1 Introduction

Wellbeing, family life, and transnational Muslims in the West

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For an increasing number of migrants in Europe and North America, family life is embedded in a transnational social field (Baldassar and Merla, 2014; Bryceson and Vuorela, 2002). Common to such transnational family lives is organizing and navigating intimate relationships such as marriage, divorce, and parenting through the interplay of multiple norms and laws and through processes and practices cutting across national borders. In the case of transnational Muslim families, this has often meant state scrutiny of their marriage, divorce, and parenting practices since Islam − often being a legal and normative system pertinent to these family practices − becomes the focus of political and cultural contestations in many European public discourses (Razack, 2004; Schmidt, 2011; Rytter, 2012; Charsley, 2013; Grillo, 2015).

There is considerable scholarship in the social sciences on the family practices of Muslims in Europe. Broadly speaking, this literature has tackled marriage and divorce and their transnational dimensions, the generational and gender-based changes in family norms and practices, and state governance of marriage practices (particularly those related to migration) and individuals' and families' strategies in dealing with the challenges and marginalizing effects resulting from state policies (Shaw, 2001; Charsley, 2005; Charsley and Liversage, 2013; Tiilikainen, 2013; Al-Sharmani, 2015; 2017; Tiilikainen, 2015; Vora, 2016; Al-Sharmani and Ismail, 2017; Akhtar, 2018).

A notable gap in this scholarship, however, is multidimensional and multi-sited research on transnational Muslim family practices in the West through the conceptual lens of individual and family **wellbeing**. The aim of this book is to fill this gap. The chapters in the volume investigate how family practices such as marriage, divorce and parenting become part and parcel of (sometimes elusive) pursuits of individual and family wellbeing in diverse national and political contexts in Europe and North America.

By using a processual and multidimensional conceptualization of wellbeing, we seek to capture not only the needs and challenges of individual Muslims and their families as they navigate marriage and family life in a transnational social space, but also their aspirations and their understandings of the material, relational, and ethical dimensions of what constitutes for them a good

life. We investigate how individuals and their families in selected contexts make sense of and/or draw on different norms, laws, regimes of knowledge, and values in the course of different family practices, as well as the role of the larger socio-political contexts in these processes. In addition, we examine how law (whether codified or uncodified, religious or secular) functions as a national and transnational site for governance of Muslims' intimate relationships as well as a resource by which individuals − often in differentiated, gendered, and uneven ways − can attend to their family relations and their own needs and aspirations as spouses and/or parents.

Our inquiry into the transnational family practices of Muslims and their families in selected contexts is also part of an effort to contribute to a more robust understanding and use of the concept wellbeing.

As such, our inquiry proceeds from two angles. The first is from the perspectives, experiences, and strategies of individual family members such as spouses, parents, and children. Second, we seek an understanding of the wellbeing of these individuals and their families from the perspectives and practices of institutions that are pertinent to their family lives such as state legal systems regulating marriage and recognition of family relationships, school officials working with Muslim migrant children, mosques carrying out a variety of family welfare activities including marriage solemnization and family dispute resolution, etc. By bringing in these two angles, we wish to highlight the interconnectedness of the private/family life and the public sphere of policy and governance of religious minorities, and we explore the convergences and the divergences among different individual and institutional understandings and pursuits of wellbeing in relation to Muslim family life.

The book draws on research conducted in the Nordic countries of Finland, Sweden, and Denmark that share a Nordic welfare model, but also differ as regards their history of migration. For example, Finland is quite a recent country of immigration compared to its Nordic neighbours. In addition, some of the chapters present research on countries that have a long history of immigration such as the Netherlands, the UK, and Canada.

Wellbeing and Muslim family practices

Theoretical background

Wellbeing has been written about in a number of fields in social sciences (Hall, et al., 2010). However, few conceptual studies have focused on family wellbeing (McKeown and Sweeney, 2001; Zimmerman, 2013). In addition, legal discourses addressing wellbeing have mainly focused on welfare, social justice, and children's rights as well as the different uses of the best interest doctrine in legal fields such as family law, administrative law, and medical law (Nathan, 2010; Herring and Foster, 2012). Relational approaches to wellbeing and rights have also gained ground in legal thinking (Nedelsky, 2011).

On the whole, conceptualizations of wellbeing in social sciences have tended to be both utilitarian and unidimensional. It was only in the first decade of the new millennium that multidimensional conceptualizations of wellbeing emerged. This was also the aim of two interconnected research projects in the United Kingdom. The first project was titled *Measuring Human Well-being* and was conducted by UNU-WIDER. In the context of working on this project, McGillivray (2007) explored multiple dimensions and measurements for the concept of human wellbeing. The second project was titled *Wellbeing in Developing Countries (WeD)*, and was undertaken by the ESRC Research Group at the University of Bath. It is the anthropologist Sarah White at the University of Bath and a leading member of the ESRC research group who is credited with a systematic development of the concept of wellbeing in a series of writings and publications that she has produced since 2008.

Working in the field of social development, White (2008) conceptualized wellbeing as processual, dynamic, and having three dimensions: material, relational, and subjective. The material, according to White, denotes those aspects of wellbeing that are concerned with tangible welfare needs such as education, housing, employment, safe neighbourhood, etc. The relational dimension refers to the personal and social relations in which individuals' pursuit and experiences of wellbeing are embedded. As for the subjective dimension, it is concerned with the individual's values, perceptions, and experiences. In a 2010 article, White modified her conceptualization, classifying the three dimensions of wellbeing as material, social, and human. The first dimension, in this modified model, was still concerned with the individual's practical welfare such as income and assets, whereas the second dimension referred to social relations and access to public services and goods. The third dimension consisted of the individual's capabilities (e.g. education), personal relations (such as family relations), and his/her value systems. Each dimension, White argued, included an objective aspect referring to the indicators listed in this dimension as well as a subjective aspect referring to the individual's perceptions and experiences of this dimension (White, 2010, p.163). In the 2015 volume, which White edited with Chloe Blackmore, the work on wellbeing further evolved into examining how different academic accounts of wellbeing are constructed and the role of the different methodologies that researchers use in these constructions (White and Blackmore, 2015).

In the field of migration, the concept of wellbeing has not been systematically conceptualized or investigated. A number of studies focusing on the issue of care work in migrant families, particularly in relation to children, have presented some cursory definitions and/or explanations of the concept (Abrego, 2009; Heyman, et al., 2009; Graham and Jordan, 2011; Mazzucato and Schans, 2011). In these studies, wellbeing is primarily perceived as outcomes (e.g. psychological, educational, and health in Mazzucato and Schans, 2011) that are achieved or hindered due to a number of factors. These approaches, however, fail to address the role that individual and collective agency plays in creating and maintaining the manifold material and cultural

elements of wellbeing. An adequate conceptualization of wellbeing would need to take into account, for instance, how wellbeing happens in reciprocal relations as a process of meaningful engagement with the different structures of one's environment.

Katie Wright (2010; 2012) noted this gap in the literature. She pointed out that while the scholarship in the field highlights the attachments that migrants maintain with people, traditions, and causes in their homeland and beyond, it says little about the goals that migrants set for themselves, their feelings about whether their needs and goals are met, and the strategies that they adopt in different domains of their lives. According to Wright, a more explicit focus on the needs and goals of transnational immigrants and barriers that they themselves identify is necessary. Drawing on the conceptual framework for wellbeing that was developed by the ESRC Research Group (McGregor, 2007; McGregor and Sumner, 2010; White, 2008), Wright proposed the concept of human wellbeing. She used this concept to examine the multidimensional aspects of remittances (i.e. economic, social, etc.) and their impact on migrants and their family relations and lives. Wright's aim was to bring together different dimensions of immigrants' transnational engagements. She argued that

> a human well-being approach has the potential to fill these gaps, first, by focusing on: how migrants' needs and goals are formed and transformed as part of the international migration process; the obstacles to "living well" that migrants identify; and by suggesting that these barriers are linked to a mismatch between aspirations and achievements (Wright, 2010, p.368).

This volume builds on Wright's efforts; we seek to develop a holistic understanding of the wellbeing of transnational Muslim (migrant) families. We draw on (and modify) Sarah White's conceptualization of wellbeing to investigate Muslim migrants' intimate relationships and family life, as they take form through transnational family ties and practices as well as through encounters with multiple laws and norms in transnational space. By employing wellbeing as our key heuristic lens, we seek a holistic and multidimensional understanding of two interrelated issues: **the first** is the politics and lived realities of the family practices and relationships that are the focus of investigation in the different chapters; and **the second** is the meanings ascribed (by different actors) to wellbeing in relation to these family relationships and practices and the ways in which both issues are shaped by the governance of Muslim minorities in the different researched contexts.

Our approach to wellbeing

We envision wellbeing as encompassing three broad dimensions: *material, relational, and ethical*. We propose these three classifications as a simple heuristic tool to enable us to understand and capture needs, aspirations, and

challenges pertaining to marriage and family life; relationships both within the family domain and outside it in which individual and family needs, goals, and struggles as well as strategies and choices are embedded; and the normative systems that give meaning to these different aspects of family lives.

In our understanding, *the material dimension* of wellbeing refers to the tangible needs and resources of individuals and families, and the public goods and services that they access or lack, all of which are relevant to their welfare and their families. They include, for instance, individual capabilities such as education and knowledge; resources such as employment and housing; public goods and services such as health care, places of worship, safe neighbourhoods; institutions and mechanisms needed for marriage and divorce; support services for families; and also invisible material structures, such as territorial borders, that affect the mobility of individuals and populations.

The relational dimension refers to the belonging and personal relations and ties, for example with family members, local networks, and religious and cultural communities. This dimension also refers to the individual Muslims' as well as families' interactions and relations with authorities, state officials, service providers, and other actors in the larger society as well as with the hierarchical positioning of different groups in society.

And lastly, *the ethical dimension* is concerned with values, norms, and systems of meanings that are pertinent to people's lives. They include religious beliefs, cultural norms and practices, general attitudes and discourses (e.g. on racialized minorities), laws and regimes of knowledge that shape, influence, or regulate (e.g. through state institutions) people's lives.

We see each of the above dimensions of wellbeing (or ill-being) as involving a subjective aspect that has to do with individuals' feelings and experiences as well as an objective aspect, which is related to the external structures in which experiences (or lack of experiences) of wellbeing are embedded. In this volume, we are interested in capturing the ways in which the three dimensions are interconnected and influence one another in varied, contested, and dynamic ways. We have investigated wellbeing at the level of individual family members, communities, and the state.

Similar to White, we approach wellbeing not as an outcome measured by a list of indicators, but rather **as multidimensional processes** (in this case of transnational Muslims) of strategizing to fulfil needs, confront challenges, and pursue aspirations in the context of family relationships, and through encounters with multiple laws, norms, and value systems that regulate and give meaning to these relationships. The multidimensionality of the needs and aspirations that constitute individual and family wellbeing is emphasized in the various case studies covered in this volume. **Mulki Al-Sharmani**, for example, studies, in chapter 4, a mosque-led programme for Somali Muslim families in Finland. The programme promotes a holistic and multidimensional reform of marriages and spousal and parental roles, aiming at what the mosque calls the 'good of the family', and the 'positive integration' of Somalis into Finnish society. The programme grounds both goals in

Islamic norms. **Iris Sportel, Betty de Hart, and Friso Kulk**, in chapter 6, show how Dutch Moroccan and Dutch Egyptian couples navigate law in the pursuit of material and relational needs in the context of their transnational marriages and family life between Morocco, Egypt, and the Netherlands. Also, **Rannveig Haga**, in chapter 7, examines Somali parents' perspectives on the multi-dimensional good life that they aspire to for their children. According to the parents, this pursued 'good life' for children encompasses a number of things. It entails securing material resources such as a good education and jobs. It involves cultivating close and interdependent relations between children and other family members. It also necessitates navigating a syncretic system of ethical values and meanings that draws from Islamic teachings, selected Swedish norms on raising children, and certain Somali cultural norms, which together emphasize family solidarity and Islamic ethics while at the same time allow children space for autonomy and claims to multiple identities.

By conceptualizing wellbeing as **processual**, we focus on time and place as factors shaping people's strategies and negotiations within these processes. We highlight and analyse how and why these needs, challenges, and aspirations might change at different junctures in the lives of Muslim family members and according to the multiple contexts in which their lives are situated. Thus, **Marja Tiilikainen**, in chapter 9, tackles the experiences of (in)security among Canadian Somali families and shows how a combination of factors, such as the war on terror, the securitization of Muslims, and the multiple forms of violence that Canadian Somali young men in particular face, influence and change the perspectives of the parents. Mosques, for example, are no longer seen as purely safe places for children, but parents have to monitor and strategize to continue raising their children as Muslims while watching out for the danger of radicalization.

The role of the socio-political context in shaping constructions of individual and family wellbeing (by various relevant actors) is illustrated in the different chapters. In Al-Sharmani's chapter, the multidimensional 'good life' pursued by the mosque is situated in a local Finnish context where the mosque is a registered religious community, partaking in the state's work of producing social cohesion. The mosque's pursuit of family wellbeing by reforming Muslim marriages is also shaped by a transnational Islamic context where the mosque is part of a loose network of religious scholars and institutions in Europe advocating an Islam that is strong, visible, and compatible with living in the West.

Similarly, in Haga's chapter, Somali parents' views and pursuit of their children's wellbeing is shaped by the Swedish context where parents experience silencing and marginalization in their encounters with officials and institutions dealing with their children. Haga shows how these experiences of othering and everyday racism create challenges for parents while at the same time they also influence parents' perspectives on what their children need for their wellbeing and what that entails in terms of how to raise them.

In chapter 3, **Sanna Mustasaari and Vishal Vora** also show how the legal and political specificities of the English and Finnish contexts influence the

opportunities and challenges created by the multiplicity of laws and norms that are relevant to the organization of Muslim marriages in the two countries. The authors show that the 'transnational-religious' and 'transnational-foreign' elements of marriages contribute, in different ways, to how the issue of the *nikāḥ* may become framed as a minority issue and consequently how these marriages are seen to comply with the state law. In the English context, the authors argue that some British Muslims are in a disadvantaged position when it comes to marriage formalities and their lack of engagement with the law, as English law often views a non-Christian marriage as a non-marriage rather than a void or voidable marriage. In the Finnish context, issues about the legality of Muslim marriages appear to be of a different kind, having more to do with transnational family situations, limping statuses or precarious residence statuses rather than legal recognition of religious marriages.

The interplay between wellbeing and family practices such as marriage and parenting are not just confined to what family members need or lack or the challenges they encounter. It is also about their aspirations for an ethical life. This central point is illustrated, for instance, in chapter 2. **Annelies Moors and Vanessa Vroon-Najem** examine how converts in the Netherlands opt for only concluding Islamic marriages (rather than conducting civil marriages which are the only unions that are legally recognized by the state) for a variety of reasons that have to do with their different aspirations. For some of these women who are pious Muslims, for instance, it is about attaining their ethical wellbeing by ensuring that their intimate relationships with their partners are Islamically licit at the time when they enter into these unions regardless of whether or not they may decide in the future to conclude civil marriages.

Moors and Vroon-Najem's study also illustrates the opportunities and challenges provided by the multiple laws and norms that are usually at play in the lives of transnational Muslims and their implications for the wellbeing of these individuals. For example, Moors and Vroon-Najem's interlocutors were able to selectively draw on the different laws in their lives in order to exercise agency and strive to fulfil their aspirations. These women chose not to conclude civil marriages; they made use of uncodified Islamic family law which in their diasporic case does not require the involvement of the Dutch state in order to make relationship choices that were suitable for them at particular junctures in their lives. But again, their particular socio-political context also imposed its challenges. The authors highlighted, for instance, how Dutch public discourse and even state policies were increasingly moving towards the criminalization of these unions.

Investigations into different local contexts also highlight the political aspect of accounts of wellbeing. This not only shows how wellbeing, as White (2010) notes, is always a political process but also how wellbeing can be used in political discourses in ways that exclude some individuals and render them non-deserving of wellbeing and security. Transnational families, in particular, often face policies that seek to undermine their possibility of establishing a relationship of belonging and social citizenship with the state (Pellander, 2016; Mustasaari, 2016; Leinonen and Pellander, 2014). Moreover, definitions

of wellbeing can be used to govern populations through normalization and division of the population. Feminist studies on family and state, especially research inspired by queer theory, have established a firm link between the legal regulation of the family and normalizing governance (see, e.g., Cadwaller and Riggs, 2012; Meeks and Stein, 2006). These analyses have pointed out that liberal governance based on wellbeing also has its underside. Stemming from the intellectual legacy of Michel Foucault (e.g. Foucault 2003; Rose, 2006), this branch of research investigates biopower and biopolitical aspects of governance that operate through normalization and division of the population into those who deserve rights and privileges and those who do not.

As this division is based on underlying moral ideas of entitlement and responsibility, it is a particularly relevant perspective in research on transnational Muslim families, who have during recent years been constructed as morally suspect families in different public discourses and in different countries. Grillo, for example, argues that the moral order of the minority family is generally believed to be at odds with the one embodied by the European family (Grillo, 2015, p.39). Studying the biopolitics of marriage in an Australian context, Cadwaller and Riggs (2012) note, similarly, that much of the anxiety over the Muslim population is channelled into the governance of family, marriage, and reproduction. In this volume, the complex interplay between wellbeing and state governance of (Muslim) intimate relationships is well illustrated in Moors and Vroon-Najem's study which shows how, in the name of the wellbeing of Muslim women, contracting Islamic marriages is criminalized. Similarly, Mustasaari and Vora's chapter demonstrates how unregistered Islamic marriages in the UK are constructed as an anomaly that does not fit into the country's legal structure governing marriages (with its underlying Christian norms). In addition, Tiilikainen's chapter highlights the vulnerability of black Muslim young men and their parents in the face of the structures of power, in particular the police and justice system. Paradoxically, while official security practices aim at fostering the security of all residents, they lead to the daily marginalization and insecurity of Canadian Somali families.

On the whole, this volume highlights that wellbeing is not a 'thing' that can either be delivered to subjects or simply measured by external standards. Rather, differences and inequalities in how individuals and families are simultaneously positioned in different social categories such as religion, generation, and gender, as well as social class, nation, and ethnicity, are important to how they experience wellbeing. Thus, in an important conceptual and methodological contribution, **Ann Phoenix**, in chapter 10, reminds us that it is important to approach wellbeing from a multidimensional perspective and to stay sensitive to how the subjective and objective aspects of wellbeing are interlinked. Considering the conceptual and methodological issues raised in studying the wellbeing of transnational families, she suggests that analyses of wellbeing should draw on the concept of intersectionality. This may enable the researchers to move the focus away from studying wellbeing as something that people have or do not have towards exploring how accounts of wellbeing are

produced and what factors, in specific circumstances, contribute to how people make sense of their life and pursue their goals and what makes them resilient in particular moments of their lifetime. Thus, in chapter 8, **Abdirashid A. Ismail** demonstrates how transnational family practices shape children's wellbeing in complex and mixed ways, and, furthermore, Sportel, de Hart, and Kulk show that it is a confluence of factors and resources that enabled some of their interlocutors to use the law more beneficially than others for different purposes and that these factors shifted. Similarly, in chapter 5, **Anika Liversage** highlights how the practice of polygamy among Pakistani migrants in the UK and Turkish migrants in Denmark becomes part of complex processes in transnational families where different individual and family needs are pursued and challenges are navigated with mixed and uneven impacts on the parties concerned (i.e. polygamous husbands, first and second wives, children).

In short, the chapters of this collection do not aim to apply the proposed heuristic model of wellbeing uniformly and consistently. Rather, our goal is that various studies provide multiple angles from which we can understand the relationship between transnational Muslim families' wellbeing and their experiences, perspectives, and choices regarding marriage and family life. Furthermore, we do not assume that wellbeing of Muslims in the selected contexts is either singular and homogenous, or entirely distinct and different from the experience of wellbeing in general. Instead, through the studies presented in this volume we seek better insights into the meanings of wellbeing as they reveal its specificity as well as diversity and heterogeneity through the practices and experiences of the studied individuals and families.

Why 'Muslim' families?

We chose to focus our inquiry on families of Muslim background for multiple interconnected reasons. There is a long and expanding presence of Muslims from diverse ethnic backgrounds and several generations in Europe and North America. The estimated number of Muslims in Europe was approximately 26 million in 2016, that is 4.9% of the total population (Pew Research Center, 2017). The corresponding figure in the United States is approximately 3.5 million (1.1% of the total population) (Lipka, 2017) and in Canada a bit over 1 million (3.2% of the population) (Statistics Canada, 2018).

Muslim communities in the West are heterogeneous regarding their origins and socioeconomic backgrounds, as some of these Muslims are refugees and migrants, some were born to migrant background families, some are old established ethnic communities, and some are converts to Islam.

Muslims and Islam have been, over the past decades, increasingly ethnicized and politicized in the West, particularly after the 9/11 terrorist attacks in the USA which were carried out by Muslim militants, as well as the more recent terrorist attacks in several European cities. The war on terror and securitization of Muslims (e.g. Wæver, 1995) have had an impact on the

everyday experiences of many Muslims in Europe and North America. In addition, 'Muslimness' as a problematic identity marker became evident at the time of the 2015 refugee crisis in Europe when large masses of refugees from the Middle East crossed the borders to Europe fleeing for their lives. In reaction to this mass movement, there were heated state and societal debates across Europe about the presence of these refugees and the perceived danger they pose on different levels (economic, security, religious, cultural). In eastern and southern Europe, attitudes towards refugees and Muslims have been predominantly negative (Wike, Stokes and Simmons, 2016).

This volume aims to problematize the essentializing and othering of Muslims. The case studies show how various European public discourses and policies on the family life and gender relations of migrants create 'Muslimness' as a singular identity and as 'problematic' norms and practices. This is demonstrated, for example, in chapter 2 where Moors and Vroon-Najem show how Dutch public discourses and policies construct Islamic marriages as contravening Dutch values of gender equality and individual freedom and hindering integration of Muslims into the larger society. Yet, the authors highlight the contradictions in this state narrative as it fails to recognize that many Muslim Dutch women who enter into Islamic marriages do so as a way of exercising their rights as Dutch citizens who choose to enter into these unions as a form of cohabiting relationships (albeit religiously licit), knowing that these unions have no legal status according to the state. And yet while Dutch public discourse and policies have no cultural or legal problem with cohabiting relationships between non-Muslim Dutch couples, they are increasingly restricting and almost criminalizing Islamic marriages.

Other case studies in the volume also shed light on the diverse realities of the researched Muslim families and the plurality and dynamism of their understandings of their religious tradition as a source of norms guiding their family relations. In chapter 6, Sportel, de Hart, and Kulk show that it is pragmatism rather than commitment to religious norms which guides how Dutch Moroccan and Dutch Egyptian married and divorcing couples in the Netherlands navigate the legal work needed to carry out their marriage or divorce practices as well as transnational kin work involving children.

For the aforementioned reasons, we believe it is meaningful to employ Muslims and their family lives as a category of analysis to understand the ways in which their intimate relationships become, on one hand, an area of intervention and control with regard to state policies and public discourses and, on the other hand, a domain in which family members negotiate different aspirations, goals, and challenges. In other words, we wish to show the limitations of reifying 'the Muslim experience,' and shed light on how transnational Muslims whether within their families or in different contexts are differentiated by their diverse social locations, resources, gender, and generation, as well as the structures of laws, norms, and policies in which their lives are embedded and hence their varied experiences and voices.

The 'transnational' in Muslim families

In this volume, we do not understand 'transnational' in any fixed sense. Rather, we highlight the layered meanings of the concept as derived organically from the different case studies. Transnational, for example, denotes the material and affective ties and practices linking individuals with family members in different countries, including the country of origin and countries of resettlement where close family and kin reside. These ties shape family and marriage practices, kin work and parenting. In addition, these transnational bonds impact different family members differently. For example, in chapter 8 Ismail discusses diverse transnational practices in which parents partake such as sending financial remittances and visits to Somalia in addition to social activities that, although they take place in Finland, are very much oriented towards Somalia, such as fathers spending time debating Somali politics and/or chewing *khat* (mild narcotic leaves chewed in Somalia). These transnational activities of parents, in particular fathers, are seen to have a negative impact on their children's wellbeing through the lack of time and resources devoted to their parental role. On the other hand, in chapter 9 Tiilikainen shows how parents may rely on transnational family networks when they need support in raising and protecting their children: Canadian Somali children and youth may be sent to family members in the Middle East or the Horn of Africa to stay away from insecure neighbourhoods in Canada and instead spend time in an environment that parents believe to be religiously and culturally secure.

Our understanding of the transnational is further developed by Liversage's study in chapter 5. Liversage examines how transnational migration and mobility shape marriage practices, focusing on polygamy. She shows how the transnationally shaped circumstances and needs of Turkish and Pakistani families in Denmark and the UK and their relatives in the countries of origin lead to the practice of polygamy for diverse purposes. For example, some men enter into new marriages in the UK or Denmark while their first wives are in the country of origin. Other polygamous unions are motivated by the goal of finding a care provider for a sick husband in the country of origin while the first wife cares for the children in the West. Meeting the need of a childless couple to have a child is also another factor leading to polygamy. The impacts of these transnationally shaped practices of polygamy on first wives, second wives, and husbands are heterogeneous and complex, underscoring the need to understand the practice of polygamy (which is typically seen as one of the problematic and patriarchal areas in Islamic law) in a more nuanced way in light of the transnational social spaces inhabited by these individuals and their unequal access to different material and non-material resources that are relevant for their wellbeing.

Transnational in this volume also denotes multiple laws, norms, movements, ideologies, and institutions (state/non-state, religious/non-religious) that guide family relations and practices and extend beyond national boundaries. For example, Sportel, de Hart, and Kulk analyse how Dutch Moroccan and Dutch Egyptian families navigate multiple family laws in transnational

contexts and how they engage with often complicated transnational legal work in order to manage ties within family and kin. In another chapter, Al-Sharmani studies a Finnish mosque programme for families that has transnational linkages to a loose network of religious scholars advocating reformist Islamic discourse, as well as to the Federation of Islamic Organizations in Europe, a Brussels-based umbrella organization, inspired by the Muslim Brotherhood's intellectual thought. Tiilikainen in her chapter, on the other hand, describes how parents fear that new transnational militant ideologies and violent radicalized groups influence Muslim youth and may attract them to travel abroad and join the conflict.

Finally, as Phoenix notes in the closing chapter of this book, the term 'transnational' is reactive to what 'nation' is taken to mean. 'Transnational' is thus often socially or legally constructed in contrast to the normative or taken-for-granted 'national'. This observation alerts us to acknowledge that the term is in relation to various different processes of decentralization taking place within and around the socio-cultural construct of 'nation'.

Navigating the plurality of normative systems in transnational family life

Islamic law is present in Western societies in a variety of ways both as a set of legal thought and religious norms and as rules and practices governing interpersonal relations and disputes within religious communities (Ballard, et al., 2009; Bano, 2012; Ahdar and Aroney, 2011; Büchler, 2011; Mehdi and Nielsen, 2011; Shah, 2014; Grillo, 2015). As demonstrated by the example of *nikāḥ*, the Muslim religious marriage, European states differ in their approaches to Islamic norms and legal institutions. As explained in chapters 2 and 3, in the Netherlands it is illegal to marry religiously before a civil marriage, whereas in England such marriage risks being deemed a non-marriage. In yet other countries, such as Finland, Islamic marriages may be included in the legal framework which effectively prevents most cases of non-marriage from arising.

Legal pluralism in today's world means that issues of culture, religion, and law are influenced by accumulated and complex pluralities (Menski, 2010). This diversity is manifest in the analyses offered in the chapters of this volume. For example, in chapter 6, Sportel, de Hart, and Kulk demonstrate how law may become important for transnational families in different situations and how leading a family life across borders requires dealing with multiple laws and bureaucracies. The authors show that people navigate the law, taking legal steps and finding legal information as they go along. Furthermore, law may enable members of transnational families differently, and power relations within families may explain how people mobilize law (Sportel, 2016).

As European states do not incorporate religious laws through a system of personal status laws − Greek Thrace being the only exception to the rule (Shah, 2014; Sezgin, 2017) − the interaction of religious law and state law takes place, on the one hand, within the legal system of one state in a broad

range of different practices where questions relating to Islamic norms become invoked. On the other hand, Islamic law can become applicable in a court as the law of a foreign state if there is a connection to a foreign state law that is based on Islamic principles. Whether this foreign law is applied or a foreign decision is recognized, depends on the rules of private international law (also known as conflict of laws). As was demonstrated, for example, in the European Court of Justice in the cases of *Sahyouni v. Mamisch* (C-281/15 and C-372/16) concerning an Islamic, unilateral *talāq* divorce, it is sometimes difficult to identify which norms apply to a case. Yet another aspect influencing the interrelationship between state law and religious law comes from the human rights regime. The provisions of the European Convention on Human Rights concerning the right to property (Article 1 to the 1st Protocol to the Convention) and the right to respect for private and family life (Article 8 ECHR) and the prohibition of discrimination (Article 14 ECHR), for example on the basis of gender, impose certain limitations on how Member States can arrange the recognition of religious law or family statuses (e.g. Rutten, 2010).

Moreover, the unity of state law is in many respects imaginary; state law is a discontinuous, incoherent and plural set of norms. It is organized into different fields, which allows legal power to be exercised according to very different sets of principles in different issues that are analytically constructed as distinct. When these diverse fields of law intertwine, the outcome can be more influenced by the disparate goals of different legal fields than the cultural or religious diversity in people's way of life (see for example de Hart, van Rossum and Sportel, 2013; Mustasaari, 2015). Furthermore, the intersections of different branches of law could place transnational families in positions in which they are impacted more by immigration policies than family policies. For example, the prohibition against circumventing immigration rules might mean that a marriage is not recognized in one legal context while being registered and valid in another legal context (Mustasaari and Al-Sharmani, 2018).

In line with previous research (e.g. Mustasaari and Al-Sharmani, 2018), the chapters in this volume highlight the importance of paying attention to the local legal context within which family relationships are regulated. In chapter 3, Mustasaari and Vora show how the differences between the local contexts and legislative frameworks of England and Finland affect the ways in which Muslim marriages are recognized. The authors note, furthermore, that it is increasingly important to pay attention to the multiple ways in which different laws come together and affect processes in which people engage with the different structures of their environment. This requires approaches that recognize individuals as relational, cultural, gendered, and in many ways differently positioned (e.g. Bano, 2017). Mustasaari and Vora argue that the legal framework should be understood as one that seeks to enhance wellbeing both individually, by creating obligations within the family and, collectively, by levelling the various imbalances prevailing in relations between different groups in society, including minority/majority as well as gender relations.

Gender, marriage, and kin work

The chapters of this edited volume challenge the statist discourse on Muslim patriarchy and oppression of women in relation to Islamic law as well as Muslim family norms and practices. According to the presented case studies, gender roles and relations in Muslim transnational families with regard to marriage and parenting are changing, resulting from the changing lived realities of Muslims in new migratory contexts as well as due to increasing access to religious knowledge and evolving understandings of Islamic law on marriage and family norms. For example, Al-Sharmani shows the mosque's advocacy for companionate marriages and cooperative and non-hierarchical spousal roles is based on the changing needs and lived realities of Somali families in Finland as well as emerging new religious discourse on marriage and gender roles in the family. The author also notes in this chapter and previous research (Al-Sharmani, 2015) how some women have been empowered through the religious knowledge they acquire from diverse sources, including the mosque programmes, resulting in their questioning cultural norms that privilege male dominance. Similarly, parents in Haga's study rely on Islamic teachings to develop their parenting practices and to be able to guide their children to become good members of Swedish society. Haga explains how it is precisely parents' increasing knowledge of Islamic norms on parenting that allows them to revisit and question dominant Somali cultural norms that emphasize parents' absolute authority over their children and limit the children's ability to develop their autonomy and voices vis-à-vis their parents.

The absence of extended family members has added new pressure on the role of a husband and father in the household. In addition to the role of a provider, the father is expected to share care work with his wife and help with raising the children. The absence of fathers, due to transnational engagements, from the everyday life of the children and youth, is often perceived negatively by the rest of the family and is believed to have a negative impact on the wellbeing of the children, as Ismail shows in chapter 8. In addition, Tiilikainen's research (chapter 9) confirms that single parenthood, which mostly means single motherhood, increases the vulnerability of migrant families: mothers in Toronto struggle to raise their racialized sons in insecure neighbourhoods.

Lastly, as Moors and Vroon-Najem show in chapter 2, the strict regulation of Muslim marriages is justified in public discussions with reference to Muslim women's wellbeing, but in reality this rigid approach can effectively endanger the wellbeing of women, who often have sound reasons not to conclude a civil marriage first. Similarly, in chapter 3, Mustasaari and Vora explain how the developing English case law on non-marriage has gender-specific consequences.

Conclusion

In this edited volume we attempt to understand the wellbeing of Muslim families, most of whom have a migrant background, in the context of their transnational family life and relations with multiple laws and norms. The case

studies challenge prevalent singular representations of Muslims, which are often based on binaries such as secular versus religious, and legal/rational versus cultural/irrational norms. These kinds of simplifications tend to pathologize Muslim family practices and essentialize Islamic family laws. Instead, the case studies de-essentialize and 'normalize' Muslim families and their family relations and practices in different migratory contexts. These studies highlight bottom-up practices and shifting meanings related to Islam in different places and temporalities. Moreover, the studies highlight variations and negotiations in the use of different legal and normative systems on the part of Muslim families, communities and individuals.

Furthermore, the chapters reveal complex and multidimensional relationships between law, family life, and wellbeing with regard to Muslim (migrant) families and the centrality of gender in this relationship. The three-dimensional model of wellbeing that we have used does not assume that the 'Muslimness', ethnicity, or migrant background define wellbeing or aspects of it in any pre-fixed sense. Rather, it helps us see how different objective and subjective structures, relations, values, and spaces of agency impact the experiences of individuals and families that identify themselves as Muslims or who have been categorized as such.

Additionally, examining wellbeing in legal contexts along the lines suggested by White and Wright and as developed in this volume allows us to get a better grasp of the normalizing impacts of the diverse political and governmental aspects of wellbeing in the context of Muslim family life. First, by focusing on the vast diversity of material – distributive, institutional, and procedural norms – that transnational Muslim families must navigate in diverse contexts, we can begin to grasp the distinct, and often intersectional, impact that the norms have on families and individuals. Second, the relational dimension to wellbeing highlights how people are most often not just individual rights holders, but connected to each other through relations of dependency, duties, and power structures. Third and finally, ethical subjectivity offers means for individuals to resist othering processes taking place in their lives.

Chapter summaries

In the Netherlands, transnational marriages and Islamic marriages concluded prior to a civil marriage are hotly debated in the public domain. These marriages are perceived as not only bringing the 'wrong' kinds of migrants to the Netherlands – those with little education and few skills – or as involving the 'wrong' kind of Muslims, such as the radical or Salafi-oriented, but also as harmful to Muslim women's wellbeing. **Annelies Moors and Vanessa Vroon-Najem** analyse the tensions between how politicians, policy makers, and other state agents in the Netherlands problematize transnational Muslim marriages and how female converts to Islam experience the concluding of such marriages. They show that converts themselves quite regularly opt for concluding

an Islamic marriage, which is often simultaneously transnational. These women view an Islamic marriage as important for their ethical, relational, and material wellbeing, and may have good reasons not to conclude a civil marriage first.

The chapter by **Sanna Mustasaari and Vishal Vora** continues with the topic of *nikāḥ*, the religiously valid Muslim marriage, and studies its legal recognition in England and Finland. The authors apply the concept of wellbeing in order to better understand the complex outcomes of law for Muslim couples. English law operates with the concepts of valid and void marriage, but recent case law has introduced the concept of non-marriage, denoting that in divorce the couple have no financial remedies. The authors argue that there is currently a default form of marriage in English law which reflects the Christian form of marriage and results in discrimination against ethnic minority women. Finnish law, in contrast, does not acknowledge the institution of a void or voidable marriage, but religious marriages are usually recognized as legal. Muslim marriages seem to become problematic, particularly in relation to migration and transnational family lives.

Mulki Al-Sharmani examines a mosque programme for Somali Muslim families in Helsinki, Finland. She analyses how the mosque pursues its two stated goals: the 'good of Muslim families', and their 'positive integration' into Finnish society. Locally, the programme is guided by the needs of Somali Muslim families, and it is also enabled by Finnish state policies on governance of religious communities. Transnationally, the mosque programme is part of a loose network of religious institutions and scholars across Europe, educating Muslim families on how to lead a pious, harmonious, and modern family life that facilitates the integration of Muslims into their respective societies. She analyses, in particular, the mosque programme's new discourse on companionate marriage and engaged parenting and reflects on its gender implications.

Anika Liversage investigates polygamous Muslim marriages among immigrants and their descendants living in Denmark and the UK. The data indicates that polygamous marriages take varied forms and are shaped by the transnational social space. Some polygamous marriages arise out of male-only out-migration, others from an effort to meet different family needs related to health and care issues. In such unions, the wellbeing of the husband and the two wives are differently impacted. There are also polygamous marriages which men contract secretly. The first wives often feel betrayed when they find out about the second marriage. Some of them have the resources and options gained through migration to end their unwanted polygamous marriages, while other first wives may be too vulnerable to leave these marriages, engendering considerable ill-being.

Iris Sportel, Betty de Hart and Friso Kulk shed light on how transnational Dutch Moroccan and Dutch Egyptian families relate to multiple family law systems in their everyday lives. With regard to the material aspects of wellbeing, they focus on participants' needs in dealing with legal systems. The findings indicate that it is not that easy for transnational families to translate

claims back and forth and strategically use the law across borders, as this requires economic, cultural, and social capital. In the relational dimension, the law is an important aspect of managing transnational family ties. With regard to the ethical dimension, they did not find confirmation of religious or cultural claims as often mentioned in the literature. Rather, family members try to solve normative issues in pragmatic ways. The authors suggest 'navigating' the law as a useful lens through which to study how these family members reconcile the different norms they encounter.

Rannveig Haga studies how Somali parents in Sweden understand and pursue the wellbeing of their children. She focuses on two issues that are pertinent to parents' viewpoints and strategies in relation to their children's wellbeing: namely, navigating Islamic teachings, Somali culture, and Swedish norms and creating family practices and relations that foster strong family ties and support. She situates parents' aspirations for their children in the context of the former's daily experiences of racism and, in particular, their experiences of marginalization (or epistemic injustice) in their encounters with different institutions working with their children, such as schools. She explores how a multidimensional concept of wellbeing can be useful in understanding the interplay between the racial and cultural othering of the parents as knowing and capable child-carers on the one hand and their parenting practices and challenges on the other.

Abdirashid A. Ismail examines the impacts of the transnational engagements of Finnish Somali parents in the diaspora on the wellbeing of their children who are living with them. The findings show that parental transnational practices, such as large remittances sent to relatives, transnational investments, and long-term parental absences as well as *fadhi-ku-dirir* (i.e., sitting in cafés with other Somalis to engage in heated discussions about home-country politics) and *khat* chewing adversely affect family stability and resources, which are central to child wellbeing. These parental transnational practices were found to be gendered, as fathers were mostly the ones who engaged in long-term travel and absences and exclusively in *fadhi-ku-dirir* and *khat* chewing.

Marja Tiilikainen explores Canadian Somali parents' experiences and organization of everyday security that is a central component of individual and family wellbeing. The chapter mostly draws on qualitative interviews with parents in Toronto. The findings show the continuum of violence in the lives of Canadian Somalis who often resettled in insecure low-income neighbourhoods. While national- and municipality-level official security practices aim at fostering the security of all residents, at the same time they marginalize Somali families and contribute to their insecurity especially by framing young black men – many of whom are Muslims – as threats to security. Transnational family connections and (reinterpreted) religious traditions become some of the resources that parents rely on when raising their children. However, Canadian Somali parents are differently resourced and certain groups of parents such as single mothers are particularly vulnerable.

The concepts of 'wellbeing' and 'transnational families' have come into popular usage over the last two decades. Yet, there are relatively few studies that explicitly address the wellbeing of transnational families, particularly from the perspectives of their various members. The final chapter, written by **Ann Phoenix**, makes a contribution to thinking simultaneously about wellbeing and transnational families, focusing particularly on children. It considers contemporary conceptualizations of wellbeing and the conceptual and methodological issues raised in studying the wellbeing of transnational families. In order to do so, it draws on the concept of intersectionality to consider the ways in which family members are multiply positioned. It presents two examples to illuminate these issues and to illustrate some fruitful methodological approaches. The chapter argues for a multidisciplinary perspective in the study of the wellbeing of transnational families that takes into account the viewpoints and experiences of the particular family members involved.

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