be adopted toward any victimization phenomenon, as witnessed by the 3 P policy – prevention, protection, and prosecution – implemented to fight human trafficking (HT) (Obokata, 2006).

However, before such a policy can be adopted, it is necessary to check whether the system is capable of implementing it. This requires assessing whether the professionals who deal with victims sufficiently understand the process itself, including both the different ways in which it operates (i.e., can they identify its occurrence, risk, and dynamics) and how it affects victims. The qualitative research with professionals presented here was undertaken in Spain with the main aim of assessing this professional knowledge of FM as a first step to developing a holistic strategy to address it. This paper thus focuses on a stage prior to the design of a comprehensive strategy for FM: assessing professional understanding of the phenomenon.

While the Spanish approach to FM shares much with what has been described at the international level, it has certain specificities that need to be mentioned to contextualize the present research and its findings. FM was doubly criminalized in Spain in 2015 without any consideration of empirical data. It was specifically regulated as an aggravated form of coercion and also included as a possible form of HT, understood as the recruitment, transportation, transfer, harboring or receipt of persons, including the exchange or transfer of control over them, using coercive, fraudulent and abusive means – except when they are minors – with the ultimate aim of exploiting them. The crime of FM requires the use of violence or serious intimidation to force someone into a formal marriage. This criminalization has drawn criticism from scholars due to its symbolic and minority-culture-blaming nature, as well as the privilege accorded to those crimes over others, such as coercion or domestic abuse, that might also be committed in cases of FM (Maqueda, 2016), which can encompass cases of coercive control. It has also proved ineffective, since, to date, it has yet to be applied in a case of FM. In contrast, the inclusion of FM as a possible destination of HT victims in the crime of HT has proved more successful, not only because the few convictions for FM to date in Spain are based exclusively on that crime, but also because it has influenced some of the empirical research, which has focused on FM as a form of HT (Igareda et al., 2016).

FM has only recently been shown to exist in Spain (Igareda et al., 2016; Villacampa, 2020; Villacampa and Torres, 2020). The research indicates that the people most at risk are very young women, even minors, still in the care of their parents or other referent adults, mostly from North and sub-Saharan Africa. Almost three quarters are either Spanish nationals or legal residents in Spain, Muslim, and compelled to marry through the use of low-intensity mechanisms (family pressure and attachment to the tradition). The present research focuses on women because of the lack of identified male victims in Spain; however, it acknowledges that FM also victimizes males (Bates, 2020; Idriss, 2021) and youths belonging to sexual minorities.

2. Methodology

A qualitative methodology was considered more appropriate for the research, as it allows a more in-depth approach to the reality under analysis. Approval was obtained from the Ethical Committee at the University of Lleida (Spain). Purposive sampling combined with a snowball system resulted in the selection of a group of professionals from throughout Spain active in either victim services (VS) or the criminal justice system (CJS). The VS providers were selected from among the participants in a previous quantitative study undertaken to detect the existence of FM victims in Spain (Villacampa and Torres, 2020). They belonged to any of the 150 organizations that responded to an online questionnaire sent to an invited sample of 518 entities that claimed to be familiar with FM cases and to have assisted at least 2 victims. The sample included a range of professionals from different fields: most worked in specialized services (both government agencies and NGOs) for HT, FM or GV victims, as well as in education counseling, migration policies, and commu-

nity support. The selected CJS professionals were considered likely to have come across or into contact with FM victims either because they dealt with HT victims – judges and prosecutors – or based on information provided by interviewed VS providers who had interacted professionally with specific enforcement officers and lawyers.

The final sample consisted of 34 professionals, of whom 14 acted only or preferably in the CJS, while 20 worked as VS providers (Table 1).

All selected professionals were sent an explanatory letter asking them to participate in the research. A thematic semi-structured interview was conducted lasting between 30 and 90 min. A single interview model, based on interview scripts used in previous qualitative research on FM, was developed for both groups of professionals, although it was assumed their answers might differ. It was pilot-tested with 5 interviewees and, following adjustments to the script, applied. The interview covered four themes: the concept of FM; the dynamics of FM, i.e., how the victimization process takes place, the means of force used, and the victims' characteristics, all deduced from the cases the professionals remembered; the effects on the victims; and the professional training received.

The developed interview model was just a guide; it did not dictate the dynamics of the conversation with the interviewees, whose participation in the research was voluntary and expressly consented to. The interviews were conducted between July 2017 and July 2018 in Madrid, Barcelona, Zaragoza, Tarragona, Girona, and Lleida. They were recorded and fully transcribed.

The data were analyzed by the authors following the stages of the thematic analysis methodology (Guest et al., 2012): familiarization with the data; generation of initial codes for the data; searching for patterns and themes in the codes; developing and reviewing the themes; and, finally, defining and naming these themes.

Table 1
Interviews conducted with CJS professionals and VS providers.

Interview number	Occupation	Place of work (province)	Years of experience	Expert in HT, GV, or FM ^a
CJS 1	Judge	Lleida	17	Non-expert
CJS 2	Magistrate	Girona	27	GV
CJS 3	NGO Lawyer	Madrid	20	GV, FM
CJS 4	NGO Lawyer	Barcelona	15	HT
CJS 5	Lawyer	Madrid	19	HT
CJS 6	Prosecutor	Madrid	15	HT, FM
CJS 7	Prosecutor	Madrid	25	HT, FM
CJS 8	Prosecutor	Barcelona	14	HT
CJS 9	National Police Officer	Madrid	19	HT, FM
CJS 10	National Police Officer	Madrid	23	HT, FM
CJS 11	National Police Officer	Madrid	Not known	HT, FM
CJS 12	Civil Guard Officer	Madrid	16	HT, FM
CJS 13	Catalan Regional Police Officer	Barcelona	11	GV, FM
CJS 14	Catalan Regional Police Officer	Girona	22	FM
VS 1	NGO Coordinator	Madrid	18	HT, FM
VS 2	NGO Educator	Girona	25	FM
VS 3	NGO Social Worker	Zaragoza	20	FM
VS 4	NGO Unit Coordinator	Madrid	18	HT
VS 5	Midwife at a Health Center	Girona	36	FM
VS 6	Social Worker: Women's Information and Assistance Service	Lleida	15	GV, FM
VS 7	Social Educator: Staff Member at a Family Counseling Center	Lleida	7	Non-expert
VS 8	Social Educator: Technical Coordinator of Basic Social Services	Barcelona	23	GV, FM
VS 9	Psychologist: Women's Information and Assistance Point Coordinator	Barcelona	6	GV
VS 10	Social Educator: Officer at a Women's Information and Assistance Point	Barcelona	14	GV
VS 11	Equality Officer in a Regional Government and Intercultural Mediator	Barcelona	13	GV
VS 12	Officer at a Women's Information and Assistance Service	Girona	10	GV, FM
VS 13	Secondary School Educational Psychologist	Barcelona	21	Non-expert
VS 14	Social Educator: Specialized Intervention Service	Tarragona	9	GV
VS 15	Migration Policy Officer	Girona	20	GV, FM
VS 16	Head of the Violence Against Women Unit: Regional Office of the Catalan Government	Girona	4	GV, FM
VS 17	Social Inclusion and Citizenship Officer	Girona	14	GV, FM
VS 18	Community Mediator	Girona	10	GV, FM
VS 19	Social Worker: Catalan Department of Education	Girona	5	FM
VS 20	Victim Assistance Office	Zaragoza	18	GV

^a Professionals are considered experts in HT or GV if they work in specialized units in either field. Since specialized FM units have not yet been set up, interviewed professionals were considered experts if they had dealt with such cases.

3. Results

3.1. Concept of FM

The concept of FM is not settled. Personal conceptualizations of the phenomenon can significantly influence on the ability to detect FM cases. In a study that aims to assess whether professionals dealing with FM sufficiently understand the process and its effects on victims, it is thus necessary first to analyze how the interviewed professionals identify this reality.

The interviewees' conceptualizations of FM varied in breadth depending on whether they worked as VS or CJS professionals. Most respondents offered a personal notion of the phenomenon similar to those sustained by the literature and technical reports, associating it with marriage concluded without the consent of at least one of the parties.

A total of 13 interviewees explicitly referred to the *obligation* to marry to illustrate the forcing of either party. When asked what they considered to be essential in FM, VS providers more preeminently used the term *obligation* to express the idea of forcing a person to marry. They characterized it as "the obligation to be with someone you do not even know ... An obligation with no alternative" (VS 6) or as "an imposition, an obligation imposed by the extended family, the nuclear family, the parents, the group, the religion" (VS 19).

CJS professionals more commonly expressed this majority idea of forcing a person to enter into a marriage without their consent through direct reference to the *lack of consent* or *will* of the person (CJS 3 and 4), with these terms appearing in 9 of the interviews.

FM was also conceptualized in other ways, mostly by VS providers, identifying it with the loss of freedom, mainly by women, who are considered to have no choice in the matter for more structural reasons and/or who consent in a highly conditioned way. These understandings pivot on the same majority idea of forcing; however, they do not refer to the obligation or absence of consent prior to the marriage or during the ceremony, but rather situate it in the absence of any alternative for the women forced to marry due to more structural reasons that do not necessarily take the form of forcing the victim to engage in a concrete action.

"For me, the deprivation of liberty is a violation of rights. We are also seeing that they are unequal relationships in which women have no opinion – as I said, less than zero – and that, as in other forms of trafficking, this violation prevails." (VS 4)

"It is the absolute loss of the person's freedom. Not being able to decide about your life or future." (CJS 13)

These latter conceptions include those appealing to the idea of women's submission for this purpose (VS 2, 10 and 16) and those identifying FM with the need to keep up tradition, linked to economic motivations (VS 13 and 20) or obedience to family or the community.

Because this approach assumes a broader concept of FM, the boundaries between forced and arranged marriage within it are fading, as the means of force used is no longer relevant. The blurring of these two concepts can be seen in various interviews with VS providers, 7 of whom recognized that the line between the two types of marriage is not clear, as under certain circumstances women are unlikely to be truly free to decide even in cases of arranged marriage (VS 11, 14, and 15). This was consistent with the reluctance of VS providers – 8 interviewees – to establish a gradation of severity of FM when asked to do so.

"The boundary between forced and arranged marriage is blurry. It's not clear, because at what point does a girl who agrees to an arranged marriage – which would not be based on her will, but, because of family tradition, culture, etc., she ultimately ends up accepting – to what extent can we consider it not to be an FM? Clearly a marriage is forced when one of the parties does not want it, does not agree to it, and, therefore, is in some way opposed to the family's will, and here we could already speak of FM." (VS 15)

Notwithstanding this broad conception, these professionals understand a marriage to be forced based exclusively on the conditions existing prior to its celebration. Only 3 VS providers mentioned marriages that had *become* forced and, even then, only through implicit references made without being aware that they were part of their conceptualization of FM.

3.2. Dynamics of FM

As for FM dynamics, a clear difference was again found between the forms of victimization described by VS and CJS professionals. This difference lay not only in the means used to force the marriage, but also the victim profiles each group works with.

3.3. FM as a family-led process

When addressing the dynamics of FM, VS providers describe a course of action that characterizes it as a process conceived in the family context. In these stories, young women and girls are pushed into marriage primarily through family pressure related to the community of origin of the victim's parents, who are sometimes channeling the dictates of the community itself. Often, this is done as a mechanism to enable the group to maintain its cultural identity after the migration process, preserving the family model and many times forcing women into an unsustainable situation of tension.

"The dominant family model is still the one in which the family is sacred. You have to perpetuate the model of husband, wife, and children (...) That is the collective model promoted within families." (VS 11)

“So, you see it as the classic action taken by diasporas to reinforce these family bonds, even if they are transnational or even transcontinental ... It is a typical diasporic operation to protect the clan, and it goes beyond personal and individual preferences.” (VS 15)

In an attempt to preserve the origins against the influence of the host society, the chosen grooms are either members of the victim's extended family (e.g., cousins) or people who are well known to the family, from the family's circle of friends, or simply from the same place of origin, even when there is no prior relationship between them. In any case, priority is given to their origin, whether or not they are related.

“It seems to me that, especially in sub-Saharan Africa, they are cousins or a close relative. Of course, they are people of the same ethnicity, because that's a link between families ... Where it becomes tricky is when they are of a different ethnicity, for example, if one is Serahule and the other Fula. (...) I don't know much about cases from India or Pakistan. I don't know how they work at all, since they have the caste issue ...” (CJS 14)

Almost unanimously, the interviewed VS professionals cited family pressure as the mechanism leading women to get engaged or married. However, 4 CJS professionals were also familiar with this vision of the process.

In describing this more common, yet subtle form of pressure leading to marriage, interviewees used expressions such as “[their] families groom them” (VS 2) or “[it] is something done day by day, little by little, at home, sometimes through conversations” (VS 5). They compared FMs to a shadow that would sooner or later emerge (VS 3), depicting them as a process whereby women are raised in contexts where it is understood that, at a certain age, it will be time for them to get married and that this is their natural destiny.

“So, it's what we were saying, they already had to do it. Their family may have wanted them to study, etc., but since it was the custom or tradition, they had to do it.” (VS 9)

“Well, as a thing that (...) at a certain age just happens. The girl was living at home and then, well, there came an age where her father wanted to marry her off ...” (VS 14)

These women are surrounded by patriarchal dictates whereby they are not expected to make decisions. Despite their potential agency, they are not usually asked; others decide for them. Interviewee accounts revealed processes in which these women are driven by circumstances, by a will other than their own, even if they do not openly contradict it, which is why there is no need for violence. They are put in a position in which they are not responsible for deciding on their future.

“Basically, they have no voice; they cannot give their opinion. They have no say about the marriage. The family and community decide, and it is for their own good. (...) It is a family and community matter, not a matter for them.” (VS 2)

“She had never been able to decide anything for herself. It's as if there had always been other people who made her decisions for her.” (VS 9)

Despite the subtlety of these mechanisms, some of these communities view marriage as a lifeline and, for women, a sign of social success; hence, for families, the younger they marry, the better (VS 11). According to the roots and traditions these families are trying to preserve after the migration process, family honor largely depends on the code of conduct women observe. Therefore, they often resort to emotional blackmail: the idea that women should be good daughters, obedient, defend their parents' honor, and not challenge their decisions regarding marriage becomes a means of inducing it.

“We made a commitment to another family and we need to fulfill it [*the interviewee explained, speaking from the parents' perspective*], because if we don't, we will look bad, we, the parents, as a family, because we made the commitment to the other family a long time ago and that's that.” (VS 6)

“I think that, first, there is the issue of being a good daughter, of not rebelling or hurting her parents' feelings. Then, the parents often say they've done it all for them, that they are here because of them, to give them a better life ...” (VS 10)

“They don't give you any space. The family is breathing down your neck. Agree, please, because if you do not, you will dishonor the family, bring shame on us, because this has already been agreed to ...” (VS 18)

Sometimes families even turn to FM to deal with women who follow an excessively Western lifestyle, to make them conform to the expected code of conduct.

“The community of origin begins to pressure the parents and family who are here, telling them their daughter is going astray, that their daughter ... is rebelling, that this is not good for her ... The parents begin to feel overwhelmed by this pressure from their country or place of origin and decide to return [*the girl*] to the home country, to stay there 2 or 3 years until she gets married and then have her come back here.” (VS 10)

The importance of the community in FM also surfaced in the interviews, where respondents noted that breaking the code of conduct whereby women have to be submissive, obedient, and good wives dishonors the family. It makes them look weak in the eyes of the community, in terms of what people will say, since, as one interviewee stated, the danger of having a disobedient daughter is that you will end up an “outcast within the community” (VS 16), that you will be expelled from it.

While the brides' fathers usually have the final say in these marital commitments, it is the mothers who are given the responsibility of perpetuating the female role and the obligation of ensuring that young women in the family hang on to tradition. Although in

some interviews mothers were attributed a protective role regarding the girls (CJS 4) – which disappears when they are absent, whether due to death or other circumstances –, they are also the ones who some communities consider should properly educate their daughters to be obedient and submit to their destiny, as evidenced in at least 5 interviews. They need to be able to secure a good marriage for their daughters. As one interviewee said:

“The men set the conditions, but it is the women who then do the dirty work, so to speak. It is women who bring the girls to be mutilated and women who push them to marry.” (VS 16)

Because fidelity to this pattern of expected female behavior is so important to maintaining the community's respect for the family, forms of family pressure can evolve, becoming more and more intense until they border on the use of intimidation, if not outright force. When the daughter's wishes openly conflict with those of her family, there is an escalation to the most severe forms of FM according to most of the CJS professionals (n = 12). One interviewee (VS 15) indicated that family pressure develops in phases; it starts out strong, then eases up, before being ratcheted up again, coming not only from immediate family members, but also the extended family. The methods used to exert force in these cases may easily include psychological pressure, the threat of physical punishment, psychological abuse and emotional blackmail – appealing to the idea that the young women must be good daughters – and even direct threats. Interviewee VS 15 also pointed to differences between what she called “the sub-Saharan community's modus operandi” – where everything is clearly stipulated and the preparations are carried out mainly by uncles, with hardly any involvement from the parents, with the girls seeing it more as an imposition – and what she referred to as “the North African community's.” In the latter case, the arrangements are usually made by the parents, with the mother laying the groundwork, making the experience less traumatic for the daughter.

Even in interviews with professionals who identify the process as a consequence of certain family traditions, references to episodes of more or less direct forceful intimidation are not uncommon. At least 7 interviewees mentioned the confinement of girls who refused to marry. Some cases involved more direct forceful intimidation: girls not wanting to marry the man they had been promised to and fleeing from their homes, only to be tracked back down by their families and forced to marry.

References to the use of deception as a means of preserving the aforementioned pattern of female behavior were likewise fairly common, appearing in 6 interviews. Usually, deception is used to convince women to voluntarily travel to their families' countries of origin, where they are then forced into marriage. The mechanisms used to convince victims to make the trip that will end in their marriage are varied, ranging from tricking them – e.g., by telling them that their grandmother is ill and that they have to go visit her (CJS 14) – to taking a family trip to the home country with the excuse of attending a relative's wedding (VS 13).

3.3.1. FM as a phenomenon intrinsically linked to HT

In contrast to the vision of FM as a family-led process, most of the CJS professionals established a close, at times even overlapping, association between it and HT. Given that HT can be considered the process leading to the enslavement of human beings, one interviewee's words regarding a case of FM strongly suggest a superimposition of FM and HT:

“I think it's a horrible crime, because to ruin a girl's life just because, based on culture ... come on! They're not going to come to my country to enslave a girl for life!” (CJS 12)

Indeed, 9 of the 14 CJS professionals interviewed described FMs as situations in which young women, usually Romanian Romani girls, were sold by their close relatives – parents or grandparents – generally in their country of origin to another family with the same nationality who then brought them to Spain to be married.

“That is the usual modus operandi: girls in Romania, recruitment, the mother sells the girl, citing economic precariousness, and the girl is transferred from Romania to Spain, where the buyers are the parents. In this case, the husband was an adult, which is what I told you about the girl who was sold for 50 euros.” (CJS 6).

Variations on this situation were also described. For example, in one case, the victim was not sold in the country of origin, but in Spain, because her family had already moved to the country by the time of the sale. The operation therefore did not involve a transboundary movement of the girl. In another case, the victim was a young Nepalese woman who had been bought by a Spaniard who had moved to Nepal to “buy a slave” (CJS 3). What all these scenarios have in common is that the woman is completely objectified, openly treated as property that can be had for a price, to the point where one case even came to light because the bride was not ultimately delivered to the buyers after they had paid, so they sued to get their money back. The openly economic content of these transactions involving women is also evidenced by the fact that, in addition to being forced into a marriage, the wives were also usually exploited by being forced to perform other types of lucrative activities for the recruiter, such as petty street theft or offering sexual services. The following excerpt refers to the explicit economic nature of these trades:

“With the Romanians, there is always money involved in the sale of the girls; with Muslims, there is no such component. (...) These clans take advantage of the girls' vulnerable situation. They live in patriarchal societies where women are property, first of the family and then of the husband.” (CJS 7)

In addition to the 9 interviewees who identified FM with HT insofar as the FM was the main purpose of the previous bride-trafficking process, 2 other interviewees established a different type of close relationship between them. In these cases, the two phenomena were considered to run parallel to each other in a more or less simultaneous and interrelated manner. Specifically, one interviewee mentioned women who entered into FMs while being transported to Spain as victims of HT – if not of illegal smuggling of migrants – in order to avoid being forced to have sex by different individuals during the journey. In this regard, FM was referred to as a means of reducing the harmful effects of a trafficking process that had already been initiated. In the second case, the interviewee

noted that seeking to avoid an FM could trigger a trafficking process. This is because fleeing from potential FMs by abandoning their families may place young women in certain countries in a situation of vulnerability that makes them easily accessible to trafficking networks. These cases are thus examples of FMs immediately preceding or co-causing a trafficking process.

3.3.2. Characteristics of FM victims

VS and CJS professionals also differed in their descriptions of the pattern followed by women subjected to these processes. The first group described FM victims as young, first- or second-generation migrants belonging to families or communities – as opposed to professing a certain religion – where the groom is not chosen by the bride. These women, born or raised in Spain, are faced with a situation of unwanted marriage and powerful culture shock between what is preached at home and what they experience outside, as interviews VS 8, 10, 11, 16, and 17 all show.

“Based on the cases I’ve dealt with, they are young girls, teenagers, still adolescents, who have spent many years of their childhood in our country. They thus receive cultural inputs different from their own and do not want to accept the norm or family tradition.” (VS 8)

“These are girls who have gone to school here, who have an education and thus begin to form their own opinions. And once they have their own criteria, they see that their families want them to get married and that their future will depend on a man and that this will put an end to their freedom and their aspirations, as a person and in terms of education, so they make this decision.” (VS 16)

VS professionals offered an *autochthonous* or *everyday* victim profile, because they understand FM as a reality affecting young women who are generally fully integrated into a European society, even if their families are not. In contrast, most CJS professionals see FM victims as more alien to the Western reality, more ostracized. Because of this vision of these women as more remote, the CJS professionals placed much more emphasis on the victims’ communities of origin than on their internal struggle as a relevant sign when their family and social realities come into conflict.

“We have marriages of convenience from Asia, from China, but they’re not forced. That’s more for Romanians, Roma, groups like that ...” (CJS 11)

The community of origin of most of the FM victims identified by CJS professionals was Romanian Romani or girls from other Eastern European countries, such as Bosnia. Victims from other backgrounds, such as North or sub-Saharan Africa, were rarely mentioned. In contrast, VS providers identified victims from a variety of origins, including countries in North Africa (especially Morocco), sub-Saharan Africa (Gambia and Senegal), South Asia (India, Pakistan, and Bangladesh), and Eastern Europe.

3.4. Effects on victims

VS and CJS professionals also expressed different views on the effects of FM on victims. The former showed greater knowledge of FM and sensitivity to its consequences. While VS providers widely discussed the effects suffered by FM victims, CJS professionals acknowledged that they were not concerned with this issue. These differences in their respective approaches are understandable in light of the skill sets developed by each group of professionals. As some CJS professional explained, they “do not deal with these things.”

The VS providers’ answers can be systematized depending on whether the victim submitted to the FM or decided to avoid or escape from it, as one of the interviewees suggested.

“Well, if they accept it, it is about a woman subjected to the whims of her husband, whose only function is to have children and bring them up according to tradition until they ... get married, if they are girls – the boys have more freedom. I mean, the boys are taught early on that they are the ones who make the decisions and girls have to accept what men say. These girls really suffer a lot. Well, if they accept it, they accept a life they are not prepared for, because, despite the tradition they have experienced at home, they have a European tradition, because they’ve gone to school here. And for those who decide to leave, obviously the initial consequences are that they are very lonely, very scared. (...) They have to leave everything behind. They have to leave their parents, their surroundings. A lot of times, they even have to leave the city where they live, because they are rejected, that is, they have to start over from scratch.” (VS 16)

On the one hand, the professionals who mentioned the impact on women of staying in an FM – whether forced from the start or one that became forced because the woman could not end it when she wanted to – referred to the initial fear these women felt because of the unknown groom or spouse (VS 6). Once the cohabitation had begun, they described situations of physical or sexual violence by the husband, showing the intersection of FM with other forms of victimization, including family violence.

“The total impact the situation of violence and slavery to which the girl was subjected can have, including, especially, on her self-esteem, due to having been badly abused psychologically, in particular, and sometimes physically.” (VS 1)

“From what I’ve seen, sooner or later it leads to episodes of gender violence: physical, psychological, financial ...” (VS 12)

The least severe psychological effects of such situations on victims include stress, insecurity, low self-esteem, and a loss of self-confidence, as some interview excerpts show.

“On a psychological level, we have identified many effects: brilliant students who suddenly fail; issues of very, very low, very little self-esteem; of a lot of insecurity; of depression. (...) Girls who tell you they want to kill themselves or have even tried. Girls who have suffered mental illnesses, too, girls who have experienced psychosis. The consequences are so, so serious.” (VS 2)

“Anxiety, all of them. Submission, low self-esteem. Because there is always a battle raging inside them (...). All this leads to depressive pathologies, states of anxiety ...” (VS 4)

On the other hand, they referred to the effects suffered by women who decide to directly avoid or escape an FM, which are different. These women often have to break with their family of origin.

“I think one very strong impact (...) psychologically is having to cut ties with your roots, with your family environment (...) [It's] a very strong family conflict, with everything that entails in terms of the loss of referents, loneliness, breaking with cultural patterns you want to impose ... everything that means on a psychological and, above all, emotional level. A lot of distress. A lot of fear, too.” (VS 1)

“But when they are young girls who still can't fend for themselves, they are very attached to their family, which is everything for them. That break with the society they were born and raised in, well, on a personal level I think it's very harsh. And if they also get married and are raped, well, it's even worse.” (VS 3)

The VS providers placed undeniable importance on the rupture with the family because this separation is one of the hardest effects for the women to cope with. While ceasing to live with a man they did not love was a liberation for them, they experienced the end of the relationship with their family of origin as a very painful loss. The break with their family has other consequences, too, such as feelings of guilt for having abandoned their parents, or even for disappointing them, since women pushed into marriage usually accept it to comply with their parents' and family's wishes, as highlighted by interviewees VS 13 and 14. These feelings are sometimes manifested together with feelings of anger, helplessness, and frustration, due to their lack of autonomy to make important decisions and their inability to continue with the life they consider normal for women in the Western country they were born, raised, or habitually reside in.

This situation of rupture also causes feelings of extreme loneliness and rejection by the family or community of origin, as some of the professionals noted.

“And then there's everything it means for the girl if she ultimately decides not to get married: directly breaking with the community and this feeling of loneliness and being alone.” (VS 10)

Finally, VS professionals acknowledge that women who put an end to an FM stand at a cultural and social crossroads. They go back and forth between two worlds: the one the family of origin is trying to preserve by pushing them into a marriage they do not want and the one they live in outside their homes of origin, where they have been socially shaped and grown. In the words of one interviewee, by rejecting or ending this type of marriage, they are placed in a “kind of limbo between these two worlds,” which causes a culture clash that deeply marks them. In essence, they are caught between two realities, resulting in a tension they are unlikely to be able to resolve between what their community expects from them and their actual behavior, with the ensuing emotional toll.

“They are young girls caught in a culture clash that they have to tolerate in their home and surroundings, but who see different ways of doing things here. They can say, they can do, they see others, they see couples ... and they feel a lot of personal conflict and guilt about what they do. (...) She [a 17-year-old girl assisted by the interviewee] had terrible anxiety attacks (...), she felt like she was doing things very badly, that this thing of talking to a boy was not allowed by her culture, even though they weren't a couple or anything.” (VS 13)

As for CJS professionals, their failure to address the issue of the effects of FM on victims in their interviews— it came up in only 6 of them – suggests that they are not usually concerned with them. In addition to openly showing that they did not know, they were unlikely to approach victims in a way that would mitigate the effects they suffered.

Nonetheless, on the basis of the few interviews with CJS professionals in which the issue did surface, some differences could be seen between the attitudes of police officers belonging to different forces. While national police officers tended to minimize the harmful effects suffered by victims (CJS 9), if not deny them outright, claiming the victims internalize them, members of the Catalan regional police were aware of them, even if they acknowledged that they were not addressed (CJS 10).

3.5. Do professionals receive any training?

The previous results show that CJS and VS professionals have different understandings of the meaning and dynamics of FM and that the former are less aware than the latter of its effects on victims. It is thus important to determine what both types of professionals think about the training provided on this matter. Most of them acknowledge that little instruction is available or received on FM; some are particularly critical of this lack, and they are generally keenly aware of the need for it.

The VS providers stated that, although they had received training on GV or genital mutilation, they needed to know the specifics of FM; some even noted that their organizations have planned programs to provide guidance in this area. Various CJS professionals also acknowledged having received training on criminal reforms related to gender violence but, in general, showed a lack of knowledge of FM.

The few professionals who admitted to having some knowledge in this area said they had acquired it outside Spain or were self-taught and had learned from what is being done abroad. In any case, as a result of the experience they have accumulated in recent years, some entities have provided small-scale training geared toward lawyers and victim support entities.

Oddly enough, despite this general trend toward recognizing the poor instruction received, some police officers seemed satisfied with their command of the subject, even going so far as to qualify it as “great” (CJS 11).

Finally, to overcome this gap, some professionals seek out resources to master appropriate behavioral patterns on their own, even without training, as the following excerpt shows:

“The truth is I haven't received training. It's more your day-to-day experience that shapes you. Because when a crime comes across your desk, depending on what it is, if you don't know, you ask and learn” (CJS 20).

4. Discussion and conclusions

It is increasingly thought that FM should be addressed from a victim-centered, intersectional perspective, rather than from the limiting idea of criminalizing it by blaming certain cultures (Anitha and Gill, 2011b). This research was thus undertaken with the main aim of assessing whether professionals likely to encounter victims really understand the phenomenon they are dealing with, in order to determine whether they are capable of addressing it properly.

The results of the research show that the dynamics of victimization are described differently depending on who is describing them. Beyond a minimum consensus regarding cases involving very young women, the uniformity of the description breaks down depending on the speaker's profile, i.e., whether they are a VS provider or a CJS professional. In keeping with victims' accounts reported in the literature (Chantler and McCarry, 2020; Villacampa, 2020), VS providers describe FM dynamics in a way that leads the phenomenon to be identified with a family-driven process (Chantler and McCarry, 2020) pushed by the family. According to these professionals, women are forced to marry because of family pressure (Villacampa and Torres, 2020) in a way dictated by patriarchal rules that place females in a subordinate role, usually reinforced by the community of origin of the victims' parents. This points to a connection between FM and HBV that has been highlighted elsewhere and shows that FM can be considered an expression of HBV (Bates, 2020; Begikhani et al., 2015; Gill, 2014; Gill and Brah, 2014; Idriss, 2017, 2021; Yurkadul and Korteweg, 2013). FM is a mechanism to preserve family traditions, normally taught by mothers (Chantler and McCarry, 2020), and to maintain family honor that largely relies on these young people's code of conduct. Not only does the family channel the pressure exerted by the community to induce certain marriages, it also resorts to blackmail when this behavioral code is endangered or broken, even pushing the young person into an FM to prevent them from continuing to pursue what they regard as an inappropriate lifestyle. In these descriptions, violence and threats do not need to be overt to induce the marriage, at least before it takes place. Subtle and overpowering mechanisms of force, which can be identified with coercive control (Anitha and Gill, 2009, 2011a; Chantler and McCarry, 2020), are used. For this group of professionals, these processes usually affect women who have been completely socialized in a Western society, who were born or raised in a Western country.

In contrast, CJS professionals consider FM to be a phenomenon intrinsically linked to HT – to the extent that the two phenomena sometimes overlap – almost exclusively involving the victimization of Romani girls being sold by their parents or close relatives. The means used to force these girls to marry are more drastic, and women are treated purely as goods. Although the relationship between FMs and HT and slavery is documented in the specialized literature (Igareda et al., 2016; Mikhail, 2002; Tyldum, 2013), the cases of FM in which women are clearly treated as commodities have little to do with those described by the majority of VS professionals, who characterize FM as the consequence of a family plan undertaken to achieve social prosperity and respect for the married daughter and the family itself. This indicates that CJS professionals may be looking at FM through an overly narrow lens.

These different descriptions of the victimization dynamics are consistent with the different concepts of FM adopted by each group. VS professionals have a more comprehensive notion of FM, identifying it as marriages occurring against the will of one or both parties, but also as marriages caused by reasons having to do with the structural subordination of women, including cases of coercive control that make it difficult to differentiate them from arranged marriages. This conception is more consistent with a more contemporary understanding of FM integrated within the framework of an intersectional approach to GV (Bunting et al., 2016; Gill and Anitha, 2011a), which accepts means of force consisting of not only the use of violence or threats, but also coercive control, and additionally includes marriages that turn into FMs because the women lack the freedom to end them (Gangoli et al., 2011). CJS professionals have a narrower conception, identifying FM only as cases of an absolute absence of freedom as expressed through the lack of consent or will of the party to be married.

These different visions influence not only how each group of professionals characterizes the victims' profile, but also how they describe the effects the victims suffer. The latter, with which VS providers were more familiar, vary depending on whether the victims submit to the situation – often leading to episodes of physical or sexual violence during the period of cohabitation – or rebel – with the consequent rupture, at least temporarily, with their family of origin, social or community isolation, and permanent back-and-forth entailed by living between two worlds.

This reality remains little known in the West, and much research still needs to be done to determine the appropriate legislative and institutional policy to be adopted to address it holistically and from an intersectional perspective. Although this was only an exploratory study involving a limited number of professionals from a single European country, some conclusions can be derived from its main findings. Specifically, they suggest that there is an absolute need to train professionals who may come into contact with victims of this phenomenon to enable them to identify this broader contemporary concept of FM linked to GV outlined in the introduction. Professionals must be able to identify victims not only in cases where the FM is partially or fully recognized as HT, but also in those

situations in which FM is a logical consequence of certain family traditions. Further, professionals should be trained to detect cases in which women are trapped in a marriage they cannot end or are at risk of being forced into one. All victims – those already forcibly married, those at risk of being so, and even those trapped in an FM – must be identified at an early stage in order to prevent the harmful physical and psychological effects caused by the phenomenon.

To this end, professionals' focus, especially that of CJS professionals, must be broadened in two ways. First, in terms of the mechanisms used to commit FM, the focus must also include cases resulting from coercive control. Second, their chronological perspective of what FM encompasses must be expanded to include cases of women at risk of being forcibly married and, also, of those trapped in a marriage that became forced after they entered into it. Otherwise, many victims of this phenomenon may be overlooked by the system. Additionally, appropriate training would enable professionals to identify cases of risk, which is conducive to prevention and early intervention. Prevention, also through awareness-raising campaigns, should target certain groups of youths who, due to their socio-demographic and economic characteristics, could be considered at risk based on the scientific outcomes of FM victimization surveys. It should be conducted by multi-agency teams made up mostly of social work, education, and victim assistance professionals, as well as by CJS professionals (Torres and Villacampa, 2021; Villacampa, 2020). Early intervention would mean taking action in situations of initial risk detected by the aforementioned teams (Torres and Villacampa, 2021) without waiting for this risk of FM to become imminent.

Finally, although ideally all FM victims should be identified to assist them properly, that does not necessarily mean that the legal and institutional intervention should be the same in each case. The phenomenon manifests in a variety of ways with different degrees of severity in terms of its victims' human rights violations. Therefore, for cases of FM that occur when victims are unable to let go of family traditions that place women in a subordinate role, the legislative policy to be adopted should preferentially include the extra-criminal protection of victims and, when recourse to criminal law is unavoidable, the use of restorative justice mechanisms, in keeping with an intersectional approach (Arnold and Ake, 2013; Nixon and Humphreys, 2010; Sokoloff and Dupont, 2005). Additionally, assistance programs should be designed that, after empowering the victims, enable the reconstruction of family ties through the re-education of families with respect to the vital desires of their daughters, as, in these cases, the breaking of ties with the family is one of the most painful consequences of FM for the victim. In contrast, in cases of FM constituting concrete manifestations of HT, and even in those others in which blatant violence is employed, recourse to criminal law indeed seems more appropriate, in addition to the design of assistance programs based on strict separation of victims from offenders.

Availability of data and material

The data used in this research will be available to the public through the repository of the University of Lleida (<https://repositori.udl.cat>) once the research project in the framework of which it was conducted has been fully executed (December 31, 2022).

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Declaration of competing interest

None.

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