

The forced marriage debate and the British state

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Abstract: In recent years, the British government has increasingly sought to intervene to prevent forced marriages and ‘honour killings’. But its new-found concern for the plight of South Asian women belies a deeper structure of racism, particularly against Muslims, and collusion with South Asian patriarchy. It is argued that initiatives such as the recent proposal for legislation on forced marriages are not empowering to women but are driven by the state’s need to police South Asian communities, an approach that has colonial roots. The lack of support given to grassroots South Asian women’s organisations and the continuing deportation of women at risk of violence reveal the partial nature of the state’s commitment to supporting victims of domestic violence and other forms of oppression.

Keywords: anti-Muslim racism, domestic violence, ‘honour killings’, immigration controls, South Asian women, women’s refugees

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Hotspots of radicalism and hotspots of honour-based violence – the Forced Marriage Unit have a lovely map on their wall and it basically identifies where most of their referrals are from and, if you went in the Special Branch of the Terrorist Unit and looked at *their* map, you would see significant links, significant correlation. So, maybe there is something about . . . extremism, the way people think around those issues, that links in with what happens with women in their families too. There was one case where I could actually evidence it, so how many others are there . . . I have been talking to ministers for the last few months. I mentioned radicalism hotspots and the map of honour-based violence hotspots – then they really listened!

*Nazir Afzal, a director of the Crown Prosecution Service,
22 November 2006*¹

This extract from a speech – linking forced marriage, ‘honour killings’² and terrorism – reflects many of the current concerns of the British state: the pervasive preoccupation with terrorism; the use of women’s oppression to legitimise immigration control, policing and surveillance, as demanded by ‘national security’; and the politics of fear with its ‘hotspots’ of ‘extremism’. In this speech, moreover, these aspects are highlighted by the middle-class and Muslim identity of the speaker himself; the subtext is that here is an enlightened ‘expert’ on all those ‘uncivilised others’ in the communities. In what follows, I will use the experiences of South Asian women to explore the debates which surround these areas, looking briefly at the nature of the state’s ‘concern’ for the plight of South Asian women and the racism which is inextricably linked with it.

South Asian women’s struggles against domestic violence

In Britain, the South Asian women’s movement has created a unique network of refuges that perform the crucial task of providing support and safety to women facing violence, often the most acute and life-threatening violence. These refuges have been built up by grassroots feminists with enormous effort over the last thirty years. However, over the last four years, these organisations have faced a particularly difficult phase. Often operating on a shoestring, they have had their funds slashed and a number have been ‘decommissioned’. New Labour’s neoliberal welfare agenda, bolstered by the monocultural policies of ‘community cohesion’, has meant that the needs of South Asian and other minority communities have been defined away.

Moreover, the ironically named Supporting People (SP) programme, a restructuring of welfare services introduced by the government in April 2003, has led to further cuts to the budgets of women’s

refuges by moving away from a rights-based system of funding to one in which a single cash-limited pot is administered by local authorities and controlled by central government.³ Safe places for women resisting violence are being closed as a result of the funding cuts associated with the SP programme,⁴ despite its claim to offer 'vulnerable people the opportunity to improve their quality of life by providing a stable environment which enables greater independence'.⁵ The services and ways of working which have been fought for and established over three decades are being brushed aside as irrelevant, and many refuge managers are being asked by SP consultants: 'Why, in this day and age, do you need Asian women's refuges? Why don't you merge with generic refuges?' The answer to that question is the same as it was when these refuges were first set up: that generic (essentially white) women's refuges neither provide for the cultural needs of South Asians nor offer a racism-free atmosphere where deeply traumatised women and children can recover.

As refuge workers point out, experiences of racism in this situation are particularly devastating. The director of an Asian women's refuge told me, for example, of the comments of a young woman whom she was being forced to evict:

This young woman had been abused from an early age. She had no concept of danger either to herself or others, so we were forced to evict her. When I was making arrangements for her, she told me: 'Please don't send me to a white refuge.' She was unable to stop talking about what she had been through. She said when she talked to the other women here, they took it on board but, in a mainstream refuge, the women used to be racist and stereotype her and her culture. She found that unbearable.⁶

I was involved in documenting similar experiences in Northamptonshire in 1999⁷ and now, with escalating anti-Muslim racism, things are clearly worse. A woman who had grown up in Britain and had no language problems had told me of the problems she had faced in a generic refuge: 'I felt so alone. All the white women were together; they didn't speak to me. I wished that there was another Asian girl like me there. I would have had someone to talk to.' Another woman described her experiences of sharing kitchen facilities:

Everyone cooked in the same kitchen. There was no possibility of keeping halal things separate. The English women made it worse if I complained. They would use lard even more and spread it around. Those women were racist inside; outside they were nice.

In the Northamptonshire study, we found deep-seated racism in service provision on a remarkable scale. An Asian woman worker had told us: 'Racism exists in one form or another in all services . . . this can take the

form of lack of cultural awareness and understanding, racial stereotyping, as well as direct racist and discriminatory practices.' Much has been written about how black women's voices have had an impact upon the discourses of feminism but these experiences suggest that, on a day-to-day level, they have had very little influence on the practices of many white-dominated women's organisations.

While places of safety, and related women's organisations which provide routes to safety, are closing down, legal services are also being substantially cut and these developments are accompanied by an increasing privatisation of the welfare sector. The underlying rationale of these policies is clear enough: vulnerable people are costing the state too much and, increasingly, they will be abandoned. The ideological message of the SP programme is that the withdrawal of the state from all responsibility is actually empowering for individuals, even if their survival is threatened. It is against this background, of welfare policies which are doing away with long-established safety nets for women facing domestic violence, that the British state's policies and laws which affect South Asian marriage are being enacted. Couched in an increasingly hysterical language of concern for women facing violence, they have, right from the start, been about the control of minority populations – South Asian, African and Middle Eastern, either those coming in or, increasingly, those already here.

South Asian patriarchy and British immigration controls

The most longstanding of these policies are the immigration rules that apply to those coming to the UK to join spouses. Until 2003, persons in this category were denied permanent residency in their own right for a probationary period of one year; in 2003, this probationary period was extended to two years. Under this 'two-year rule', a woman who is not a British citizen, married to a man settled in this country, must remain married for two years after her arrival in Britain. If the marriage breaks down, she faces deportation back to her country of origin. For those experiencing violence within the marriage, the only route to permanent residency is to appeal against the deportation by proving the marriage broke down as a result of domestic violence. But during the period of her appeal, which can vary from several months to several years, she will have 'no recourse to public funds' – no benefits of any sort (which means that few women's refugees will be able to admit her) and the chances of her winning are often quite slim. As a result of the two-year rule, the shadow of deportation hangs over every marital conflict right from the start. Because women in this position can be, and often are, threatened with being 'sent back' for the most minor disagreement, the rule has, in this way, heightened the power

relationships between men and women within this particular cultural setting.

The two-year rule has been, and continues to be, the focus of sustained campaigning by black and minority ethnic women's groups, led by the high-profile South Asian women's group Southall Black Sisters. It affects a significant proportion of South Asian women in Britain – all those who have entered the country by virtue of their marriage to men settled in this country. However, the racism of the Home Office, the shameless lies told by its officials to the women who are caught up in the rule, and the suffering and human rights abuses it continues to cause, are subjects rarely discussed in the media or commented on by the 'concerned' liberal establishment. Over the years, there have been, in response to campaigning, some minor changes to the rule but, in its present form, it still forces many women to either remain in violent marriages or relationships or face deportation to their countries of origin – where often, blamed for bringing shame on their families and falsely accused of adultery, they face humiliation, violence and possibly death. In theory, a woman who faces the risk of violence or death in her country of origin should be granted asylum by the courts – but rarely do they do so.⁸

The determinations of court adjudicators and rulings by the secretary of state in these cases not only tell us a lot about British state racism but also blatantly ignore the government's own declarations about violence against women. For example, from October 2001 onwards, British politicians frequently asserted that the British and American forces were bombing Afghanistan in order to rescue Afghan women from the 'barbaric' Taliban. But, at the same time, the Home Office routinely tried to send Pakistani women back to villages in those very parts of Pakistan (such as the North West Frontier Province, NWFP) which had been the support base of the Taliban and were still largely under its control. A typical case is that of 'Sadia', whose mother is a widow living in a small village in the NWFP. Sadia was married to a man based in the UK, whose family was powerful in her village. Soon after she arrived in Britain, she discovered that her husband had a number of girlfriends. When she challenged him, he became extremely violent. Her father-in-law – a powerful figure in the community in Britain, a 'community leader' – took his son's side and blamed Sadia for causing 'problems' in the marriage. When she eventually managed to escape from the house, he accused her of being unfaithful and publicly threatened to track her down, take her back to Pakistan and have her killed. Sadia found temporary refuge in a hostel for South Asian women and appealed to the Home Office to be allowed to stay in the UK but she was turned down. The secretary of state did not think Sadia would be in any danger if she were returned to her village in the NWFP.

In a long legal struggle with the immigration authorities, Sadia's solicitor pointed out the extremely high number of women killed in the name of 'honour' in the region, the threats made by her father-in-law and the fact that accusations of adultery usually lead to feudal punishments inflicted on women; she pointed out that there is in Pakistani law a rule known as the Hudood Ordinance, which sanctions death by stoning as a punishment for adultery; and she pointed out that all of these issues have been discussed and documented extensively. Sadia eventually won her right to stay in the UK. But many others in her situation are not so fortunate. The laws and their interpretation by the Home Office force such women to either continue to live in violent relationships or be deported back to South Asia to be persecuted and possibly killed. For every woman who wins her case, many others lose or are forced to remain within violent relationships. And, in the last two years, rulings have been far harsher. Women are being told in an increasing number of cases that they must go back to South Asia and that their human rights will not be violated, despite ample evidence to the contrary.

The white knight of the British state

The immigration rule that imposed a one-year probationary period on those who came to the UK as spouses existed right through the era of state 'ethnicist' policies, which were, as A. Sivanandan has argued, the official response to the racism that led to the Brixton riots of 1981. These policies, taking their cue from Lord Scarman's report, aimed at 'pouring money into ethnic projects and strengthening ethnic cultures'⁹ and the interventions in culture and family brought about by the one-year-rule were, in many ways, typical of this phase. Ethnicism, while claiming to recognise 'ethnic' cultures, had denied internal differentiations of gender, class and caste. Oppressive gender relations were, therefore, implicitly accepted. This was why women's struggles could be defined as not 'part of' South Asian culture, while ethnicism had originated and consolidated the notion that all struggles within the family were a result of 'western influence' or because Asian girls wanted to be 'like English girls'. In this way, existing power relationships were reinforced while, at the same time, women could be portrayed as victims without agency who needed to be 'saved'. And since ethnicist notions had also largely defined away racism and the power relationships which perpetuated it, gender and race could be portrayed by the state and state agencies as entirely separate elements of analysis and experience.

During the last phase of the ethnicist era in the 1990s, the demonisation of Islam in America's global strategy began to feed into the British media, and into the ways in which ethnic minority communities were

constructed, generating a specifically anti-Muslim racism. The construction of the 'Muslim' man (and also, more recently, woman) as fanatical, fundamentalist, violent and owing allegiance to forces external – and hostile – to Europe came to the foreground in racist imagery.¹⁰ In this phase, too, culture and religion came to be conflated and populations which had earlier been categorised according to language or region of origin were identified by their religion above all else. 'Muslim' became the new 'ethnicity'. As Claire Alexander noted in 1998, in Britain the term 'Muslim culture' increasingly started appearing in welfare state documents and in academia, despite the diversity of groups adhering to variants of the Muslim faith – which made the concept meaningless in practical terms as well as flawed on a theoretical level.¹¹ Also in this period, the state began to give encouragement to organisations in the South Asian community that belonged to the religious Right; whether Hindu, Muslim or Sikh, they were all bolstered with local government funding.

It was against this background that the state began to propose policies that appeared to confront 'Muslim' patriarchy. Ethnicism had allowed the state to consolidate and strengthen both South Asian patriarchy and the construction of South Asian women as victims; at the same time, the state was under pressure from South Asian women's groups to respond to the sometimes extreme violence they faced. The state, having until then colluded with South Asian patriarchy, began to posture as confronting it, reacting with shock and horror as though patriarchy was a monster unknown to it, which had suddenly appeared from an 'alien' and 'backward' land.

While the effects of the one-year rule on South Asian women were left hidden in the shadows, a forced marriage initiative was launched by a debate in the House of Commons in 1999, led by Ann Cryer, the MP for Keighley. In a speech laden with colonial overtones, she appealed to 'the leaders of the Asian Muslim community' to: 'encourage their people to put their daughters' happiness, welfare and human rights first. If they do, their community will progress and prosper, in line with the Sikh and Hindu communities.'¹² This suggested, therefore, that not only were 'forced marriages' the preserve of Muslims but also that Muslims were poor and working-class as a result. In reality, of course, coercion of one sort or another can be a feature of family-arranged marriages across religious and class divisions.

Soon after this debate, the Home Office appointed a working group which, with the exception of representatives of two Asian women's groups, consisted of influential 'community leaders'. Within a few months, one of the Asian women's groups, Southall Black Sisters, left the working group over disagreements about mediation, calling for the state to 'mainstream the issue of forced marriage by incorporating

it in its national strategy on violence against women and children'.¹³ In June 2000, the report of the working group, entitled *A Choice by Right*, was launched by the Home Office with great fanfare.¹⁴ The state's approach to the handpicked members of the working group can be gauged by the patronising comments of the Home Office and Foreign and Commonwealth Office in a joint action plan in August 2000, in which they were congratulated on 'a difficult job well done. They have bravely broken the taboo on discussing this difficult subject openly and objectively.'¹⁵ In fact, coercion in the context of marriage is, and always has been, widely discussed in the South Asian community, particularly among women.

A Choice by Right led to a deluge of racist articles in the British press about brutal South Asian parents of girls who were far less mature than their white counterparts, and about horrendous experiences from which they must be rescued. Frequently, these articles were specifically anti-Muslim and the notion of women's agency was completely missing in these accounts. The report called for a debate around the issue and the debate was conducted by the media. Every tabloid now had the power to choose key spokespersons and bring selected victims as evidence into the public gaze, whetting the appetite of their readers with more and more salacious accounts of young women's suffering and brutal South Asian parents destroying their lives.

This way of using a 'debate' to initiate an intervention around gender and culture is, however, not entirely new to the British state. It was done once before, in the colonial era, with the British state's interventions in practices of widow immolation or *sati*, although, on that occasion, the debate was initiated by the colonial officers and the indigenous elite. Just as women's agency never explicitly arises today, nor did it in the nineteenth century. Then, as now, women were mainly seen as helpless victims to be rescued by the state.¹⁶

Forced marriages were defined by the forced marriage initiative as marriages 'without the valid consent of both parties, where duress is a factor'.¹⁷ This was, and still remains, problematic since, in this context, duress is a nebulous concept – family-arranged marriage is often an arena of struggle, which may be psychological, emotional or physical, and is affected by a complex set of interacting issues – from emotional blackmail and low self-esteem to isolation and exclusion as a result of racism. However, it soon became clear that the Home Office (and the Foreign and Commonwealth Office, which was also involved) was mainly concerned with the marriages of British South Asian women with men from South Asia who, by virtue of the marriage, then entered the UK. In their own words, they were tackling 'the overseas dimension of forced marriage'.

While under the one-year rule, the state showed a total lack of concern for women from South Asia who faced violence from their British

South Asian husbands, in the forced marriage initiative, its mirror image, it acted to protect 'civilised' *British* South Asian women from violence and prevent their exploitation by men from South Asia. This latter group of women 'belonged' to Britain – they were seen by the state in this context as 'our women' as opposed to the former group who were those 'others' from Pakistan, India and Bangladesh.

But if citizenship conferred this 'belonging', it was increasingly a citizenship that was moulded to fit a racist conceptualisation of nation and culture. David Blunkett, home secretary from 2001 to 2004, exhorted Asian parents not to speak anything other than English to their children, proclaimed the wrongness of marrying 'foreigners' and said of people who were born and brought up in the UK that 'those who come into our home – for that is what it is – should accept those norms just as we would have to do if we went elsewhere'.¹⁸ With David Blunkett heading the Home Office, racism reached new peaks, or perhaps revisited old peaks from the 1970s when Asian people were seen as problems. Under the two home secretaries who have followed Blunkett, nothing has changed, perhaps because, in his outspoken way, he was merely expressing New Labour's views on race. Since then, the Home Office's pathologisation of the South Asian family and South Asian marriage has continued apace. While the 1999 Immigration and Asylum Act imposed a duty on marriage registrars in the UK to report 'suspicious marriages' of foreign nationals to the Home Office, under the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004, which came into force in February 2005, all those subject to immigration control have first to apply to the home secretary for 'permission' to marry. The marriage itself can only be carried out in designated registry offices. Significantly, those who want to get married in an Anglican church are not required to seek Home Office 'permission'; in 2006, this 'permission to marry' requirement was found by the High Court to be discriminatory.¹⁹ More recently, a further restriction has been imposed on spouses wishing to gain permanent settlement rights in the UK at the end of their two-year probationary period; from April 2007, they will have to pass English language and 'knowledge of life in the UK' tests (although there may be an exemption for domestic violence cases).

Throughout the last twenty years, the focal point of the state's interventions has not been women's attempts to resist oppression. Instead, the state, in line with neoliberal ideology, is concerned with the lack of individual 'choice'; or, in the case of 'forced marriages', that young South Asian women are unable to exercise their right to choose. This ignores the fact that power relations within the family and community undermine the neoliberal notion of choice and render it meaningless in practice. What this means in the context of 'forced marriage' is obvious from an analysis of the large number of what Fauzia Samad, then a

case worker at the Foreign and Commonwealth Office, called 'reluctant sponsors'. These are young women who have reluctantly married partners chosen by their families and, on returning to Britain, have confidentially informed the Home Office or the Foreign and Commonwealth Office that they do not wish their partners to come to Britain, or if they are already here, that they want them deported. As Fauzia Samad commented: 'We cannot help them if they are not willing to go public but they do not want to do this because of family pressure.'

Of eight young married women in Luton who discussed forced marriages with me, two said that they would like to inform the Home Office about being forced but would not be willing to say anything publicly; two others said that this would be the best course of action if they had to go through with marriages that their families wished to impose upon them.²⁰ Their comments revealed a widespread belief that anyone could be 'shopped' under the immigration laws and would then simply be removed regardless of the circumstances – an attitude no doubt based on their experiences of state racism in general. More than anything, their approach to their marriages revealed the strong and complex relationships which bound these young women to their families. These relationships, and the fear of separation and rupture from the parental family, can prevent women from acting until they are desperate. They may know, in addition, that these fears are fully justified because there are examples in the community or family in which women have been cut off in this way.

'Forced marriage' and criminalisation

It is within this context that we must locate the recent initiative to make forced marriage a specific criminal offence. At the beginning of 2006, a law introducing such an offence was proposed by the government. Women's organisations and community groups responded strongly against this. They pointed out that, not only was such a law not needed since ample legislation (related to abduction, kidnapping and assault, for example) already existed to deal with cases of women being forced into marriage, but that such a law would be useless since few daughters seeking to escape coercive marriages would want to take their parents to court. Moreover, it was argued that such a law would heighten racism and demonise communities and that forced marriage was a form of domestic violence, which needed to be dealt with within the framework of existing strategies on violence against women. Women's groups also argued that safety from violence would require the provision of more, not less, places of safety and support.

The government backed down and abandoned the proposals but the racist discourse of Muslim women's oppression began to reverberate

around the media with forced marriage being increasingly conflated with 'honour killings', which, in turn, were linked with terrorism and 'lack of integration'. At the same time, the media and certain elements within the police and other agencies began to identify specific South Asian women as spokespersons on the horrors of 'backward, traditional practices' in South Asian communities; among them was Jasvinder Sanghera.

In November 2006, the eminent liberal Lord Anthony Lester proposed a new civil law on forced marriage. Lester's Forced Marriage (Civil Protection) Bill was clearly targeted at certain specific communities. While he described his Bill as adopting a 'victim-centred human rights approach', he also placed the Bill explicitly in the tradition of colonial attempts to reform South Asian communities by referring to efforts by the 'British Raj' to abolish *sati* and child marriages.²¹ As he explained to the *Guardian*, Lord Lester was seeking the support of 'an alliance of enlightened British Asians',²² an approach that was reminiscent of that other Lord – Macaulay – who, in colonial India, sought to create 'a class who may be interpreters between us and the millions whom we govern'.²³

However, when women from Imkaan, an organisation with a long-standing commitment to combating domestic violence, attended a meeting on 15 January 2007 at the House of Lords to discuss the Bill, they were stopped from speaking.²⁴ They presented Lord Lester, however, with a consultation document reflecting the views of frontline workers with day-to-day experiences of supporting women facing and resisting forced marriage.²⁵ These workers, while accepting the need for action on forced marriage, were strongly opposed to the Bill. They raised a host of questions about the Bill's practicality, such as what would constitute evidence of coercion and how the Bill could possibly be enforced. They pointed out, too, that the Bill brought 'remedies already available in the 1996 Family Law Act and the Human Rights Act, which one can use to get the same results', and that, since these laws have not worked, it was unclear why this one would. And they emphasised that a specific Forced Marriage Bill would serve to fuel racism:

This was dangerous in the context of current domestic policy and legislation, which has served to demonise and label black and minority ethnic communities. Furthermore, recent cases have been sensationalised and exoticised within the media, creating a moral panic about the issue that does not reflect the broader reality of violence against women, which occurs in every section of the community.²⁶

They recommended that forced marriages be dealt with as an amendment to the Family Law Act.

The law was also opposed by the Equal Opportunities Commission, which wrote to Lord Lester pointing out that, while supporting the principle of his proposals, they felt it would be more effective for statutory provisions on forced marriage to be a part of the wider legislation on domestic violence.

This would reduce the risk of the issue being used by those with other agendas to stigmatise particular ethnic minority communities . . . [and] could trigger a more effective response from statutory agencies who, whatever the limitations of their work on domestic violence, are more likely to work on domestic violence than on forced marriage.²⁷

While the need for integration was frequently invoked during the debates on the Bill at the House of Lords, the Bill itself represents the opposite; it is, as Labour MP and solicitor Sadiq Khan says, 'ghetto' legislation, targeted at specific communities.²⁸

However, Lord Lester presented the Bill unchanged at its second reading at the House of Lords on 26 January 2007. As he told the press: 'When I saw last summer that the government had rejected making forced marriage a crime, I wondered what we could do about it.'²⁹ The civil Bill was the answer, although as feminist barrister Birinder Kang points out, this civil Bill is actually proposing quasi-criminal legislation with powers of arrest. Interestingly, the publication of a book by Jasvinder Sanghera coincided with the second reading of Lord Lester's Bill.³⁰ Herself a survivor of forced marriage, Sanghera has provided a harrowing description of her experiences. Her book has been reproduced widely in the press and is now being quoted every time the Bill is discussed. 'As we didn't get the criminal offence, I am fully in support of this civil protection bill', she explains. But she adds: 'I will continue to support criminalisation.'³¹

A number of national organisations, such as the civil liberties campaign Liberty and the National Society for the Prevention of Cruelty to Children, support the Bill. And the South Asian women's group Southall Black Sisters has not only supported the Bill but been given a human rights award by Liberty for 'drafting' it. In response to his critics, Lord Lester has indicated that the proposed 'stand-alone' law *may* be abandoned and the provisions of the Bill incorporated, in their entirety, as amendments to the Family Law Act. But whether this will happen or not remains to be seen. What is clear, at the time of writing, is that the Bill's provisions are almost certain to become law, following Tony Blair's personal endorsement of forced marriage legislation in March 2007.³²

If forced marriage gets its own law, can a law on 'honour killings' be far behind? Increasingly, the two are mentioned in the same breath, often interchangeably. At the House of Lords meeting on 15 January

2007, Lady Butler-Sloss, herself a former High Court judge, seemed to see no difference between the two³³ and, according to feminist barrister Birinder Kang, such confusion is not uncommon amongst the general public and even lawyers. As for a law on 'honour killings', she explains that:

People accused may well be able to use stereotypes in their favour – stereotypes, for example, of how it may be legitimate to be horrified about what your son or daughter is doing, thereby using this to invoke the defence of provocation or use as part of their mitigation against sentence – so, in the end, the law will not be effective and, in relying on stereotypes, it will serve only to demonise whole communities further.³⁴

'Honour killings' are horrific murders but, along with the murders of white women, they are still murders. And, as in these cases, the answer is to punish the murderer. So why is the criminal justice system unable to do this? Perhaps we need to look both at the racism which regards South Asian women's lives as having very little value and at the deeply misogynistic nature of the British state; judges, for example, are currently trying to prevent progressive reforms to the procedures of rape trials, and a man who commits a rape has, on average, a less than one per cent chance of being convicted. Black women facing domestic violence do not get help until they have had, on average, seventeen contacts with agencies; for white women, it takes eleven contacts on average.³⁵ Adding one more implicitly racist law is not the way to change this.

References

- 1 Extract from a speech given at Imkaan's roundtable discussion, 'Responding to violence against women in the name of "honour"', 22 November 2006.
- 2 'Honour killings' and 'honour crimes' are enormously problematic notions that have largely been rejected by the feminist movement. For a further discussion, see Lynn Welchman and Sara Hossain (eds), *'Honour': crimes, paradigms and violence against women* (London, Zed, 2006) and Aisha Gill, 'Honour-based violence in the UK', paper prepared for the Kvinnoforum Scherezad Project, 2004.
- 3 Matt Weaver, 'Councils face cuts to homes support budget', *Guardian Society* (2 December 2004).
- 4 Ravi Thiara and Shamshad Hussain, *Supporting Some People: supporting people and services for Asian women and children affected by domestic violence* (London, Imkaan, 2005).
- 5 < <http://www.spkweb.org.uk> >.
- 6 Amrit Wilson, *Dreams, Questions, Struggles: South Asian women in Britain* (London, Pluto Press, 2006), p. 168.
- 7 Veronica Cooke, Sonia Davis and Amrit Wilson, *Domestic Violence Service Provision: black women's perspectives*, a report commissioned by the Domestic Violence Black Perspective Task Group and supported by Northamptonshire County Council Race Consultative Panel, 1999.

- 8 In 1999, the House of Lords, in the case of two women asylum seekers, Syeda Shah and Shahanna Islam, recognised that women in Pakistan constituted a 'particular social group' facing persecution. However, women at risk of violence are still deported to Pakistan, despite this legal precedent. Wilson, *Dreams, Questions, Struggles*, op. cit., p. 82.
- 9 A. Sivanandan, 'Race, terror and civil society', *Race & Class* (Vol. 47, no. 3, 2006), p. 3.
- 10 Amrit Wilson and Kalpana Wilson, "'Ethnicity'", "Race" and Racism' in Georgina Blakeley and Valerie Bryson (eds), *Contemporary Political Concepts: a critical introduction* (London, Pluto Press, 2002).
- 11 Claire Alexander, 'Re-imagining the Muslim community', *Innovation* (Vol. 11, no. 4, December 1998).
- 12 *Hansard*, House of Commons, 10 February 1999, Column 259.
- 13 Hannana Siddiqui, "'It was written in her kismet': forced marriage", in Rahila Gupta (ed.), *From Homebreakers to Jailbreakers: Southall Black Sisters* (London, Zed, 2003), pp. 79–80.
- 14 *A Choice by Right: the report of the working group on forced marriage* (Home Office, June 2000).
- 15 'Forced marriage – the overseas dimension – our commitment', statement by Mike O'Brien (Home Office), Barbara Roche (Home Office), Keith Vaz (Foreign and Commonwealth Office) and Patricia Scotland (Foreign and Commonwealth Office), 4 August 2000, <<http://www.fco.gov.uk/servlet/Front?pagename=OpenMarket/Xcelerate/ShowPage&c=Page&cid=1007029395717>> .
- 16 For a longer discussion of the colonial counterparts of the forced marriage initiative, see Wilson, *Dreams, Questions, Struggles*, op. cit., pp. 88–9.
- 17 *A Choice by Right*, op. cit., p. 4.
- 18 Colin Brown, 'If we want social cohesion we need a sense of identity', interview with David Blunkett, *Independent on Sunday* (9 December 2001), p. 4.
- 19 *R (Baiai) v Secretary of State for Home Department*.
- 20 See Wilson, *Dreams, Questions, Struggles*, op. cit., p. 92.
- 21 *Hansard*, House of Lords, 26 January 2007, Columns 1320–1.
- 22 Michael White, 'Westminster divided over curbs on forced marriages', *Guardian* (26 January 2007).
- 23 Thomas Babington Macaulay, 'Minute on Indian education', 2 February 1835.
- 24 Imkaan is an organisation that provides advocacy and support to more than thirty refugees and women's organisations serving black and minority ethnic women and children experiencing domestic violence.
- 25 Imkaan, 'Civil protection on forced marriages', 15 January 2007.
- 26 In the UK, two women are murdered every day by their partners or former partners. Sylvia Walby, *The Cost of Domestic Violence* (Women & Equality Unit, 2004), p. 30.
- 27 Equal Opportunities Commission, 'Letter to Lord Lester', 24 January 2007.
- 28 'Westminster divided over curbs on forced marriages', op. cit.
- 29 Louise Tickle, 'Help for bullied brides', *Guardian Society* (26 January 2007).
- 30 Jasvinder Sanghera, *Shame* (London, Hodder & Stoughton, 2007).
- 31 'Help for bullied brides', op. cit.
- 32 Mary Riddell, Gaby Hinsliff and Jamie Doward, 'Blair U-turn over forced marriages', *Observer* (4 March 2007).
- 33 Speaking of the evils of forced marriage at a House of Lords meeting, Butler-Sloss described a murder in which a father stabbed both his daughters.
- 34 Interview with author, February 2007.
- 35 Emily Brittain, Holly Dustin, Caroline Pearce, Katherine Rake, Mamusa Siyunyi-Siluwe, Fay Sullivan, *Black & Minority Ethnic Women in the UK* (London, Fawcett Society, February 2005), p. 39.