

## Article

# A Janus-Faced State—Uncertain Futures and Frontline Workers' Support for Immigrant Women Experiencing Abuse

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**Abstract:** Utilising interviews with immigrant women and frontline workers, this article discusses the role of the state in relation to immigrant women's divorces. The article argues that the state has a Janus face when it comes to such women's "intimate belonging". On the one hand, state legislation both legally enables female-initiated divorce and supports divorced mothers economically. Accordingly, frontline workers generally back immigrant women who seek to leave troubled marriages. On the other hand, different parts of Danish legislation may place divorcing women at risk of losing their residency rights—a risk which has increased in recent years. Furthermore, while divorce may improve a woman's life situation if she remains in Denmark, it may jeopardise her life if she returns to her country of origin. What constitutes "good help" for women who are facing the vital conjuncture of potentially divorcing their husbands is, thus, entangled with the increasingly unpredictable issue of where such women's futures will come to unfold. This unpredictability challenges how social work should be carried out—a conundrum which Danish frontline workers seemingly have not fully realised. Presently, the situation means that such workers in reality may endanger the lives of the women whom they seek to support.

**Keywords:** immigrants; ethnic minorities; divorce; domestic violence; deportation; social work



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## 1. Introduction

A central question in the political debates around ethnic minorities living in Europe concerns the self-determination—or the lack of it—of immigrant women. This question thus also concerns the "intimate belonging" of such women—their belonging in given private spaces and in given intimate relations. In short: does a married immigrant women belong with her husband? Or is she an independent individual who can decide to leave him through a divorce to live on her own?

The Scandinavian country of Denmark prides itself on its high levels of gender equality. This perception of gender equality is related to historical development, whereby women have gradually gained the same political, educational and legal rights as men. Today, Danish women also participate in gainful employment almost as much as men do and thus generally have economic independence. Furthermore, support provisions in the "woman-friendly" Danish welfare state ensure economic support of individuals in need, thus minimising their reliance on family members for survival (Borchorst and Siim 2008; Hernes 1987). This aligns with the ideal citizen being seen as a free and autonomous individual who stands in direct relation to the state, and who is unencumbered by the "repressive ties" of lineage, tribal culture and patriarchy (Povinelli 2006; Fernandez and Jensen 2014). The focus on the free and autonomous individual is also apparent in the Scandinavian countries' taking an early lead in adopting a liberal approach to divorce (Rosenbeck 2018). Their openness towards divorce aligns with a general detraditionalisation of Scandinavian family life with high rates of unwed cohabitation, a large share of children being born out of wedlock and a high acceptance of homosexual marriages (Björnberg and Ottosen 2013).

These Scandinavian family life practices, however, are not shared globally. Immigrants arriving from the Global South may bring with them different understandings of marriage, divorce, and of the relations between men and women. An exemplification of the contrast can be gleaned from comparing data from international value surveys. In a European value survey that included Denmark, when Danish respondents were asked the question “when can divorce be justified?”, a full 40 per cent answered “always”<sup>1</sup>. In contrast, in a similar survey of adults in Iraq, Lebanon, Pakistan and Turkey (some of the major countries of origin of immigrants and refugees in Scandinavia), just 2–4 per cent of respondents agreed that divorce can always be justified<sup>2</sup>.

In such countries of origin, women—at least in the lesser-educated strata of the sending societies—often have much poorer access to initiating divorce when compared with their Scandinavian peers. Besides the stronger sentiments against divorce, legal rules may also make divorcing more difficult for women than for men (Zakar et al. 2012; van Eijk 2016). Female employment rates in such countries are also low compared with those in Scandinavia, making women economically dependent on their husbands for survival (Khoury and Wehbi 2016). Without a supportive welfare state, a woman who loses the support of her husband may have to rely on her natal family for survival (Yazici 2012).

In the more collectivist societies of origin, women’s conduct in intimate matters is often an issue of concern in the family network. Furthermore, as women are expected to be virgins upon marriage, divorcees may have difficulties finding new spouses (Payton 2015; Littrell and Bertsch 2013). Due to such societal structures, women who are dissatisfied with their marriage circumstances may stay with their husbands rather than seeking divorce, even when their husbands are abusive (Zakar et al. 2012; Gharaibeh and Oweis 2009).

International migration leads to a meeting of the above differences in receiving and sending countries’ understandings of women’s societal position and divorce. Hence, when refugees and immigrants arrive in Denmark from countries in North Africa, the Middle East and South Asia, different views on the intimate belonging of women come to meet one another within a single, geographical space. This article investigates the topic of divorce with a focus on immigrant women’s “intimate belonging”. An analysis was conducted based on interview material with, firstly, divorced (or, in a few cases, still married) immigrant women. Secondly, interviews with frontline workers from the Danish welfare state who encounter—and seek to help—such women were utilised. As street-level bureaucrats (Lipsky 1980), such workers are the human face of state policies, as they interact with immigrant women who find themselves within conflictual marriages.

This article concludes by stating that when it comes to immigrant women and divorce, the Danish state has a Janus face: on the one hand, to a large degree, the state seeks to support immigrant women’s abilities to act as free individuals by aiding them in leaving unwanted marriages. When doing so, the Danish state aligns with its “woman-friendly” epithet (Hernes 1987). On the other hand, not all ethnic minority women in Denmark can count on such support. An exclusionary turn in immigration policies is making it increasingly difficult for a growing number of immigrant women to place their trust in the Danish state, due to uncertainties about whether they will be able to remain in Denmark in the future (Shapiro and Jørgensen 2021). As access to “Danish rights” is predicated on remaining on Danish soil (Yuval-Davis 2006), this article shows how this uncertainty complicates considerations regarding divorce, not only for such immigrant women, but also for the frontline workers who meet these women professionally.

In the following, a brief discussion of the literature on immigrant women and divorce is presented. Then, the concept of “vital juncture” (Johnson-Hanks 2002), which provides the conceptual basis for our analysis and describes the article’s empirical interview base, is explored. An analysis is then presented, which dissects and explains the Janus-faced nature of the Danish state in relation to immigrant women and divorce. This article concludes by summarising the key consequences of these developments for immigrant women and by proposing critical questions that must be answered in the field of social work in this area.

## 2. Research on Immigrant Women and Divorce

While studies of ethnic minority marriages have been abundant for decades, research on ethnic minority divorce was scant until about ten years ago, since when we have seen an increase in studies on the subject. The available research shows great diversity in divorce practices among ethnic minorities in Europe, which, in part, can be tied to their different countries of origin. For example, immigrant women from the Caribbean (Hannemann and Kulu 2015) and Somalia (Carver 2021; Liversage and Petersen 2020) more often and more easily dissolve their marriages when compared with women from countries such as Pakistan (Qureshi 2016a), Turkey (Akpinar 2003; Liversage 2012a), and India (Das 2010). Studies also show that access to divorce generally becomes easier for the second generation of immigrants compared with the first generation (Hannemann and Kulu 2015; Qureshi 2016b; Liversage 2013).

As stated in the introduction, when it comes to dissolving unwanted marriages, the difficulties of some immigrant women can be linked to norms and practices in their countries of origin. Thus, countries in North Africa, the Middle East, and South Asia are, to a large extent, part of “the patriarchal belt” (Caldwell 1978), where societies historically have “demonstrate[d] a consistent pattern of restriction and suppression of women” (Littrell and Bertsch 2013, p. 310). In this geographical region, the conduct of women in intimate matters is generally considered an important issue for both their natal and their conjugal families. Women who transgress given boundaries by, for example, having premarital or extra-marital sex, or by leaving their husbands, may risk severe repercussion from their kin (Gill 2006; Payton 2015; Kulczycki and Windle 2011; Akpinar 2003). As a consequence, a woman is expected to marry once during their lifetime and remain in the marriage until the end of her life or husband’s life.

Other challenges which may keep immigrant women from dissolving unwanted marriages arise due to the immigration context. Migration often severs women’s relations with families and networks and may render their linguistic and professional qualifications useless. Even though migration—particularly when it occurs as flight from war or catastrophe—may induce stress and trauma and be implicated in heightened levels of family violence (Timshel et al. 2017; Zannettino 2012), the marginalised existence that many immigrants come to face after arrival may make it hard for women to dissolve the bonds with their husbands (Choi et al. 2012).

A particular factor which may undercut immigrant women’s abilities to end unwanted marriages concerns insecure residency rights (Adams and Campbell 2012; Anitha 2011). When divorce becomes tied with (the risk of) deportation in a context where economic survival is difficult and where the view on female divorcees is hostile, it may turn relationships “toxic” (Del Real 2018), placing women at the mercy of their husbands. To prevent such situations, legislation in a number of European countries, including Denmark, extends some level of protection from deportation in cases of divorce due to domestic violence. Such legislation may, however, be difficult to make use of for women in need, and thus may not provide the necessary level of protection (Mirza 2016; Sharma and Gill 2010; Qureshi 2020).

### *Vital Conjunction and Divorce*

As outlined above, in many parts of the world, divorce is not part of an expected and desired life course but is rather considered an aberration. Consequently, divorce does not “just happen”. Instead, the termination of a marriage requires a deliberate action of at least one of the involved spouses to occur. Divorce severs the bonds between husband and wife, and has manifold practical, financial, symbolic and legal consequences. While such consequences are highly context-specific, they may reverberate far beyond the two spouses themselves, as estates are divided, bonds to in-laws are broken, and children become subject to various custody arrangements. As children in many cases end up living primarily with their mothers, divorce may also affect the amount of contact fathers have with their offspring, and thus fathers’ possibilities for shaping their children’s lives

(Amato 2010). A divorce thus not only affects the intimate belonging of women (and men), but also of the next generation (Liversage and Ottosen 2017; Liversage 2012b).

When a woman files for divorce, she alters her life course. Undertaking such an action may be steeped in anxiety and trepidation. At the time of initiating such action, questions such as where the woman will come to live, how she will make ends meet as a single mother, and how the divorce will affect any children may be unanswered. Opting for divorce is, thus, bound to radically transform a woman's future, as compared to what her future would have looked like if the marriage had remained intact.

Divorce can therefore be perceived as a *vital conjuncture*. The American anthropologist Jennifer Johnson-Hanks defines a vital conjuncture as . . .

. . . a socially structured zone of possibility that emerges around specific periods of potential transformation in a life or lives. It is a temporary configuration of possible change, a duration of uncertainty and potential ( . . . ) particularly critical durations where more than usual is in play, where the futures at stake are significant (Johnson-Hanks 2002, p. 871).

Johnson-Hanks posits that the prototypical vital conjunctures are those surrounding marriage and childbearing. While Johnson-Hanks does not address divorce, this event nevertheless fits well into her framework, as the experience brings together . . . *"future orientation, extreme uncertainty, and the potential—but not guarantee—of radical transformation [which] brings life domains that normally appear distinct into close association"* (ibid; see also Liversage 2009).

In this article, I use the concept of vital conjuncture to investigate how immigrant women's actions (and inactions) related to divorce are tied to their imagined futures—to *"what horizons, what futures, are imagined, hoped for, or feared"* (ibid, p. 872). Thus, such imagined futures may commonly be either the women's continued "intimate belonging" to their husbands or a new horizon of a more individualised life as a divorcee with, arguably, a greater intimate belonging to the Danish state.

### 3. Data and Method

The data material for the analysis comes from a recent investigation of ethnic minority women and divorce in Denmark. This investigation included interviews with 27 frontline workers and 37 women, the vast majority of whom were divorced ethnic minority women (Liversage and Petersen 2020; Liversage 2021a). The interviewed women's countries of origin included Iraq, Palestine, Lebanon, Pakistan, Afghanistan, Somalia, Sri Lanka, the Philippines and Syria. By excluding the narratives of descendants of immigrants, the article focuses on the experiences of the 25 women who had arrived in Denmark as adults. The 27 interviewed frontline workers all had experience of supporting ethnic minority women who wanted to divorce. These informants included frontline workers working in NGOs, as legal counsellors, or as municipal caseworkers of different kinds.

We informed all interviewees that participation in the study was voluntary and confidential, that they could refrain from answering questions as well as retract what they had said in the interview. One immigrant woman decided to exercise the last option.

The interviews with front line workers followed a semi-structured interview guide with questions about types of aid extended to immigrant women. The interviews with the divorced women utilized a biographical approach and focused on eliciting narratives about their process of marriage and divorce (Hollstein 2019). Due to many immigrant women's limited fluency in Danish, multilingual research assistants interviewed a number of the women in their native languages.

Interviews were recorded digitally and transcribed (sometimes in a translated form) in either Danish or English. To ensure the women's anonymity, all informants have been given pseudonyms. In a few cases, analysis is extended with interview quotes from other investigations of immigrant women and divorce. When doing so, the relevant sources are referenced in an endnote.

## 4. Results

### 4.1. *The State as a Trustworthy Supporter, Enabling Women to Divorce*

A central theme in many of the frontline worker interviews was their efforts to help immigrant women make use of the rights available to them in the Danish context. This suggested that women had to learn about their rights—something which husbands could seek to obstruct. As one frontline worker told:

These women are so far behind when it comes to having knowledge about [Danish] society . . . And when they have a hard time reading what it says on different homepages, they ask their husband for help. And that is just yet another way in which his possibilities for manipulation grow. (Counsellor 3)

The action that a person can take within a vital conjuncture is dependent on what futures can be imagined. Consequently, keeping women from attaining correct information about their situation and their rights can keep women from acting and seeking divorce. Men's use of this strategy is also pointed out by another frontline worker:

Sometimes a woman says that: *"My husband tells me X and Y . . ."* For example, there is a widespread myth that the husband gets the children [in cases of divorce]. That might be the case in the country where they originate from, and the husband has told her: *"You'll be sent home, and the kids will stay with me"*. And regarding the flat, he has typically said: *"I have the right to the flat, because I had it when you arrived"* [but that might not necessarily be the case]. (NGO worker 3)

Along similar lines, husbands and in-laws may try to prevent women from participating in language tuition (Choi et al. 2012). To counter husbands' and in-laws' control over immigrant wives (as well as to increase such women's employability), it is now mandatory for an individual to participate in Danish language tuition if that individual is to receive welfare benefits during their first years after arrival in Denmark. Such regulations demonstrate how the state may use legal means to seek to support immigrant women's scope for self-determination.

Besides teaching immigrant women about their rights in Denmark, frontline workers also described how they tried to extend help to isolated women. An immigrant woman, Lyka, told us about being the recipient of such support. She described how the home visits from a health visitor—a service extended to all new mothers in Denmark—was a great help to her in her isolated life:

My health visitor told me that I could tell her everything. She said that I could trust her. She had noticed that I had bruises, a black eye and cuts on my face. We began to meet in secret outside the house . . . . She also spoke with my doctor and with the police. (Lyka, Philippines)

The health visitor enabled Lyka to gain both the information and the courage necessary to leave her abusive husband. After a particularly violent episode, the health visitor and a social worker helped Lyka and her baby to a shelter, where she lived while she applied for a divorce. Lyka's case demonstrates the way in which Danish state support enables some immigrant women to sever ties to their husbands and begin lives on their own.

When women flee an abusive husband and go to a women's shelter, it may be a turning point in their lives, and a first step towards divorce. It is not always so, however. Thus, some immigrant women seek help from frontline workers, and are helped to access a women's shelter, only to lose heart and subsequently return to their abusive husbands. A frontline worker explained how she had recently experienced this first hand:

I get in touch with [an immigrant] woman because there has been a violent episode in the home . . . And she is so scared about her safety that I accept that we don't write anything down. Just later the same day she regrets and returns home and she will not acknowledge any of the things we have talked about . . . . And the police said they could not press any charges, or protect her in any way [in part because nothing had been written down] . . . It was so terrible, when it



all falls apart in your hands . . . You just have to wait until the woman is ready. And stand there, waiting, every time. (Caseworker 6)

The above quote references a caseworker's unsuccessful attempt at helping an immigrant woman. The reasons for remaining with, as well as returning to, abusive husbands are manifold (Hayes 2013; Ahmad et al. 2009; Liversage 2021b). A central reason for doing so may be that a woman is "*scared about her safety*"—fearing that separation will make the abuse even more dangerous, as is indeed sometimes the case (Campbell et al. 2003; Johnson et al. 2019; Hayes 2017). While this caseworker could not help this immigrant woman end her abusive marriage in this particular instance, the caseworker stands ready to help again, convinced that a divorce will provide the woman with a better future.

Another immigrant woman, Seema, told us that she had fled to women's shelters several times, but had always returned to her abusive husband as she had been unable to endure shelter life for more than a few weeks. After yet another violent incident, she again called the police. The policeman arrived and chided Seema for not leaving her husband, and then . . .

. . . he told me, that if I left with him *now*, he would promise to find me a flat within ten days. And that was like a bright light for us . . . After exactly two weeks, he called the shelter, saying he would pick us up because he had a flat for us . . . He was like an angel for us . . . My daughter always calls him the police angel. (Seema, Lebanon<sup>3</sup>)

The example demonstrates how Seema's aspirations of leaving her husband were blocked by her difficulties in making the transition into a flat of her own—a common challenge for survivors of domestic violence. Only when Seema received help to overcome this difficult hurdle was she able to sever the ties to her abusive husband and move through the vital conjuncture of divorce.

As can be seen from the "*police angel*" helping Lebanese Seema, and the health visitor helping Filipino Lyka, frontline workers can sometimes be central in making it possible for immigrant women to leave their husbands. Furthermore, such women's subsequent lives as single mothers are supported by a variety of Danish state policies such as the availability of welfare support, free education and subsidised day care institutions. After divorcing, three immigrant women expressed their gratitude towards Danish society for supporting them in the following ways:

Denmark is a very women-friendly society.... Look at me, a single mother, and an immigrant who did not grow up in Denmark: I had the opportunity to educate myself and enter the labour market . . . . If that had not been possible, I would have had to cope with my [ex-husband], and I would have been unhappy. So I thank Danish society. That is all I can say. It was Danish society that gave me a good life. (Nilgün, Turkey (Liversage 2012a, p. 154))

I have had an early retirement pension since 2004. I was very happy [when I got it], and every day I thank God and Denmark and all that municipality. (Megha, Sri Lanka (Ottosen and Liversage 2015, p. 118))

From [the Danes], I have learned the word 'no'. I come from a society where you really are not allowed to say 'no', but I have learned to say, 'Stop! That is enough!' . . . . I have learned to love myself and do what I want myself. (Selda, Syria)

The above quotes demonstrate the women's thankfulness for the state support that enabled them to sever the ties to their husbands and enabled them to live with their children on their own. Some immigrant men, however, feel that the combination of the 'woman-friendly' social structures in Denmark and the frontline workers supporting immigrant women challenge family stability in undue ways (Darvishpour 1999; Charsley and Liversage 2015; Al Ajlan 2021). As a divorced immigrant man put it:

It is the [Danish] government that recommends that the women get divorced—it gives them the opportunity. It is like the government says: 'Just get di-

vorced, we'll care for you'. That in effect ruins many homes. (Tayfun, Turkey (Liversage 2012a, p. 154))

In Tayfun's perception, the Danish state propels family break-up among Turkish couples in Denmark. Similarly, a recent study of marriage and divorce in Somali families in the UK reports a widespread concern in the Somali community that women abandon their marriages as they swap . . . "*dependence on an individual patriarch for dependence on a paternalistic state*" (Carver 2021, p. 56).

As this analysis has pointed out so far, the Danish state and the frontline workers it employs seek to support the independence of immigrant women. This support is crucial when women face the vital conjuncture of divorce, pondering whether or not to leave sometimes abusive husbands. Thus, when immigrant women face the "*extreme uncertainty, and the potential—but not guarantee—of radical transformation*" (Johnson-Hanks 2002, p. 871) of possibly divorcing, they may be highly dependent on state support if they are to move towards an imagined independent (or maybe rather: state-dependent) future.

#### 4.2. *The State as an Unreliable Ally in Which Women Cannot Place Their Trust*

Not all immigrant women, however, consider the Danish state a trustworthy supporter. Even though frontline workers inform immigrant women about their individual rights in Denmark, such women may feel that these rights are, in reality, beyond their reach. As one frontline worker reported:

I once did a presentation for a group of Arab women. We talked about divorce and inheritance rights and division of property. Then, one of the women stands up and says: '*It is true that this is valid for Danish women, but it is not like that for us*'. And it is not because she thinks that there are two types of legislation in Denmark. What she meant was: '*We can't! We cannot make use of these rights*'. (NGO3)

There are many reasons why immigrant women may feel that such rights are outside their reach, including the hardships and stigmatisation which may befall women who go against community norms and divorce their husbands (Qureshi 2016a; Akpinar 2003; Rai and Choi 2018). A particularly pertinent challenge to immigrant women's making use of their "Danish rights", concerns uncertainty about *where* a post-divorce future will unfold.

While all individuals who consider divorce may try to envisage how, for example, their economic and their social future will be, immigrant and refugee women may have a further concern—their geographical future. If women fear that divorce may entail subsequently having to leave Denmark, it radically alters the future that they can project for themselves. As women's receipt of Danish state support is predicated on their remaining in Denmark, a fear that the Danish state might deny divorced immigrant women their "intimate belonging" in Denmark means that this state cannot be trusted. Instead, having both a benevolent face and a malevolent face, such a state can be considered Janus-faced.

In fact, husbands may use the spectre of post-divorce deportation to keep wives from leaving them, regardless of whether or not deportation is a realistic scenario. As a frontline worker put it:

For women, whose residency permits are tied up with remaining in their marriage, it is a lot like this [pretending to speak with a male voice]: 'If you are not married to me, you'll be shipped directly back'. It is a very real threat for many. . . . We hear the same story: 'He threatens me with being sent back. And I don't have anything to return to—no family, no money. I have nothing'. (NGO5)

In many cases, the threat is " . . . *real enough, because they [=family migrant wives] risk losing their visa*" (caseworker 10). The fear of losing one's visa draws its potency both from women's general economic dependence on men in their countries of origin, and on the repercussions, which may be levelled against women who are perceived to have breached societal norms through divorcing. By empowering men, this dynamic may increase the toxicity of already bad relationships (Del Real 2018; Liversage 2013).

The deportation fears among some of Denmark's immigrant women mirror an international development where we are today "*confronted with a global deportation regime*" that has expanded during the last three decades (De Genova 2018, p. 261; Anderson et al. 2011). As sovereign states have the right to control immigration, they may also deport unwanted individuals. This state control over the spatial rights of remaining in a country indeed precedes other citizenship rights such as political and cultural rights (Yuval-Davis 2006).

Deportation commonly either targets individuals who have entered a country illegally or who, for example, through a criminal act, have lost their right to remain within a given country (Gonzales and Chavez 2012; Anderson et al. 2011). When it comes to family migrants, both their entry into, and their ability to legally remain in Denmark is tied to their marriage. However, if such family migrants gain independent residency permits, their risk of losing their visa in cases of divorce ceases.

In the 1990s, women could gain such an independent residency permit after living three years in Denmark, but in 2002, the length of the required probationary period was increased to seven years. Since then, a number of further changes have made it increasingly difficult, especially for lesser-educated marriage migrant women, to obtain an independent residence permit. Today, a marriage migrant must have lived eight years in Denmark and fulfil a number of demands related to Danish language skills, employment and income in order to be eligible. Consequently, a substantial number of marriage migrant women are unable to ever gain a permanent residency permit—a situation which undermines such women's ability to gain secure belonging in Denmark, which is often a prerequisite for opting for divorce.

A sense of how the link between divorce and loss of residency rights may unfold can be gleaned from the life story of Warda, a refugee from Syria, who in 2016 arrived in Denmark as a family migrant to her refugee husband. Warda's husband was abusive, and their marriage was deeply troubled, with the husband continuously threatening to divorce her. Warda explained that as part of their very conflicted relationship, her husband also ...

... called my parents, and told them that I wanted to live like the women in Europe. That their daughter wanted a boyfriend, and '*to go out, and not live like us*'. And he said that '*it is your daughter, who wants the divorce*'. So my father and brother don't want to talk with me. And they have said, that if I return to Syria, they will kill me. (Warda, Syria)

The fear of having to return to Syria made Warda remain with her husband, even though he '*... beat me and yelled at me and threatened me*'. When her husband ended up kicking her out of their flat, however, Warda had to turn to the Danish authorities for help. She contacted her municipal caseworker, who ...

... told me, that I would lose my residency permit, and be sent back to Syria once the divorce had gone through. Then I thought: '*Why should I then live?*' And I took all the pills I had, in one go. (Warda, Syria)

Warda's case exemplifies how she seeks help from the supposedly women-friendly Danish authorities. As described earlier in this article, immigrant women with a more secure residency status could be offered help with escaping bad marriages. As it was her husband who wanted the divorce, Warda's problem was not escaping the marriage, but she nevertheless needed support. However, because she was a family migrant without an independent residency permit, a frontline worker told her that her future would not unfold in Denmark, but back in Syria, where her husband had done his best to turn her family against her.

Rather than risk deportation and a return to her family's death threats, Warda tried to make another future materialise as she attempted suicide. Warda survived her suicide attempt, however, to subsequently learn that the caseworker in the municipality had given her erroneous information: Being a refugee herself, Warda could apply for an alteration of her visa status and remain in Denmark after her husband terminated their marriage. Warda's residency situation remained insecure, however. While she had dodged the threat



of having to leave Denmark immediately after her divorce, she was still dependent on the Danish authorities' assessment of the security situation in Syria for remaining in Denmark, a topic that is discussed in the next section.

#### 4.2.1. The “Paradigm Shift” That Makes the Future Unpredictable

The background for Warda's insecure situation is the so-called “paradigm shift” of 2019, which stratified membership of the Danish state even further. The “paradigm shift” proclaims a change in state policy from a focus on “integration” of refugees to one of “repatriation” as soon as the Danish authorities deem the situation in the country of origin “safe enough” to return to (Shapiro and Jørgensen 2021). The change concerns refugees who have arrived in Denmark since 2015.

Consequently, a refugee woman today—regardless of whether she is single, married or divorced—commonly lives in a situation where her future spatial belonging in Denmark is conditional and insecure. As a consequence, such women are unable to predict if their future is to unfold in Denmark or in their country of origin. With the grave challenges which female divorcees may come to face after a return, this paradigm shift therefore also affects such women's decisions to divorce or not.

In 2020—a year after the repatriation paradigm's inception, and thus subsequent to our interview with Warda—the Danish Immigration Service indeed began withdrawing the residence permits of selected Syrian refugees. These Syrian refugees therefore had to leave Denmark, regardless of their own stance on returning or remaining (Al Ajlan 2019). The authorities withdrew residence permits based on the assessment that returning to, for example, Damascus could be considered “safe” (ECRE 2021)<sup>4</sup>. The initiative particularly affected individuals on the most precarious type of Danish residency permits, entitled “Section 7.3 residency permits”, commonly held by female refugees. When refugee women arrive in Denmark as family migrants to husbands who have fled military service, they commonly come to share the somewhat more secure Section 7.2 residency permit of their husbands, who are considered at risk of personal persecution. If divorcing their husbands, however, women commonly switch to Section 7.3 permit. One Syrian woman, who had divorced her abusive husband, told the following about how her ex-husband tried to use her more insecure residency status against her:

[My ex-husband] tells me: *‘They will throw you out, because you only have a Section 7.3’*. He has a five-year residency permit as a political refugee, but my permit only lasts one year. So he tells me: *‘You have to return to me, or they will kick you out. The government will kick you out’*. But I don't care. Even if they return me to ISIS, it is better than living with him. But I am scared, too. Because if they deport me, they send me back to hell. And what about my children? Will they remain her? Will I never see them again? (Hanan, Syria)

The reported quote from Hanan's ex-husband clearly demonstrates how he positions the Danish government as an ally of himself, rather than of his wife, when it comes to the controversy over the couple's divorce; regardless of the abuse he administers, he posits that Hanan will be better off returning to their marriage. While Hanan stated that even a future in a Syrian “hell” was better than returning to her marriage, the insecurity regarding her future was very unsettling and stressful. The reported quote of this Syrian man also sharply contrasts the earlier quote of Turkish Tayfun, who saw the Danish state as a foe, and not as an ally, when it came to controversies over female divorce. Such different perceptions of the state's role underscore its Janus-faced qualities when it comes to female immigrants' divorces.

In other cases, the fear of deportation indeed made women remain with their husbands in unsatisfactory marriages. Thus, Selda explained the following about her relationship when she was interviewed in 2019, two months after the paradigm shift in Danish refugee policy had been passed.

I cannot leave his shadow here in Denmark, because I do not feel safe here. . . . What we Syrian women want is *security*. They cannot leave us on the swing that we are swinging on. The Section 7.3 [= temporary residency permit]—all these rules. It is as if the earth suddenly opened under our feet. We cannot sleep any more. During the last two months it is like they took everything that they had given to us. We do not need your money. We work. But we want to be treated like human beings. We need security. To feel safe. (Selda, Syria)

Evidently, as Syrian refugee women, Selda and Hanan did not experience Denmark as a supportive ally who empowered them to leave bad marriages. Instead, such women's considerations regarding divorce have become entangled with the increased precariousness of refugee life in Denmark (Shapiro and Jørgensen 2021; Horst and Grabska 2015). As the Danish state seems increasingly untrustworthy, refugee women facing a vital conjuncture where they are contemplating divorce might, as Selda, decide that their best bet for the future is to remain unhappily married to their husbands.

#### 4.2.2. The Paradigm Shift and Challenges to Doing Social Work

A further complication of the paradigm shift arises from the fact that not all frontline workers have comprehended its potential implications. The underlying reason for this may be that this shift contrasts with the deeply entrenched understanding of the Danish state as woman friendly. A frontline worker, whose job is to assist less experienced social workers in dealing with complicated immigrant family cases, reported the following:

*Right now I have a number of serious cases with Syrian families. And what is really worrying is that many of the women are functionally illiterate. In their understanding, they can remain in Denmark forever. They don't link the visa they have with being repatriated. And I see caseworkers who go in and support these women [when it comes to divorce]. That is nice. But it is also important that they face up to reality . . . . In a case with a divorcing [refugee] mother with three children, I posed that question to the family counsellor. And she says: 'Oh no, it [=the woman losing her right to stay in Denmark] will never happen'. And then I had to say: 'You have to make her face up to reality. That she is part of the repatriation programme, and that she might be sent back. She has no guarantees for staying here.'* (Caseworker 10)

The future is thus becoming increasingly opaque and unpredictable for refugees in Denmark: while the "paradigm shift" demonstrates the clear intention of repatriating Syrian refugees at some point in time, nobody knows when—and indeed if—individual visas will be withdrawn. This change has major consequences, not only for women facing the vital conjuncture of divorce, but also for the frontline workers whose work is to help such women. Thus, some frontline workers may come to present the expected future associated with divorce as either too hostile (as in Warda's case) or as (possibly) too rosy (as in the above quote from caseworker 10). Both types of errors can result in fatal consequences for women whom the frontline workers intend to help.

This growing precarity and unpredictability expands the circle of ethnic minority women who fear how the future will turn out if they leave their husbands. As one frontline worker puts it: *You can only counsel using estimates. And if we tell a woman she has a 90-per-cent chance of staying in Denmark [if she leaves her husband], she might go back to him. And stay there—also for the sake of the children* (counsellor 3). While '90 per cent' might seem a relatively safe bet, it might not be enough, if a woman is to dare leave her husband.

A further complication which makes predictions regarding the consequences of actions hard to gauge arises from the discretion entailed in the decisions of immigration authorities. Some legal advisors who counsel immigrant women regarding their chances of retaining residence rights in cases of divorce state that the situation is so unclear and unpredictable that it may, in fact, be challenging the due process of the law (Liversage and Petersen 2020).

## 5. Conclusions

As this article shows, divorce can be conceptualised as a vital conjuncture; that is, *‘particularly critical durations where more than usual is in play, where the futures at stake are significant’* (Johnson-Hanks 2002, p. 871). In general, the Danish state prides itself on being women friendly (Hernes 1987), providing support for women who want to leave unwanted marriages. This state support aligns with a conception of state subjects as being free and autonomous individuals who are—and should be—unencumbered by the repressive ties of lineage and patriarchy (Povinelli 2006).

During the last two decades, however, Danish immigration laws have taken an increasingly exclusionary turn (Shapiro and Jørgensen 2021). The changes have made residency status progressively more precarious and have therefore made the future more insecure for many immigrant women. One aspect of these changes is the fact that divorce itself may come to endanger a woman’s residency rights if her right to remain in Denmark is predicated on her continued marital relationship. As it has become increasingly difficult to gain an independent residency permit, more and more women have had to contend with their residency status being dependent on their marriage.

Another aspect is the ways in which the paradigm shift of 2019 has made the legal status of recent refugees—married or not—far more precarious. The shift basically implies that a refugee’s right to live in Denmark is temporary, and that one’s future should (at a yet undetermined point in time) entail repatriation. However, in a country such as Syria, a divorced woman may not only come to face great challenges in being able to survive economically, she may also face a variety of social and legal repercussions, including charges of infidelity or bigamy, if her Danish divorce is not legally recognised in Syria. Other repercussions may be violence administered by either her natal or her conjugal family due to strong norms against female-initiated divorce. A woman might therefore be much worse off if she returns as a divorcee, as compared to her having remained married and returning with her husband.

In manoeuvring in this difficult and insecure terrain, immigrant (and particularly recent refugee) women are highly dependent on the advice and support of frontline workers. As the interviews in this article show, such advice may, however, be incorrect, painting either a too bleak or a too positive picture of the women’s likely futures. Indeed, part of the present legislation makes predicting the outcome of given actions so difficult that the resulting opaque situation may, in itself, hamper refugee women’s abilities to act in the present.

In sum, while one face of the Danish state lends support to immigrant women in need, and helps them leave troubled marriages, another face threatens with expulsion. This Janus face may thus make it hard for family migrant women and female refugees to entrust their future intimate belonging to the Danish state when they consider the vital conjuncture of divorce. The implications for the women may be that they remain in marriages that are detrimental to the health and well-being of both themselves and their children. The implications for the Danish frontline workers are also significant. After all, after the paradigm shift, how should such workers act when they encounter an abused refugee woman? Advising her to remain with an abusive husband runs counter to almost everything that social work in Denmark is about. However, if the frontline workers support her divorce, and she is later repatriated to, and maybe even killed in, her country of origin, will these social workers be partially to blame? Is it at all possible to conduct satisfying social work under such circumstances? While the answers may be difficult to give, these troubling questions need to be asked.

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## Notes

- <sup>1</sup> Data from [www.europeanvaluesurvey.eu](http://www.europeanvaluesurvey.eu), accessed on 29 April 2022.
- <sup>2</sup> Data from [www.worldvaluessurvey.org](http://www.worldvaluessurvey.org), accessed on 29 April 2022.
- <sup>3</sup> Ottosen et al. (2014), unpublished background material.
- <sup>4</sup> The Danish government doing so has resulted in considerable international criticism, see for example Altinget (2022).

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