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# Marriage-related migration to the UK

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## Abstract

Spouses form the largest single category of migrant settlement in the UK. Research and policy making on marriage-related migration to the UK has been dominated by a focus on South Asian populations, which are among the largest groups of such migrants. This article brings together the available evidence on marriage-related migration and settlement to provide a much broader perspective on this phenomenon. The varied and dynamic picture which emerges challenges conventional understandings of marriage-related migration to the UK. It also exposes the limitations and lacunae in existing research, highlighting the danger that policy made on the basis of partial evidence will produce unexpected consequences.

## Introduction

Spouses are the largest single category of migrant settlement in the UK (39% in 2008, and 40% in 2009, Home Office 2009 and 2010), but the limited nature of research on family and marriage-related migration has been widely recognised (Kofman 2001, Migration Advisory Committee 2009). Whilst work in this area has been expanding in recent years, it is by no means comprehensive, and is characterised by a focus on certain issues and regions of origin, while others remain markedly under-researched. The majority of available research concerns South Asian populations whose migration has long been addressed through the lens of kinship. Such ethno-national stereotyping of migration channels has led to the neglect of the important role of marriage in the migration trajectories of other groups.<sup>1</sup> In this article, available evidence is reviewed to construct a much more comprehensive portrait of marriage-related migration to the UK than has previously been available, focusing on the largest nationality groups of migrant spouses. The complex and varied picture which emerges challenges stereotypical views of marriage-related migration to the UK, casting light on the variety of processes involved, links with other forms of migration, and gendered dynamics. It also exposes the lacunae in this field, and the limits of analysis possible on the basis of existing research, providing new perspectives and cautionary lessons for policy making in this area.

The issue of marriage-related migration has been gaining increasing political importance across Europe in recent years, with considerable tightening of spousal immigration regulations in countries such as Denmark and the Netherlands. In the UK, the issue has not received comparable political and public attention to date, but after recent public policy consultations (for example on the raising of the minimum age of spousal migration), the introduction of pre-entry English language requirements for spouses<sup>2</sup> under the new coalition government, and a stated aim to cap immigration numbers, it seems likely that the UK will follow the example of its neighbours in seeking to tighten restrictions on spousal immigration. In this context, the uneven availability of evidence described in this article, and examples from recent British history and elsewhere in Europe, suggest a danger that legislation designed on the basis of partial information will have unforeseen consequences.

The article, therefore, has four sections. In the first the terminology and data employed in this research are outlined. The second section provides an overview of trends in spousal settlement in

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<sup>1</sup> Cf. Beck-Gernsheim (2007) on the focus of European research on groups of non-European, non-Christian origin.

<sup>2</sup> With an exemption for applicants from English-speaking countries.

the UK, to set in context the third section, in which the evidence on marriage-related migration from the 14 major countries of origin is dealt with, grouped by region. The final section discusses the implications of the material presented here for future research and policy making in this area.

## Terminology and data

The material covered in this article spans governmental, academic and third sector sources.<sup>3</sup> A range of terminology to describe marriage-related migration exists in each of these fields. The available UK Immigration Statistics cover: issue of visas (limited leave to enter); admissions (passengers given leave to enter); extensions of leave to remain; and grants of settlement. Admissions data distinguish between those entering as spouses, civil or unmarried partners, or fiancé(e)s (with the intention of marrying whilst in the UK), and those who arrive as the dependants of other categories of visa holder (this category includes spouses, children and other dependants). This report principally draws upon statistics of Grants of Settlement as these include those who enter on another form of visa and later 'switch' to the spousal settlement route after marrying whilst in the UK. Figures are also available on issues of residence documentation to EEA nationals and their family members, but as the information is less detailed than and not comparable with that on non-EEA migration, they are not included in this discussion.<sup>4</sup>

In the academic literature, numerous categorisations of migration related to marriage have been proposed, and conventional academic terminology varies according by region. Among the most commonly-used categories are: family formation (also sometimes called marriage migration), family reunification/reunion, 'tied migration' (where one spouse accompanies another), and 'transnational marriage'. These do not always map directly onto visa routes or the presentation of immigration statistics, creating difficulties for analysis, but nevertheless have utility in describing some situations or contrasts. However, as Kofman (2004) notes, categories in this field are fluid and interacting: some overlap, whilst the boundaries between others are less clear in practice. Given these ambiguities, and acknowledging inter-linkages between categories, 'marriage-related migration' is used in this report as an umbrella term encompassing all situations where marriage plays a substantial role in an individual's migration. For the sake of simplicity, fiancé(e)s and civil partnerships are included in this conceptualisation.

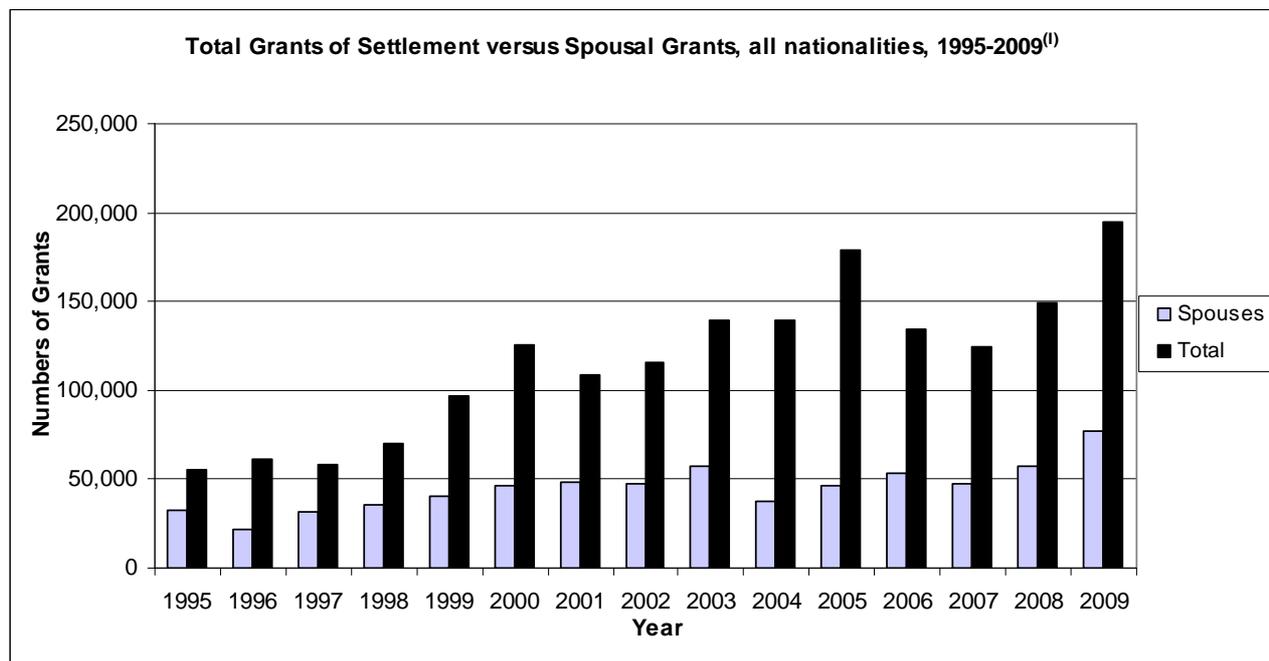
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<sup>3</sup> Due to confines of space, use of references is selective and does not reflect the full extent of research undertaken. A full list of sources can be obtained from the first author.

<sup>4</sup> The evidence presented in this paper demonstrates some of the cross-cultural variation of marriage practices underlying marriage-related migration to Britain. The challenges this diversity poses for immigration regulation will be considered further in another article (Charsley & Benson, in progress).

## General trends in spousal settlement<sup>5,6</sup>

Figure 1



(1) Initial figures for 2009 with final release due August 2011.

Since the 1997 abolition of the Primary Purpose Rule<sup>7</sup>, under which applicants had to prove that their marriage was not primarily motivated by immigration, the number of spouses granted settlement in the UK has been increasing, rising from 30,190 in 1994, to 77,380 in 2009.<sup>8,9</sup> However, such settlement has not increased proportionately with other types of migration, as can be seen in Figure 1. In 1995 spouses constituted 59 per cent of all grants of settlement, but had fallen to 40 per cent by 2009.

<sup>5</sup> The statistics on spousal settlement throughout this article refer to the categories 'husbands' and 'wives' taken from the Home Office's statistical bulletin 'Control of Immigration: Statistics United Kingdom' for the years 2000–2008 (and supplementary excel tables) (<http://rds.homeoffice.gov.uk/rds/immigration-asylum-stats.html>) with figures for 1993–2000 drawn from the Home Office statistical bulletin 'Control of Immigration: Statistics United Kingdom, 2003' (<http://www.archive2.official-documents.co.uk/document/cm63/6363/6363.pdf>). All figures are rounded to the nearest 5.

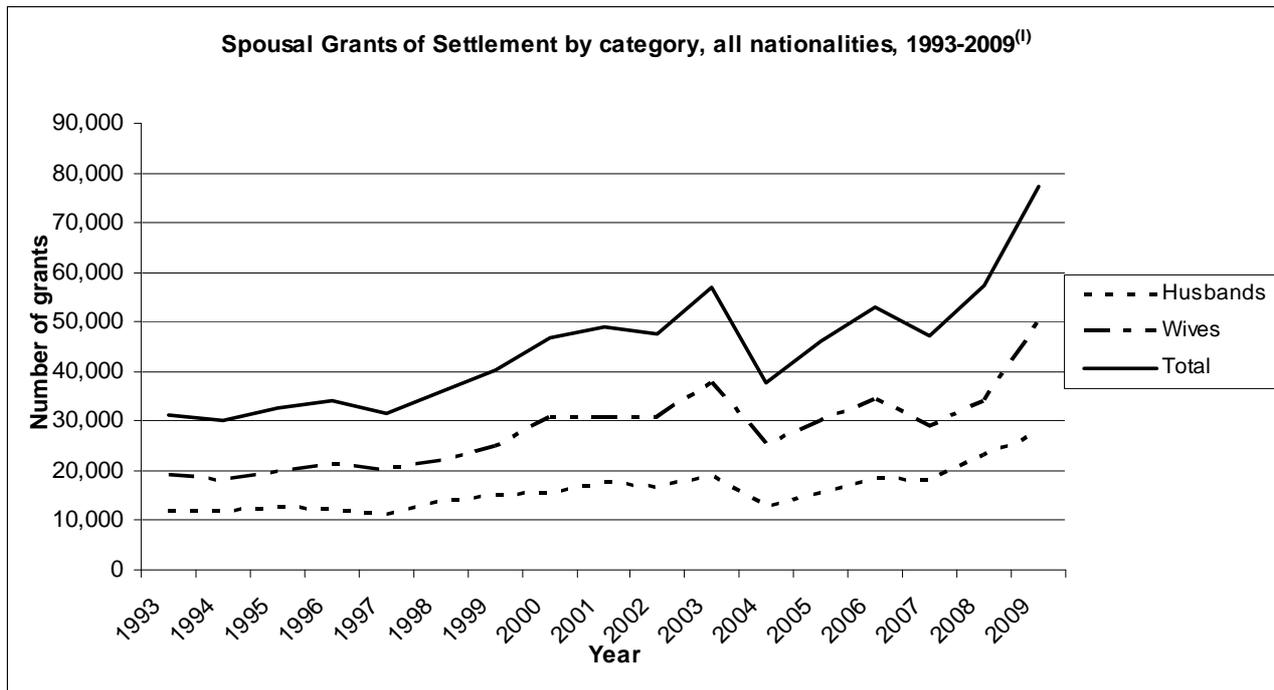
<sup>6</sup> The 'spouse' figure has been calculated by adding rounded figures for husbands and wives granted settlement, it may differ slightly from calculating this figure using unrounded figures, which are subsequently rounded.

<sup>7</sup> Changes to immigration regulations affecting spouses are set out in appendix A.

<sup>8</sup> Figures for spousal settlement between 1993 and 2002 include EEA nationals, whilst those from 2003 onwards exclude them, in line with changes in the categorisations used by UKBA statistics. Accession state nationals are included or excluded according to their accession date. Swiss nationals are excluded from 1 June 2002. Data from 2003 also excludes dependants of EEA and Swiss nationals in confirmed relationships and granted permanent residency.

<sup>9</sup> Data from 1997 onwards include unmarried and civil partners in the category 'spouse'.

**Figure 2**



<sup>(1)</sup> Initial figures for 2009, with final release due August 2011.

The overall upwards trend in grants of settlement to spouses is characterised by peaks and troughs. A robust analysis of these trends is complicated by the time lag between migration and settlement, the varying length of time taken to process applications (and appeals), and changes in immigration rules and procedures. Despite this, likely factors contributing to some significant general trends can be identified.

The sharp fall in overall spousal grants of settlement in 2004 is most likely related to the 2003 raising of the probationary period between spousal entry and settlement from 1 to 2 years. Hence, many grants to spouses would have been delayed by an additional year, so this abrupt decrease was temporary. The dip in 2007, which could be attributed to a combination of the introduction of the 'Certificates of Approval' (CoA) requirement in 2005 (under which migrants had to apply for a certificate from the Home Office before marrying in the UK);<sup>10,11</sup> the 2007 introduction of the 'Knowledge of Life in the UK' a test for those wanting to gain settlement; a change in the qualifying period for settlement in employment related categories from 4 to 5 years in 2006 (delaying grants to main applicants and their dependants); and the Immigration (European Economic Area) Regulations 2006 which created alternative routes for spouses of those who could exercise rights to free movement under European law.

Changes in marriage-related migration flows are also likely to be influenced by changes in the nature or volume of other sources of immigration, so that an influx of migrants in one year, may lead to a later increase of spouses applying to join them. The time between such events is, however, likely to vary greatly. Isolating the particular configurations of changing conditions in receiving and origin countries responsible for changes to total spousal settlement figures would be

<sup>10</sup> This is consistent with more detailed statistics showing that most of this decrease was in those settled 'on the basis of marriage' rather than at the same time as their spouse.

<sup>11</sup> This system has recently been dismantled after being judged discriminatory. It did not apply to marriages taking place in the Church of England.

a complex task, but certain causal relationships *can* be suggested when examining the profiles of particular sending countries. Home Office statistics document over 70 countries of origin of migrants settling as spouses in the UK, but many of these represent rather small numbers of actual migrants. In the remainder of this article, the 14 countries of origin which accounted for the largest numbers of marriage-related migrants in 2008 are focused upon<sup>12</sup> (the most recent data available when the report was written), where grants of settlement to husbands and wives were more than 1,100. In descending order of numbers of grants of settlement, these were:

- |                         |                      |                       |
|-------------------------|----------------------|-----------------------|
| 1. India (8,865)        | 7. USA (1,880)       | 13. Australia (1,175) |
| 2. Pakistan (7,050)     | 8. Nigeria (1,840)   | 14. Sri Lanka (1,130) |
| 3. Philippines (3,220)  | 9. Turkey (1,735)    |                       |
| 4. Bangladesh (2,880)   | 10. Ghana (1,520)    |                       |
| 5. South Africa (2,515) | 11. Thailand (1,190) |                       |
| 6. China (2,455)        | 12. Zimbabwe (1,175) |                       |

Wives make up the majority (60%) of migrants granted spousal settlement in the UK, but the gender ratios demonstrate considerable variation between national groups, so that wives account for 93 per cent of Thai and 84 per cent of Chinese spouses, but only 33 per cent of Filipino spousal settlement.<sup>13</sup> Research on marriage-related migration globally has tended to focus on migrant wives, with a comparative lack of research on male marriage-migration (but see Gallo 2006, George 2005, and on the British context Charsley 2005, McGregor 2007, Ahmad 2008, Pasura 2008).

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<sup>12</sup> See appendix B for the top 20 nationalities granted spousal settlement in 2008 and 2009.

<sup>13</sup> Marked differences in the countries of origin of immigrant husbands and wives have also been reported in a recent study using Swedish data (Niedomysl *et al.*, 2010).

## Marriage-related migration by country of origin<sup>14</sup>

### *South Asia/Indian sub-continent*

In regional terms, the Indian subcontinent (India, Pakistan and Bangladesh) has long accounted for the largest proportion of migrant spouses in the UK, and represented a third of all grants of settlement in 2008 (41% in 2009). Unsurprisingly, most British research on marriage-related migration has focused on South Asian populations. Patterns of marriage-related migration to the UK are diverse, reflecting the region's varied culture, religion and migration histories (e.g. Ballard 1990, Charsley and Shaw 2006), but some common patterns and issues exist.

The historical colonial relationship between Britain and the Indian subcontinent has strongly influenced migration histories, as this region became a source of labour migrants for Britain's post-war economy (Commonwealth citizens held privileged immigration rights until the 1962 immigration reforms). This was initially predominantly male labour migration, but many wives and children were later brought to the UK – predominantly during the 1960s and 70s for Indian and Pakistanis, and 1980s for Bangladeshis (Coleman 1995, Gardner 2006, Gardner and Shukur 1994). As these children and the generations born in the UK have reached marriageable age, 'homeland' marriages have been occurring, but appear to be more prevalent among some ethnic/national and religious groups.

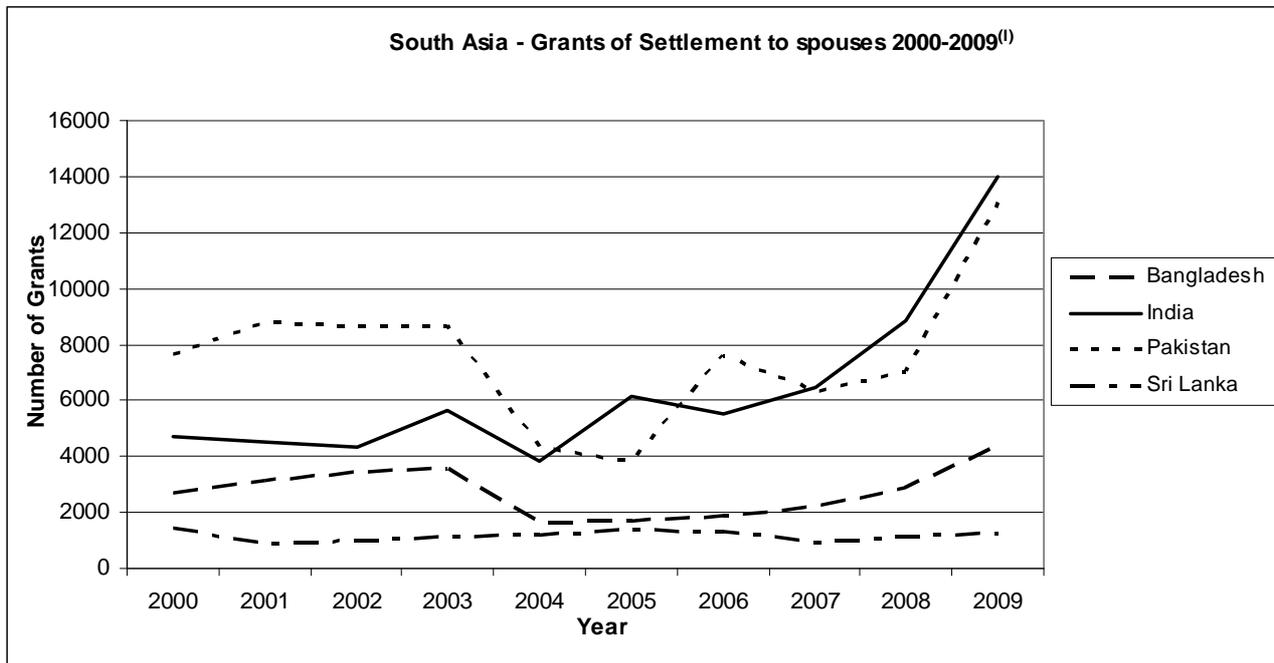
In much of South Asia, love before marriage is not considered a prerequisite for a successful union (although love marriages, or 'love-cum-arranged' marriages where parents arrange a match suggested by their children, do occur – Mody 2002). In most of the region, brides conventionally move to their husband's households, so that it has been suggested that for Punjabi women, 'womanhood implies travel' (Bradby 2000: 236). However, conventions of husbands moving to the wife's household exist in some parts of India (e.g. Busby 2000), and even where residence in the husband's household is the norm, some men may live with their in-laws for pragmatic reasons (see Charsley 2005). Transnational marriage appears to act to balance the gendered mobility entailed by marriage, as relatively equal numbers of wives and husbands from the Indian subcontinent are granted settlement in UK (in 2008 the proportion of wives were 52% for India, 56% for Pakistan, and 54% for Bangladesh, although in 2009 the proportion of wives was higher, ranging between 62% and 63% for all three nationalities). Substantially more wives than husbands from Sri Lanka are granted settlement (81% wives in 2008 and 79% in 2009), but this case is unusual in the region given the significance of refugee migration.

Some British immigration regulations seem to have been particularly aimed at South Asian spouses, or have had particular impacts on this group. The Primary Purpose Rule had disproportionately affected South Asian applicants (Sachdeva 1993, Menski 1999) leading to increased applications for entry clearance after its abolition, particularly from husbands and male fiancés (Home Office 2001). Most reported cases of forced marriage, which has been cited as justification for recent regulation changes including the raising of the minimum age for spouses to 21, concern those with South Asian (particularly Pakistani) backgrounds. It has also been suggested that the extension of the probationary period before migrants can apply for settlement leaves some South Asian wives vulnerable to domestic violence. Whilst an exception to deportation on marriage breakdown during the probationary period exists for domestic violence cases, proving such cases is often difficult, and the immigrant spouse has no recourse to public funds during the period of the appeal (Anitha *et al.*, 2008, Wilson 2006).

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<sup>14</sup> It should be noted that these reviews often describe general patterns, but should not be taken to imply homogeneity within these national groups (cf. Breger and Hill 1998).

**Figure 3**



<sup>(1)</sup> Initial figures for 2009, with final release due August 2011.

Significant differences exist, however, between South Asian groups in marriage-related migration trends, as can be seen in Figure 3. India recently overtook Pakistan as the single largest national group of spouses granted settlement. A recent review of the Labour Force Survey 1992–2005 found 24 per cent of British Indians were married to migrants (Dale 2008). Since the 1980s, these have probably been predominantly British-born Indians marrying in their parental or grandparental homeland (perhaps particularly Sikh: Singh and Tatla 2006), but marriage-related migration is likely to be diversifying in parallel with broader Indian migration flows which now include highly skilled science-oriented migrants, service sector workers, and unskilled migrants (Batnitzky *et al.*, 2007, Xiang 2007, 2008), challenging conventional understandings of the phenomenon as simply second generation ‘homeland’ marriages. Significant numbers of spouses enter the UK as dependants of Indian students, although this may change after recent changes in the terms of student visas.<sup>15</sup> A smaller but significant number enter as dependants of points-based migrants (Home Office 2008). Marriage-related migration routes appear to be patterned by gender, with women more likely to be settled on the basis of marriage to a resident spouse, whilst more men are settled at the same time as a migrant partner.<sup>16</sup> Transnational marriage continues among many ethnic and religious groups, often involving at least an element of familial ‘arrangement’, with spousal selection influenced by concerns of household socio-economic mobility, and often involving dowry (e.g. Ballard and Gardner n.d., Coleman 1995, Raj 2003). Within the Indian diaspora, a hierarchy of marriage partners, in which country of residence plays a role, may exist (Mand 2003, Voigt-Graf 2005). The UK and India are only two nodes in this hierarchy, which may also produce marriage-related *out* migration from the UK.

<sup>15</sup> For details of these changes see: <http://www.ukba.homeoffice.gov.uk/sitecontent/newsarticles/2011/june/17-t4-changes>

<sup>16</sup> See table 4.3 in the ‘Control of Immigration: Statistics United Kingdom’ 2008.

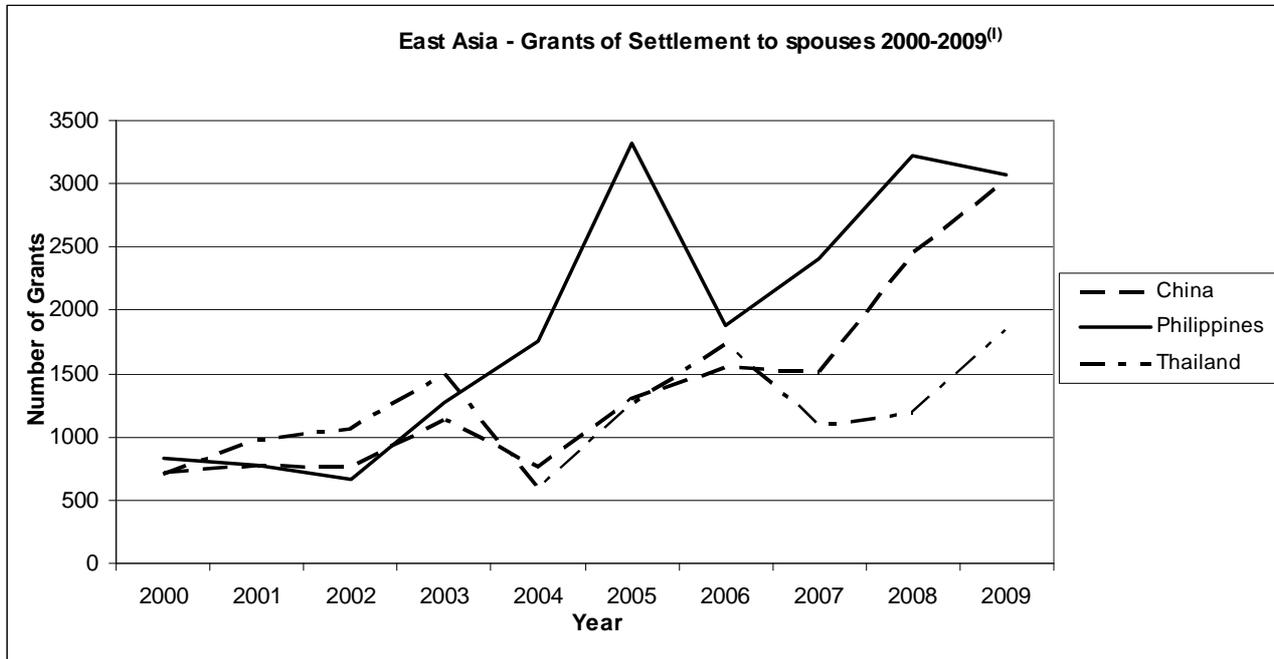
Pakistanis are probably the most studied group of marriage-related migrants to the UK, with research detailing issues including transnational marriage rituals and the gendered experiences of migrant spouses (Charsley 2005, 2006, 2007, Werbner 2010). Marriage has long been established as the main form of Pakistani migration to the UK. Estimates of the proportion of British Pakistanis married to Pakistani nationals vary between 48 per cent of men and 57 per cent of women (Dale 2008), 57.6 per cent (in Bradford 1992–4), and 71 per cent of marriages (in Oxford) (Shaw 2001: 327). The majority of these marriages are arranged or semi-arranged marriages between cousins or more distant relatives – rates of consanguineous marriage appear to be higher in transnational than intra-national marriages (Shaw 2001: 327). Motivations may include the opportunity to invigorate ties to much-missed relatives in Pakistan, demonstrate family honour, maintain family assets, further the immigration of kin, and desire for a religiously observant spouse (Ballard 1989, Shaw and Charsley 2006, Shaw 2001). Migration Watch reports (2004, 2005) link the practice to segregation and lack of integration, but insufficient research exists to test this assertion. Contemporary diversification of Pakistani immigration, which now includes substantial numbers of temporary migrants, irregular migrants, and students (Harriss and Shaw 2009, Rana 2009), is likely to lead to diversification of marriage-related settlement. The recent decline in overall numbers suggests some decrease in popularity of transnational marriages, but the very marked drop in numbers of spouses granted settlement in 2004–5 is likely to be the combined result of the extension of the probationary period with disruption to consular services in Pakistan in the wake of 9/11.

The literature on Bangladeshi marriage-related migration is much more limited, but suggests similarities with the Pakistani case. Since the 1980s, migration to Britain from Bangladesh has predominantly been through marriage into the settled British Bengali community (Gardner 2006, Gardner and Shukur 1994). These transnational marriages, which are often arranged, are made possible through existing transnational kinship ties and (anecdotally) a significant portion may be cousin marriages (Gardner 1995, 2006).

The Sri Lankan case is exceptional in the region, thanks to the importance of refugee migration. From the 1950s, growing inter-ethnic tensions spurred the migration of Tamils to the UK, particularly as students. From 1983, civil war between government and the LTTE provoked large refugee movements to South India, the UK, and elsewhere (Van Hear 2006). Asylum applications constitute most Sri Lankan migration to the UK (almost all are Tamils), and approached 4,000 in the early 1990s, falling in the mid 1990s but peaking again at over 6,000 in 2000 after new offensives, before dropping during a short-lived ceasefire in 2002–04. Marriage-related migration appears to follow trends of asylum applications, though with a lag of some years. A rise in spousal settlement in 2005–06 may correspond to a peak in asylum claims (6,395) around 2000, but given the then length of asylum processing time, the lag period may be longer. Evaluations of trends are, however, complicated by the social pressure on men to ensure the marriages of their sisters before their own, 'working for my sisters' to cover dowry and wedding expenses for marriages which may take place within Sri Lanka or the diaspora (Lindley and Van Hear 2007, Fuglerud 1999). Hence a male refugee may arrange the marriage of a sister within the UK or elsewhere, and then perhaps also himself marry transnationally. Many Sri Lankan marriages are arranged, sometimes through brokers of various kinds. Marriage has also become one common route of moving people out of danger in Sri Lanka, although this motivation intersects with traditional marriage practices. Tamils favour marriage to close relatives where possible, and preferably successive cousin marriage, so property exchanged at marriage remains within the extended family. Against this background, dowries traditionally circulate within local family networks, but partners with permanent residence abroad request higher dowry payments, so dowries now circulate transnationally (Fuglerud 1999).

## *East Asia*

**Figure 4**



<sup>(i)</sup> Initial figures for 2009, with final release due August 2011.

Research on marriage-related migration within the East Asian region has been expanding in volume in recent years (e.g. Constable 2005, Piper and Roces 2003) but this expansion has not been reflected in work in Britain. The following section is thus reliant to a significant degree on research conducted with East Asian migrants elsewhere. Although there is a lack of research, marriage migration does loom large in public perceptions of Thai migrants to the UK (Sims 2008a), providing a further example of the ethnic stereotyping of marriage-related migration.

Filipino nationals recently overtook Bangladeshi nationals as the third largest group in marriage-related settlement, slipping back to fourth place in 2009. Since 2003, the proportions of husbands granted settlement in the UK have increased significantly, to 67 per cent in 2008 (59% in 2009), representing a dramatic masculinisation from a previous pattern more akin to that of Thailand (below). The literature on marriage-related migration from the Philippines overwhelmingly focuses on marriage between Filipinas and foreign men, facilitated by the growth of international introductions agencies (Constable 2003a), rather than family reunification (for a notable exception see DeJong *et al.*, 1986). Contemporary global Filipina female labour migration for work as domestic labourers and nurses is well documented. In the UK, the recent international recruitment drive for nurses attracted many Filipina migrants (Buchan 2007, Brush, Sochlaski and Berger 2004, Brush and Sochlaski 2007, Choy 2004), making it likely that the masculinisation of marriage-related migration is largely composed of husbands of migrant women nurses, a suggestion supported by 2008 statistics showing the vast majority of husbands gained settlement at the same time as their wives. Labour migrants or students may also find Western partners within destination countries (McKay 2003, Nakamatsu 2003), and Constable argues that for Filipinas the relationship between marriage and migration is complex, since they 'do not only marry to emigrate, they also emigrate in order to achieve the desired goal of marriage' (2003b: 175, cf. Lauser 2008). Marriage-related migration has not, however, been a focus for research on the Filipino population in the UK.

The recent rise in the numbers of Chinese migrants entering Europe through official channels, particularly family-based chain migration (Laczko 2003, Ceccagno 2003), is reflected in the steep rise in Chinese marriage-related settlement depicted in Figure 4. Limited research exists on this practice (Lee *et al.*, 2002), but combined with statistical evidence, and research from other countries, suggests various intersections of marriage and migration. Spouses may follow or accompany labour or student migrants who later settle, single migrants may meet a spouse in the UK; Chinese immigrants may marry transnationally (facilitated by networks of family and friends); and correspondence marriages occur between Chinese women and Western men (Constable 2003a & b, Cooke 2007, Laczko 2003, Levy and Lieber 2009, Siu 2005, Thuno 2003a & b). It is also possible that the 'astronaut' families documented elsewhere of Hong Kong and Taiwanese men who have returned to work in Asia (Ong 1999, Waters 2002) also exist in the UK. Chinese marriage-related migration is highly gendered (84% wives in 2008 and 83% in 2009), and most women gained settlement on the basis of marriage to a settled partner, whilst men often obtain settlement at the same time as migrant wives. The 2008 statistics reveal a large proportion of Chinese dependants granted entry clearance as the dependants of work permit holders and students. Since 2000 China has featured as one of the top ten countries of origin of asylum seekers to the UK, and some of those granted refugee status may bring spouses to join them.

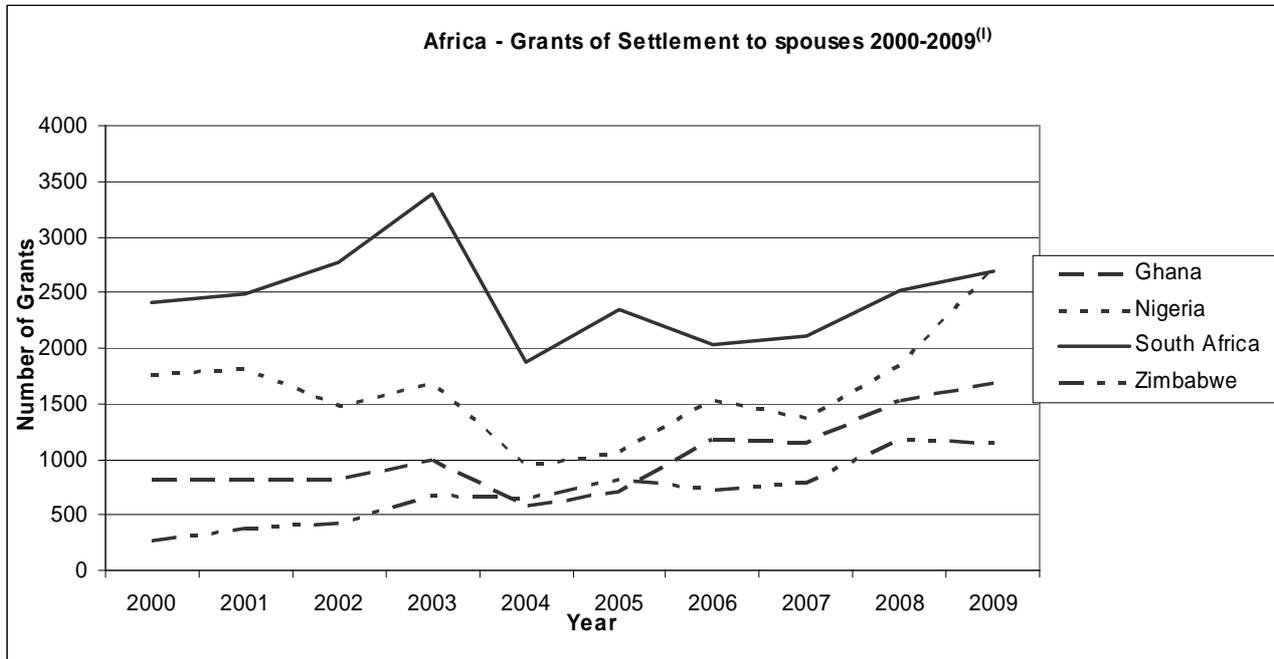
In contrast to the probable diverse constitution of Chinese marriage-related migration, it is likely that most Thai spouses gaining settlement are women marrying non-Thai men, with couple formation facilitated by both introductions agencies and international travel.<sup>17</sup> Thailand is a major holiday destination for British nationals, and 73 per cent of the million-plus British tourists visiting Thailand between 1980 and 1986 were male (Truong 1990: pp.173–174 in Davidson 1995). The sex tourism industry is part of the attraction for some, and may form part of the background for some transnational relationships (Charoensri 2011), but prostitution in Thailand is reportedly unlike the more commodified, brief exchanges in Europe, and may be more open-ended, involving continued contact, further visits and sending of remittances to Thailand (Davidson 1995:49). Thai migration to the UK is dramatically patterned by this highly gendered form of marriage-related migration (93% of spouses granted settlement in 2008 and 95% in 2009 were women). Between 2003 and 2006, only 19 per cent of Thai migrants granted entry clearance to the UK did so as wives or fiancées, rather than as students, workers, or other dependants, but settlements in the category of 'wife' make up 55–75 per cent of total grants of UK settlement to Thai nationals. Home Office statistics also show that the majority of Thais naturalising as UK citizens between 1997 and 2007 did so through marriage, and two-thirds of grants of citizenship to Thai nationals between 2001 and 2006 were on the basis of marriage. As a result of the dominance of female marriage-related migration, 2001 census data shows that 72 per cent of the 16,256 Thai people in the UK were women (Sims 2008a: 2), demonstrating the dramatic effect marriage-related migration can have on the characteristics of an ethnic group.

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<sup>17</sup> Although European research has drawn attention to the variety of Thai female migration for factory work, domestic labour, and sex work, as well as 'mail-order' brides (Mix and Piper 2003).

## Africa

**Figure 5**



Despite the fact that marriage-related migration of Africans to the UK constitutes a significant proportion of marriage-related migration (in 2008 over 12% of grants of spousal settlement issued were to nationals of South Africa, Nigeria, Ghana and Zimbabwe, in 2009 it was 11%), little research appears to exist on this topic. As van Dijk notes, '[T]here is limited literature on the meaning of African marriage systems in a globalizing world ... a lacuna that is remarkable given the increasing transnational nature of the ways in which marriages are arranged in African communities' (2004: 442).

Nigerians have been migrating to the UK since the colonial era, principally for higher education, but often staying on as highly skilled workers. Europe-bound migration diversified following the economic decline and increasing political tensions in the 1980s (de Hass, 2006). The UK continues to attract relatively highly skilled migrants (cf. Hernandez-Coss *et al.*, 2006), particularly health workers (Connell *et al.*, 2007, Healy and Oikelome 2007), but also students and increasing numbers of asylum seekers – Nigerians were the fifth largest group of asylum seekers in Europe in 2004 (Carling 2005). The majority of Nigerian migrants to the UK originate from southern parts of the country (Hernandez-Coss *et al.*, 2006). Literature on Nigerian migration to the UK is limited, with no direct research on marriage-related migration. In Nigeria, wives conventionally move to live with husbands (Watts 1983), but Reynolds (2006) has argued that cultural expectations of African women's household responsibilities may drive professional women to migrate to the UK, US, and Canada, so the relatively gender-balanced flow of migrant spouses (43% wives in 2008, 52% in 2009) may include husbands of such women. As in the Ghanaian case below, Pentecostal churches may play a role in some transnational marriages.

Emigration from Ghana grew sharply from the 1970s in response to economic and political turmoil: initial migration streams were to oil-rich Nigeria, then to other parts of Africa, then in the 1980s to Europe, the US and Canada. This migration was mainly for employment and education, but asylum migration was also prominent, particularly in the 1990s (Van Hear 1998). The majority of arrivals

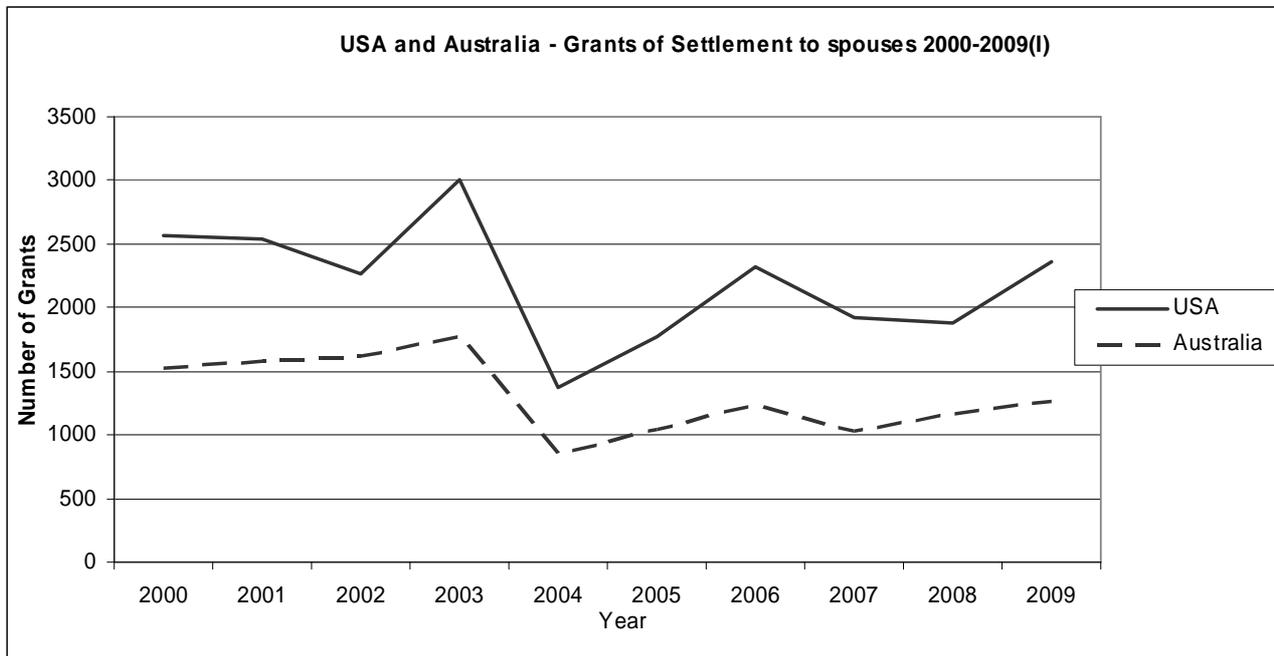
have been men, but significant numbers of women also migrate, particularly to work in the health sector. Ghanaian spousal settlement is balanced in gendered terms (48% women in 2008, 50% in 2009). Whilst no research evidence on the UK was located, several types of marriage have been documented for Ghanaian men in the Netherlands, including: formalised relationship with a wife still in Ghana; additional customary marriage; relationships with the Ghanaian woman who 'cooks his food'; and contractual marriages in the host country sometimes involving large sums of money and exploitative relations involving marriage brokers (van Dijk 2004:454) – but the scale of such practices is unknown. Recently-established Pentecostal churches – in Ghana, the UK and elsewhere in Europe – may play a role in the increasing transnationalisation of Ghanaian marriage. Many Ghanaians are attracted to these churches by their international networks and cosmopolitan outlook, and messages of success, prosperity and protection from evil (van Dijk 2004: 442).

Zimbabwean migration to the UK, Europe and North America began in the 1960s. Since the late 1990s, substantial numbers of asylum seekers, refugees, economic migrants and students have arrived in Britain. Although there are no precise figures, estimates suggest that there are more than 200,000 Zimbabweans living in the UK (Pasura 2008:89–90). There is some literature on highly skilled Zimbabwean migrant workers in the UK care industry (McGregor 2007, 2008) but little on the relationship between their migration and marriage. Pasura (2008) notes the breakdown of traditional marriages as a result of migration and the development of 'move in' (as opposed to marriage) households in Britain – the latter motivated by desires to regularise immigration status and combat loneliness since the introduction of visa requirements in 2002 limited family reunification. In contrast to the general pattern of dips in numbers in 2004 and 2006, grants of spousal settlement to Zimbabweans rose steadily from 2000 to 2005 with only slight decreases in these years. This relatively stable increase may be related to the substantial volume of asylum applications received from Zimbabweans over the last few years (Zimbabwe has featured as one of the top ten nationalities of asylum seekers since 2000).

Despite the fact that South Africans constituted the fifth largest group concerned in 2008, no literature appears to exist on South African marriage-related migration to the UK. The UK is a primary destination for South Africans, and since the late 1990s, such migrants have tended to be skilled professionals, many employed in finance and business (Dodson 2002, Sveinsson and Gumuschian 2008). There has also been significant exchange of young working-holiday makers – although South Africans are not included in the 2008 'Youth Mobility' scheme replacing working holiday visas, which may impact on future settlement trends. The 2001 Census records the majority (90%) of South African migrants to the UK as White, but many have British or EEA passports, or are eligible for UK ancestry visas, making size or demographic profile of South African population in the UK hard to ascertain (Sveinsson and Gumuschian, 2008).

## USA & Australia

Figure 6



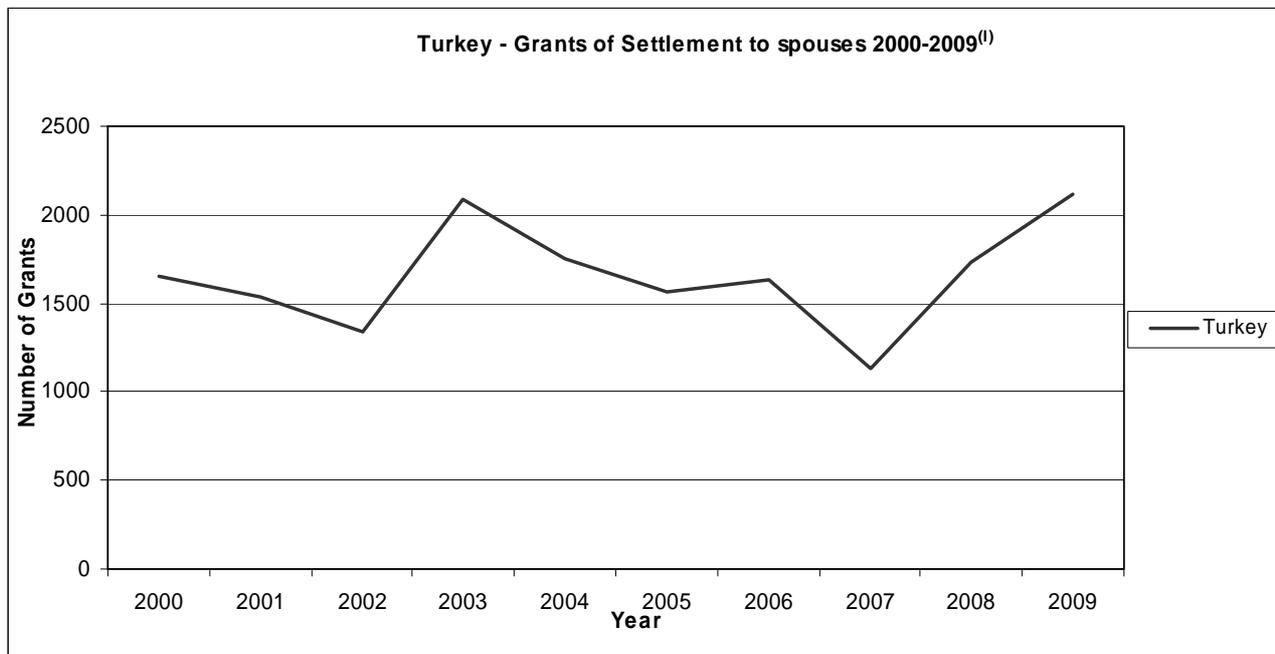
US nationals constitute the seventh largest group of marriage-related migrants granted settlement but are, like many other largely White English-speaking migrant groups, rarely mentioned (let alone problematised) in the UK migration literature. Spouses account for approximately half of total grants of settlement issued to US citizens between 2000 and 2009, the majority granted settlement on the basis of marriage, rather than 'at the same time' as their spouse. These figures suggest more 'family formation/reunification' than 'dependant migration', but are not conclusive. At 73 per cent female (2008, 75% in 2009), this is among the most markedly gendered marriage-related migration flows to the UK. A tendency for women to follow male partners (so-called 'tied' migrants) rather than vice versa has been documented both in the UK and the US (e.g. Bailey and Boyle 2004), so it is possible that similar processes are at work on an international level. If this is the case, there may be a parallel out migration of British wives joining American husbands overseas.

A similar lack of evidence exists concerning Australian marriage-related migration, although there is more research on other forms of Australian migration. The UK is the most popular destination for Australian nationals, accounting for nearly 21 per cent of all Australian emigrants in 1996–2006 (Hugo 2006: 108). An estimated 183,000 Australians (nearly 24% of the total Australian diaspora) live in the UK or Ireland, with the majority in London (Fullilove and Flutter 2004: 15-6, Hugo 2006: 109). Some may hold British passports or entitlement to Ancestry visas. Migration to the UK (e.g. working holiday) is often considered a 'rite of passage' – the 'big OE' (overseas experience) (Conradson, 2009, Hugo, 2006). As with migration from other more developed countries, this movement is 'at times only loosely related to economic factors' (Conradson and Latham 2005: 289). Most Australian expatriates are aged 25–44, relatively highly skilled and concentrated in high demand occupations (Fullilove and Flutter 2004: 13). In the early 2000s, the popularity of the US appears to have increased relative to the UK (ibid. p.18), consistent with fewer grants of spousal settlement after 2003. Hence, Australian marriage-related migration to the UK may be a combination of spouses travelling with work permit holders, and marriage between Australian nationals and UK citizens or settled migrants. Given the volume of young people from Australia

spending time in the UK, and vice versa, is likely that some such relationships result from travel/working holidays in either direction.

## Turkey

Figure 7



Labour migration from Turkey since the 1960s has resulted in large and well-studied ethnic populations in many European countries, but the small Turkish population in the UK is the focus of less research. The European literature documents an initial, largely male, Turkish migrant labour force, followed by female marriage migration, although contemporary Turkish spousal settlement in the UK (and in European countries – Beck-Gernsheim 2007) demonstrates a fairly even gender balance. Cultures of migration exist between particular destinations and areas of origin in Turkey, facilitated by transnational networks and family obligations, and recent increases in the Turkish populations in Europe have largely resulted from marriages between people of Turkish background living in Europe (migrants and the 1.5<sup>18</sup> or second generation) and spouses from Turkey (Böcker 1994, Lievens 1999, Schoenmaeckers *et al.*, 1999, Timmerman 2006, 2008, Timmerman and Wets 2009, Timmerman *et al.*, 2009). If Turkey were to join the EU, opening up more routes to legal migration, the impact on marriage-related migration would provide a fascinating test case for the role of immigration considerations in the volume of transnational marriages.

## Discussion

Whilst research on marriage-related migration is patchy and limited, available governmental statistics also suffer from significant limitations. New Home Office research, following on from the 'Migrant Journey' publication, provides additional analysis of nationalities coming in through the main entry clearance routes in 2004 (Achato *et al.*, 2011), but a far greater range of statistical information

<sup>18</sup> The 1.5 generation refers to migrants who arrived as children and so received a considerable part of their upbringing in the country of settlement.

relevant to marriage-related migration is available in some other countries, giving rise to fascinating work on topics including the trajectories of marriage-related migrants in Australia (Khoo 2003), transnational marriage fields in Sweden (Niedomysl *et al.*, 2010), and divorce among transnationally married couples in Denmark (Liversage, forthcoming). In the UK, fundamental issues arise in the task of simply enumerating flows of marriage-related migration. The expansion of the EEA has reduced the number of countries from which visas are required, and therefore the coverage of spousal immigration and settlement statistics. Partial statistics may be available from other sources, but do not give a full picture of how this form of migration may continue, increase, or change character under new political conditions. Moreover, the nationality of migrants may not reflect their full migration trajectory. Numbers of Somalian migrant spouses in the settlement figures appear low, for example, but there is anecdotal evidence that some Somali refugees gain residency or citizenship elsewhere before onward migration through marriage to Britain (Lindley and Van Hear 2007). The true extent of Somali marriage-related migration to the UK is thus unclear. The European Community (EC) free movement directive (2004/38) which allows spouses to accompany EC citizens exercising their right to free movement between member states (as famously exemplified in the 'Surinder Singh' case of a British citizen moving to another European country to obtain previously denied spousal migration, before returning with his wife to live in the UK) further complicates the statistical picture – as Beck-Gernsheim notes, the categories here are 'fuzzy' (2007: 273–4). Finally, no evidence is available on the volume of marriage-related *emigration* from the UK.

Such limitations aside, this article provides a more comprehensive picture of marriage-related migration patterns for the UK, and of the relevant literature, than has hitherto been available. Although it suggests that trends in this type of migration are difficult to analyse or predict, given the multiplicity of sources and influences, and the variation in time lags between other forms of migration and subsequent spousal settlement, it clearly demonstrates the wide range of marriage practices and relationships with other forms of migration involved in marriage-related migration to the UK. These range from logics of social mobility maximisation in South Asian arranged marriages, to opportunities presented by travel and communication technologies in the 'globalisation of marriage fields' (Niedomysl *et al.* 2010), and the marital diasporas which may eventually result from conflict-related refugee dispersal. It is also clear that marriage-related migration may play a significant role in shaping the characteristics of ethnic groups in the UK, supporting the case made recently by Thomas Cooke that 'family migration should move front and centre' in migration research (2008: 262).

Given confines of space, however, this portrait is necessarily incomplete, covering only national groups selected for their numerical prominence in the immigration statistics<sup>19</sup>. Nevertheless, it also demonstrates that the overwhelming focus on South Asia in the research on marriage-related migration to the UK has been at the expense of a broader understanding of this type of migration, and that there is an urgent need to expand attention to encompass other national/ethnic groups. Chinese, Filipino, North American and some African national groups emerge as particularly numerically significant but understudied populations of marriage-related migrants. As the case of the masculinisation of Filipino spousal settlement clearly demonstrates, marriage-related migration is, like other migration flows, dynamic in both volume and character, presenting challenges for researchers and policy makers attempting to keep abreast of the situation. This dynamism undermines conventional understandings of the principle characteristics and issues of marriage-related migration to the UK, where policy debate has focused on South Asian groups and forced marriage, whilst public interest in 'mail order brides' from other ethnic groups has been evinced by a flurry of television documentaries. In contrast, the complex and dynamic picture presented here demonstrates the considerable variation in the intersections of marriage and migration can co-exist both between and within national/ethnic groups. In this context, attempts to use nationality as a proxy for different forms of marriage migration (cf. Khoo 2001) are likely to be both inaccurate, and prone to reliance on stereotype.

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<sup>19</sup> We have also been unable to deal in detail with related topics such as chain migration.

Reviewing the evidence on marriage-related migration with this broader vision (in both ethnic and temporal terms) allows us to comment on British regulation of this form of immigration – long recognised as a prime challenge for migration regulation given Human Rights declarations and European legislation on migrants’ rights to marry and to family life. The fact that spousal settlement, although still increasing, has not kept pace with increases in other forms of migrant settlement suggests that successive new restrictions on marriage-related migration may have had some impact – although such effects are hard to disentangle from the effects of EU expansion.

It is also clear, however, that changes in immigration regulations (whether or not directed at family migration) can have unforeseen consequences for marriage-related migration, and sometimes negative impacts on migrants and their families. Qualitative research on the effects of 1962 Commonwealth immigration restrictions documents their part in transforming previously predominantly male, temporary/circular migration from Pakistan into family reunification and settlement, by reducing alternative entry routes, and opportunities for circular migration (e.g. Shaw 2000: 30-7). The recent raising of the minimum age for both migrant and sponsoring spouses to 21 was portrayed as combating coerced marriages of the young, but other research raises the fear that young people may still be forced into marriage, but kept abroad until they reach the age at which they can sponsor their spouse (Hester *et al.*, 2008), whilst young couples whose marriages were demonstrably not contracted under duress complained at enforced separation.<sup>20</sup> Recent Danish research has also traced unintended effects of their new restrictions on spousal migration. Increased minimum ages, a ‘combined attachment’ regulation requiring couples demonstrate greater ties to Denmark than to the country of residence of the other spouse, and other restrictions, may have led some to postpone rather than avoid transnational marriage; to an increase in unregulated religious marriages; and created new communities of cross-border marital commuters in neighbouring Sweden where spousal immigration requirements are more lenient (Schmidt *et al.*, 2009). If the UK follows its European neighbours in tightening controls on marriage-related migration, the lack of a more complete and balanced evidence base on this diverse form of immigration may increase the risk of further unforeseen consequences resulting from new legislation. Substantial new empirical research in this numerically important and dynamic field is thus urgently needed.

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<sup>20</sup> In media coverage of a joint test case concerning Amber and Diego Aguilar, and Shakira Bibi and Suhayl Mohammed, it was noticeable that the story was illustrated with pictures of the White rather than the Asian couple.

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## Appendix A

### Overview of changes to relevant legislation

#### 1980

- Conservative Government introduces 'Primary Purpose Rule' (requirement to prove that reason for entering was to marry).

#### 1992

- Surinder Singh case in European Court of Justice: rights of family members to accompany EEA nationals moving within EEA.

#### 1997

- *June*: New Labour Government abolishes Primary Purpose Rule.

#### 2000

- Third country nationals (non-EEA) can stay in UK on basis of marriage to UK/EEA national or permanent resident (provisos of Immigration Rules and Immigration Regulations 2000).

#### 2001

- *January*: Section 24 reports (from section 24 of Immigration and Asylum Act 1999) introduced (legal duty on Registrars to report suspicious marriages)

#### 2002

- 'Secure Borders, Safe Haven' White paper proposes following changes:
  - restricting 'switching', from temporary visas (student/visitor) to marriage.
  - raising probationary period before settlement granted to those entering as spouses from one to two years.

#### 2003

- *April*: Nationalities, Immigration and Asylum Act (encompassing changes suggested in 'Secure Borders, Safe Haven') comes into effect.
- *April*: Age at which a person may act as sponsor for a marriage visa raised from 16 to 18.

#### 2004

- *December*: Age at which a person may enter the UK as spouse raised from 16 to 18.

#### 2005

- *February*: Introduction of Certificates of Approval (CoA) requirement for any marriage involving non-EEA nationals subject to immigration control and UK citizens. The measure was intended to prevent marriages of convenience for immigration purposes, but does not apply to those marrying in an Anglican church in England and Wales.

#### 2006

- *April*: The Immigration (EEA) Regulations 2006 transpose the UK's obligations under European Community law (via the Free Movement Directive 2004/38 EC) into domestic legislation. New rights of residence were created including the ability of EEA nationals and their family members to acquire permanent residence under European law for the first time.
- *April*: Qualification period for grants of settlement to those in employment related categories rose from four to five years.
- High Court judgement that CoA scheme was disproportionate and unlawfully interfered with Article 12 of the ECHR.
- Surinder Singh European Court of Justice ruling (on family members of EEA nationals) incorporated into Immigration Regulations

## 2007

- *April*: Adults aged over 18 but under 65 who apply for settlement need to provide evidence that they have passed either the Life in the UK test or an English for Speakers of Other Languages (ESOL) course.
- *July*: CoA guidance changed (following Court of Appeal judgment in *Baiai* in May 2007), allowed applicants without valid leave to enter or remain to apply for a CoA.
- *December*: Launch of two new consultations: 'Marriage to partners from overseas' and 'Marriage-visas: pre-entry English requirement for spouses'.

## 2008

- *July*: House of Lords ruling that CoA incompatible with ECHR.
- *July*: European Court of Justice case of *Metock* prevented Member States from requiring third country family members of EEA nationals to be legally resident in an EEA country in order to gain residence rights under the Free Movement Directive.
- *July*: The initial length of time for which a spouse, civil partner, unmarried or same-sex partner of a person present and settled in the UK is admitted to the UK was increased to a period not exceeding 27 months.
- *November*: Age at which person can enter the country as a spouse raised from 18 to 21 [both partners have to be 21].

## 2008-9

- Points-based immigration system phased in.

## 2009

- *March*– Code of practice on dealing with forced marriage cases issued.
- *April*: suspension of fee for CoA to comply with House of Lords ruling.
- *July*: CoA fee repayment scheme begins.
- 

## 2010

- *March*: New restrictions on students and their dependants working. Dependants only allowed to work if the main applicant is pursuing study at degree level or above. Students on courses less than six months long are not allowed to bring in dependants.
- *June*: Changes to English language requirements announced – all spousal type partners seeking to enter or remain in the UK joining UK Citizens or Settled Persons required to meet basic English language requirement.
- *November*: CoA fee repayment scheme ends.
- *November*: new spouse language requirement begins.

## 2011

- *May*: CoA scheme abolished.
- *June*: Supreme Court hearing takes place on challenge to marriage visa age of 21 in case of *Quila/Bibi*. Judgment awaited.
- *June*: Launch of a public consultation on the reforms of the work route leading to settlement. One of the proposals is to introduce an English language requirement for adult dependants of Tier 2 migrants applying to switch into a route to settlement.

## Appendix B

### Top 20 nationalities granted spousal (husbands and wives)<sup>1,2</sup> settlement in 2008

1. India	8,865	11. Thailand	1,190
2. Pakistan	7,050	12. Zimbabwe	1,175
3. Philippines	3,220	13. Australia	1,175
4. Bangladesh	2,880	14. Sri Lanka	1,130
5. South Africa	2,515	15. Jamaica	1,100
6. China <sup>2</sup>	2,455	16. Albania	1,040
7. USA	1,880	17. Afghanistan	940
8. Nigeria	1,840	18. Iraq	870
9. Turkey	1,735	19. Russia	710
10. Ghana	1,520	20. Brazil	705

### Top 20 nationalities granted spousal (husbands and wives)<sup>1,2</sup> settlement in 2009<sup>(i)</sup>

1. India	13,985	11. Afghanistan	1,760
2. Pakistan	13,035	12. Ghana	1,685
3. Bangladesh	4, 410	13. Jamaica	1,315
4. Philippines	3,070	14. Sri Lanka	1,265
5. China <sup>3</sup>	3,025	15. Australia	1,260
6. Nigeria	2,710	16. Iraq	1,160
7. South Africa	2,690	17. Zimbabwe	1,155
8. USA	2,360	18. Albania	935
9. Turkey	2,115	19. Russia	905
10. Thailand	1,840	20. Nepal	880

#### Notes

<sup>(i)</sup> Initial figures, with final release due August 2011.

<sup>1</sup> Granted settlement on the basis of marriage or as a spouse of a primary migrant. These categories include civil and unmarried partners.

<sup>2</sup> The 'spouse' figure has been calculated by adding unrounded figures for husbands and wives granted settlement, and then rounding to the nearest 5.

<sup>3</sup> Includes Taiwan.

Data based on the Control of Immigration: Statistics 2008 and 2009 Supplementary data tables (table 4c).

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