

“True love” as a bureaucratic utopia: the case of bi-national couples in Belgium

Abstract

In this contribution I propose to examine the moral roots of the contemporary (in)hospitality of the city of Brussels by exploring one area of observation in particular: the handling of the fight against marriages of convenience for migratory purpose. Based on 2012-2013 ethnographic fieldwork, I reflect on the utopian thinking underlying the work of state agents in charge of implementing this fight. Through the detailed examination of two case studies, we will see how state agents select ‘good’ couples and, in doing so, reproduce social and racial hierarchies by excluding undesirable forms of intimate relationships. The non-conformity with local moral standards (and particularly the romantic logic), modest ways of self-presentation or the current ideology of migrants as parasites are at the core of these practices of exclusion.

Introduction

During the last four decades, legal ways to migrate into so-called ‘fortress Europe’ have narrowed. From the perspective of most European states, marriage is perceived as the ‘last loophole’ remaining in policies designed to control migration; marriages of migration are one of the last routes into Europe, which are accessible/affordable to all. They open the door for people who would otherwise not have been accepted (Wray 2011) and potentially, to the acquisition of Belgian citizenship. My focus in this article* is on Belgian migration policies, and in particular on how intimacy is being gradually captured by state vigilance through utopian-informed bureaucratic procedures. The cases I present below are those of judgement of international marriages by local registrars when they must legally recognise these marriages as grounds for legal residence of migrants in Belgium. In other EU countries such as Denmark similar phenomena have resulted in the transformation of the national territorial border into a moral boundary, which defines appropriate forms of intimate relationships and family life (Rytter 2012; Fernandez 2013). In my view, this happens in a context of a broader and intense moralisation of national borders over recent decades (Fassin 2012), which is invested in a form of utopian thinking. I am interested in charting national border making as a moral boundary — how it is effectively redrawn across the administrators’ desks and how migration policies are implemented in civil registry offices.

According to David Graeber, all bureaucracies are to a certain extent utopian: “they propose an abstract ideal that real human beings can never

live up to” (2015: 26, 27). Indeed, the weberian understanding of bureaucracy as the wisdom of impersonality is more an aspirational wish than an analysis of the existing. The theoretical weberian framework of bureaucracy fails to take into consideration the informal element affecting its functioning, the deviation from norms. Elsewhere I showed (Maskens, 2015), as numerous others have documented on similar fieldwork (Herz, Martin and Valli, 2004, Lavanchy, 2013), to what extent the work of civil servants is saturated with personal feelings and intuitions. Indeed, we are very far from the weberian *mantra* (1971[1921]: 300) devoted to the idea that those agents fulfill their function “without consideration of the individual” and concomitantly without passion, hate or enthusiasm.

The utopian dimension of the work of bureaucrats resides also in the abstract ideal of romantic love they conjure, in order to screen the conformity of binational couple to this value erected into an implicit norm. Indeed, in Brussels, the agents of the state tend to support those whose story conforms to the dominant vision of intimacy, combining romance and modernity, to the detriment of the other, non-hegemonic narratives. Stories bereft of romance, in which the partners do not appear to be autonomous and ‘free’ individuals, are discredited, or regarded as strange and finally refused. Even if this ideal is not a necessity for a Belgian or European couple, when it comes to bi-national marriages (including a non EU partner), this ideal is transformed into a criterion of admission, a mark of (in)conformity, as we will see with the case studies presented in this article. In addition and paradoxically, when interviewed alone, civil servants are unanimously cynical and dubious about personally living according to this romantic ideal.

Another utopian reasoning in the agents’ daily work resides in their desire to protect national women. Indeed, the Article 146(bis) of the Belgian civil code introduced in 1999ⁱ, is the result of a growing preoccupation of civil registrars officers reacting to numerous encounters with women coming to cry in their offices after they realized their weddings were promoted by their non-European partners for the sake of obtaining a residence permit. This register of justification, a sort of ‘rescue narrative’ (Bracke, 2012), enters the analytic lens of what I call ‘bureaucratic feminism’ (Author, 2017), which consists in excluding what is perceived as ‘patriarchal’ couples (when the male partner seems to exercise excessive power on women). Because they support exclusionary practices and consider migrants as a threat to the value of equality, bureaucratic feminism is close to the concept of femonationalism (Farris, 2017) to describe the strategic use of women’s rights to support exclusion enhanced by a xenophobic agenda.

Those ideals and other values (romantic love, bureaucratic feminism) constitute the implicit criteria around which the dynamics of inclusion and exclusion are constructed. In this sense, and as Fassin et al. correctly point out in their essay on the morality of the state and its incarnate form, “In

reality, often, whether through excessive zeal or conviction, the agents develop policies that reach far beyond what is asked of them: they are no longer satisfied to apply state policy, they make it too; they are the state”’ (Fassin *et al* 2013: 17, my translation).

The interview as a test of desirability

In most of the municipalities where I conducted my fieldwork, “sham marriage” interviews became progressively systematic. Before, interviews were done only when State agents had suspicion during the first encounter with the couple. State agents said that this growing of control was a way to treat “more equally” all couples by not giving so much importance to the first impressions. In this framework, the “sham marriage” interview itself could be analyzed as an expression of power. It is both a demonstration of direct decisional power (accepting or refusing a marriage depending on a particular reading grid) at the discretion of a civil servant, and a demonstration of indirect power,ⁱ because it affects the potential future actions of the partners by making them understand the place they occupy or will occupy in this context (as ‘chosen’ or second-zones citizens).

The question of the place and the potential incorporation of the stranger in any society has is a classic theme in sociology (see Simmel, 1921; Park, 1928 and Bauman, 1991) and anthropology (Werbner, 1979; Appiah, 2006; Vilaça, 2010). For instance, the anthropologist Julian Pitt-Rivers, inspired by his experience of being a British in Andalusia, questioned the function of the ordeals destined to strangers in different cultural settings. He proceeded to a comparative study of various forms of hospitality in Inuit societies, the Arab world, ancient Greek societies and rituals of European chivalry. Those ordeals seem to constitute a necessity and a permanent feature of human sociability, beyond the specific expression of each particular culture. Pitt-Rivers shows how these ‘tests’ have the main function of measuring, testing, evaluating the foreigner against the norms of the group and, ultimately, to exorcise the unknown element that constitutes and defines it, the very essence of this being coming from an «extra-ordinary» world (Pitt-Rivers, 1977). The interviews that I will present and discuss here are understood as a part of this continuum of practices associated with a function of screening.

Below I compare contrasting interactions of two couples (Rachid and Fadwa, Adela and Giovanni) with the state’s representatives during the interview to determine the authenticity of their relationships. We will see that hospitality is extended or denied to bi-national couples based on several criteria. The formulation and content of the questions posed by the agents influences the very data they collect to verify the authenticity of the relationships between partners. The state agents pose the questions and the partners respond. The latter do well not to question the structure of the interaction. They are not welcome even to question the very definition of the situation. David Graeber’s (2012) notion of ‘interpretive labour’ is useful in

this regard for understanding the outcome of the situation. This concept describes the effort of imagination made by individuals to adopt the perspective of others. We could believe in the first instance that it is the agents of the state that make this effort (to adopt the perspective of others) to interpret a particular situation. They are in charge of posing questions that engage with and seek to understand the situation of the partners, in order to produce an official document. The partners are the ones that provide the answers. But in fact, if they want their case to be accepted, the imaginative effort falls to the partners themselves: they have to be obedient, cooperative and above all they must understand what is expected of them. While the stated objective of the interview is to seek out sincerity, authenticity (do the partners really love each other? Do they really intend to build a 'lasting life-long community' (to borrow the legal term used in the documentation), what is really at stake is rather a judgement of the couple's conformity with the moral standards and economic aspirations of the 'host' society.

While most of the agents themselves are critical of this technique, which they see as unreliable (see Author 2015 and 2018), they refuse to accept such a view from the public. In fact, any questioning, any difficulty in responding to certain questions such as 'when did your emotional relationship beginⁱⁱ?', any hesitation, doubt, or nuance expressed by the partners due to the quality of their memories is not well received by the agents, and most often is linked to an attempt at fraud. Applicants have to play the game, follow the rhythm and dance of the tune played by the state agents. Beside the interactive skills of the partners (for example, being a pleasant interlocutor), the result of the interview also largely depends on the 'density' of the migrant and their 'personal attributes', as Derrida would say, or on their capital, to paraphrase Bourdieu. Of the approximately fifteen interviews I observed in Brussels from 2012 to 2013, I have chosen two to look in greater depth at the interaction between the agents and two emblematic couples, because of the radical contrast in the atmosphere of the interviews.

Adela and Giovanni

Adela is Guatemalan and Giovanni is Italian. The story of how they met, as they told it to the civil state, goes as follows. They met by chance in 2007 in Milan, Italy. Adela was visiting her best friend who was studying architecture in the country's interior. The two friends went out salsa dancing in a night club and that is where Adela met Giovanni for the first time. They exchanged emails and communicated with one another for several weeks, but for Adela: 'This meeting seemed to me insignificant (...) At this time we did not have Facebook and we quickly lost contact. 'Four years later, in November 2011, chance brought them together again in Germany, at a *bachata* competition in Düsseldorf. Once again, Adela had come to visit a friend and, once again, they decided to go out dancing. It was at this *bachata* competition that Adela recognised that the winner was none other than Giovanni: 'If he had not

been the champion I may never have noticed, there were so many people.’ She decided to speak to him and he remembered their meeting four years before. This time they exchanged phone numbers and Facebook information. Giovanni invited her to a party in Cologne the next day. At this time, he was working in IT in Düsseldorf.

Once Adela was back in her homeland they continued to write to close the distance between them, which had now become a cause of suffering. Their love story ‘really’ began a few months later, when they organised a two-week trip to the Dominican Republic. They chose this country due to their mutual love of dance, and because the Dominican Republic is the birthplace of *bachata*. For Adela, this was the moment when ‘we could no longer deny that we were a couple.’ A little while later, Adela said: ‘I went to Washington with my grand-mother and connected to the internet every day at the hotel. I had very strong feelings and we started to talk about the future.’ With Adela back in Guatemala, the lovers were in contact every day and it was not unusual for Adela to burst into tears looking at her computer screen. She decided to come and spend a fortnight with him in Brussels – he had just been hired as a civil servant at the European Commission – to celebrate her birthday. That is when Giovanni asked her if she wanted to come and live with him. Adela worked as an architect in Guatemala and also taught philosophy at university. Thus, philosophy is another passion the partners claimed to share.

A few months later, in August 2012, Adela came to settle in Belgium. In January 2013, Giovanni offered her an engagement ring for her birthday. She accepted his offer: ‘He said he had something important to give me, and that was it. It was a surprise. We had agreed to get married, but it was still a lovely surprise.’ In trying to pursue their hope to marry, Adela and Giovanni had to undergo the “sham marriage” interview in June 2013. Adela was called in first and her words were translated from Spanish into French by a certified translator. For his part, Giovanni wanted to speak Italian. His words were also translated. The interview ended with questions on their future plans. Adela responded by explaining they were in the process of buying an apartment in Brussels and that she would like to have children. Once Giovanni had answered the same questions, the agents in charge of the interview, two women, asked the married couple-to-be to sign the report of their statement and added a supplementary surprising request: could they dance a *bachata* in the office, just for them? The two women in charge of this interview did not know this dance and the love story of Adela and Giovanni aroused their curiosity. Elegantly dressed, young and handsome, the partners played the game and performed a series of swinging dance steps. The agents of the state swooned before the two lovebirds and wrapped up the interview with a round of applause. The atmosphere was light and joyful. The agents expressed no doubt about the sincerity of the relationship about which they had just heard, and recorded the transcript.



Fadwa and Rachid

One month before Adela and Giovanni's interrogation, on an afternoon in May 2013, Fadwa and Rachid answered the questions from the state's agents. The agents, Bernard and Eana, were preparing for the interview. It was 13.30 and they still had ten minutes to prepare. Both were sat behind the desk belonging to Eana, the boss, who was flicking through the dossier. Fadwa and Rachid were married in Morocco in 2012 and were applying for their marriage to be recognised in Belgium. They called over Stéphanie, the agent in charge of transcriptions, to ask her opinion on the case. Stéphanie came into the office. She was wearing a fluorescent pink t-shirt with the words 'All we need is love' emblazoned in capital letters. In this peculiar setting, where bureaucracy, emotion and the search for authenticity are thrown together, these words took on a significance at once funny and absurd, worthy of a Woody Allen film, as if the agent were trying to send a subliminal warning to the partners about to be questioned. Stéphanie said she had not noticed anything out of the ordinary in this dossier and that all the required documents were present. Bernard and Eana thought the interview was going to be a simple formality. They were relaxed.



However, as soon as Rachid entered the office, accompanied by his translator, without acknowledging or greeting the agents, it was clear to me that this interview would be more than a mere formality. Civic-mindedness is held in high esteem by the agents, who often see their role as incorporating an educational function ('teaching' citizens or future citizens to say 'hello', 'thank you' and 'good-bye': the 'fundamentals of good manners', as some agents like to say). Rachid and his translator sat facing one another. He was side-on to the agents. His gaze fixed firmly ahead, he did not even look at them when they asked him questions. The atmosphere was tense from the beginning. The agents did not like the fact that he would not look at them and later on, Eana called him to order and asked him to turn and face them. These civil servants have many theories concerning the bodily language, gestures and the eye contact of people being interrogated, as clues as to the (in)authenticity of their story.

The interview began with this question translated into Arabic: 'Can you tell us how you met your wife?' Rachid answered briefly that he had met her for the first time when he went to pick up his mother in the countryside. Eana, who was typing the answers on a computer as they were given, raised her head in surprise at the brevity of the answer and insisted: 'Can you give us the date and be more precise?' Rachid explained that he was living in Tanger at the time, in 2011, and that he had gone to the countryside to pick up his mother, who had spent the day with the sick mother of his future

wife. The agent then asked about the nature of the bonds between the two women. The man explained in a long dialogue with the translator that the two women were very close, because their families were joined by marriage. Eana pushed further: 'Yes, but what does it mean to be closely linked? I also have close links through marriage, but could you be more precise?' The translator did his job and Rachid remained silent for a long time before finally answering that his mother had married the brother of his current wife some twenty years ago. Eana did not seem to like the response: 'It is strange that for families who had shared close ties for twenty years you only met your wife a short time ago. But let's come back to the point: how many people were present at your first meeting?' Rachid answered: 'The two mothers, my wife and I.'



Eana continued: 'How long did this first meeting last?' The answer was precise: 'This meeting lasted two hours.' And the translator added: 'They met and two days later... the mystery of love!' Eana turned to Bernard with a disapproving look.

She asked who had taken the initiative of arranging a second meeting. Rachid answered: 'She made the suggestion when we were going down the stairs.' Eana added: 'Were the mothers present at that moment?' Rachid said no, they were alone at that moment. Eana, visibly irritated by the elusive tone of Rachid's answers, asked him to turn to face her and confronted him;

'Normally, it tends to be the man that makes such an offer to the woman, no?' And then she added in an ironic tone: 'Or maybe you receive several marriage proposals every day? Wow!' The translator, for better or worse, tried to follow the touch of ambiguous humour and added: 'Quite the seducer, our man!' as if to confirm Eana's insinuation. The laugh that followed was forced. Eana continued: 'And were you not surprised by this proposal?' 'No,' replied Rachid. 'People from Tanger have a good reputation in the small villages like the one where she lived and she could see I was a serious person.' Bernard, who had been silent until that point, jumped on this: 'How can she have known you were a serious person?' Rachid answered that that was a question for his wife.

The interview continued in an effort to unpick the circumstances of the second meeting, as they were explained and written down. The questions became thicker and faster, while the answers became ever shorter. Rachid was clearly not a big talker. The agents continued to cast doubt on his story and tried to build as detailed a view of past events as they could, so as to have information with which to compare the story told by Rachid's wife. Suspicion became a part of the bureaucratic interaction. Fadwa and Rachid's second meeting also took place in the countryside; they were alone and they went for a walk in a park and along the beach, Rachid said. Then he said: 'We walked for an hour.' Eana asked: 'Did you have anything to drink?' Rachid responded: 'No, we did not drink anything, we just walked the whole time.' Bernard also asked questions: 'How long did this meeting last?' The two agents were on the same wavelength. Rachid answered: 'The meeting lasted three hours and that was when my wife formally proposed to me.' Eana offered the following summary of the story: 'The first meeting lasted two hours, the second, three hours and you were not surprised by this marriage proposal?' She continued, looking directly at the translator: 'Please tell us what really happened that day.' Bernard added: 'And how did you respond?' Rachid answered: 'I said 'yes' straight away. After our first meeting I had a conversation with my mother and she gave me the feeling that she approved of this marriage. She told me this was a serious woman.'

The interview lasted a long time, the agents growing visibly more and more exasperated. They contested or rejected most of the responses, which they saw as illogical, irrational or simply 'abnormal'. At an emotional level, far from being 'familiar' or even 'distant', this interaction was an open conflict. The translator tried to pacify the exchanges, but his interventions only added to the lead agent's feeling that something was wrong with the story and that the interpreter was just a part of the setup, taking advantage of his position to shine a favourable light on Rachid's responses. Rachid's behaviour and introverted body posture were interpreted as being uncooperative. The lack of certainty that surrounded his answers and his inability to play the role expected of him were seen as intentional. The agents suspected he had something to hide. What is more, the proactive role of

Fadwa – a Belgian citizen of Moroccan origin and wearer of the veil – in the marriage proposal seemed highly abnormal to the agents, one more sign of an attempt at fraud: this woman who makes all the decisions in a deeply patriarchal Moroccan context.

Conflicting rationalities

In the first interaction, a light atmosphere was achieved after a few questions and answers and the interview ended with a *bachata* demonstration. In the second, the tightness of the looks, expressions and body language, and the tone of the questions asked by the agents, as well as their recurrent doubts over the validity of the answers (‘Normally, does it not tend to be the man that proposes to the woman?’ or ‘Please, tell us what really happened that day’) were all signs of a palpably tense atmosphere. Differentiating the two interviews, above all, were two different rationalities at play in bringing the two partners together. To compare these interviews is to expose contrasted logics and reveal the morality underlying the decisions taken by the agents.

The story of Adela and Giovanni is one of romance, even glamour. The romantic side of their meeting – brought together twice in different parts of the world by chance and a passion for dance – certainly helped instil the listeners with positive feelings; a mixture of desirability, admiration and identification. What is more, the youth, beauty and elegance of the partners and their bodies in movement also played a part in the positive reading by the agents of the state. What could be more romantic than two slender bodies moving in unison? The choice of the country that would mark the beginning of their ‘serious’ relationship, the Dominican Republic, is also part of the geography of romantic, as it is the country where their ‘passion’ was born. This scenario, fit for a Hollywood love story that could be called ‘The Passion for Dance’, meets, and even exceeds, the moral standards of the host society.

In other circumstances, certain elements of the partners’ story could easily have played against them, but they were not retained: the relative speed of the marriage proposal (which could be used to argue that the partners did not know each other well enough), as well as the fact that certain details differed from one story to the other. In fact, when Adela described their trip to the Dominican Republic, she spoke of a friend that accompanied them, while Giovanni said it had been Adela’s sister. This kind of divergence could have been picked up on and in other circumstances, may have been enough to refuse a marriage on the pretext that the two partners had different versions of events. These divergences could have made the difference. The relative speed of the marriage proposal (their first meeting was in 2007, but their story only really began in November 2011 at their second meeting in Düsseldorf, and the marriage proposal came in January 2013, just one year and three months later) was not held against them, and the wedding took place two months after the interview.

The meeting of Fadwa and Rachid does not fit into the romantic ideal,

but can be seen rather as part of a 'sociocentric' or 'genealogical' rationality (in the sense that Elisaeth Povinelli (2006) gives to the concept, in which forms of inheritance constrain the individual in one way or another), a major reason why the agents of the Belgian state refused to recognise the marriage that took place in Morocco.

While 'arranged' marriages have always been organised around reasonable arrangements (families spend time evaluating, weighing up, negotiating the appropriateness of the match in order to make a 'good' marriage), 'modern' love is seen as having torn up this logic by valuing raw feelings over the physical conditions of existence. One of the features of this modern vision of love is the highly moralistic and mutually exclusive divide between authenticity and interest (Rebhun, 1999; Brennan, 2004). Through all the possible scenarios of love there runs an implicit and common-sense line: on one side of which lies true love, moved by real and authentic feeling, and on the other, calculated love, which is part of an agenda that is often hidden and related to our material existence. This structural divide in our social bonds is an inheritance of our philosophical treatment of love dating from Plato's teachings more than 2,000 years ago. Echoing Plato's idealisation of love, 'true love' is seen as something sacred – feeling in its purest form – situated above the base material conditions of our existence. All that is related to organisation, pragmatism, interest – in short, materialism – is seen as a stain on the fabric of these ethereal, disembodied feelings. True love is enough. It needs no other support but itself.

Firstly, we remember the emotional austerity of the meeting, where the body language, the unforthcoming nature of the answers and the subject's limited ability to play the role required of him certainly weighed on the final decision. These were the first signs of non-conformity.

Then three elements were chosen, on which to base the refusal to issue official recognition: differences in the accounts of the two partners (during the second meeting, Rachid said they had nothing to drink and Fadwa said she drank a take-away coffee during their walk), incoherencies in the story and the fact that the two partners did not know each other well enough before getting married. The first two reasons expose a belief that 'the truth' must necessarily be detailed and coherent (Herlihy et al. 2010) and in this case, shared by both protagonists, the two partners.

In their evaluation process, state agents adopt a normative, rigid or even pedantic view that intimacy is something shared: the details must agree and the way that each particular event is narrated must match. Yet the connection between language and intimacy is not so evident. How is one to reach love and affects? How can we touch them? By observing practices? Or listening to discourses? There is no clear equivalence between intimate events, the intensity and quality of a relationship, and their formulation in words and sentences. Moreover, cultural settings also shape intimacy and the way we talk about it. The European way of reporting internal states categorized as love (because individuals have learned to feel this emotional

experience through a complex social learning process) is not universal.

The third reason evoked to justify the refusal of recognition of the wedding of Fadwa and Rachid refers to the fact that 'the two partners did not know each other well enough before getting married'. If partners don't know each other, they couldn't have developed emotional bounds necessary to categorize their relationship as 'authentic' love, resolutely 'modern', and finally desirable in the eyes of the host society, here represented by state agents. This tells us about the role of romantic love, a key concept defining these encounters with the state and thus playing a fundamental role as a criterion of 'Northcentric civility' (Mai and King 2009: 300). The narrative of progress employed by state agents situates gender norms of migrants in the past and therefore defines them as incompatible with modern national ideals, thereby reproducing the evolutionist hierarchy between arranged marriage and a modern relationship. State agents try to establish if their interlocutors are resolutely modern, tied by modern forms of attachments, in order to identify with them. As Eva Illouz (2012) has noted, freedom becomes the fundamental value and practice of modern men and women's intimate life. The capacity to base intimate relations on the mutual and free recognition of the value and worth of another person is the central element of the modernist project, inherited from the Enlightenment's rupture with the 'genealogical society' as defined by Elizabeth Povinelli (2006: 5). Evidence of modernity seems to be at the core in defining migrants as more or less acceptable or desirable. To screen for such modernity, state agents try to weigh both the architecture of the choice of the partner, especially if women can exercise free choice, and also the gender (in)equality of the couple (Maskens, 2018). 'Arranged' marriages provoke irritation among civil registrars, because they are perceived as less egalitarian than companionate marriages or marriage based on authentic affection. Jennifer Hirsch and Holly Wardlow (2006: 4) define companionate marriage as 'a project, the aim of which is individual fulfillment and satisfaction, rather than (or in addition to) social reproduction'. In these spaces, the 'free choice' of the partner becomes a morally loaded category favoured in civil registrars' evaluation of unions. Arranged marriage is perceived as the formal opposite of free choice.

If the idea of equality of treatment still constitutes one of the key utopic dimension organizing the work of state agent (they often reaffirm this value when talking about their mission as State representatives), I hope to have shown though the detailed case studies above that others driving force and ideologies constraint their attainment to this ideal, cherished by European democracies. Maybe the concept of 'cultural citizenship' proposed by Renato Rosaldo could help here to reassure that despite State emphasis on equality as a guarantee to its legitimacy, differences exist in the way to make couples (arranged marriages vs romantic couples) and that it must not imply exclusion.

Furthermore, in the city of Brussels, the European capital hosting the principal EU institutions as well as the headquarters of the North Atlantic

Treaty Organization (NATO), the establishment of a transnational elite (Beaverstock 2002; Cailliez 2004) plays a vital role in the collective ordinary understanding of the 'quality' of migration flux. Two terms connote people in movement: 'immigrants' and 'expatriates' and are used to indicate mutually exclusive social categories (Friedman 2004). The case of Adela and Giovanni with their related position of power and economic prosperity refers clearly to the expatriate experience:

'Expatriates move as an act of personal agency. They go to a foreign country . . . with a sense of purpose, to do a certain job, or to live out an ideal. They move freely and go back home . . . if they choose to do so Expatriates are expected to show some 'cultural sensibility' and local language skills, but they are not supposed to 'go native', but rather to keep some distance from the local population.

(Währisch-Oblau 2009: 137–138).

Whereas the case of Rachid and Fadwa are connoted differently: they are understood as moved by contingency and expected to adapt and integrate. These kind of migrants are denied agency, their power to act on the world is unthinkable, since they are perceived as too much occupied with trying 'to survive' and thus suspected of fraud. The outcome of those contrasted bureaucratic encounters inform the selective process at work, embedded in economical consideration: desirable people in movement are the ones who appear as economically profitable for the local economy (Sayad 1999).

Bureaucratic agency and conditioning

The bursts of regulations that have marked the history of Belgium's migration policies, and more particularly those relating to marriage migration,ⁱⁱⁱ expose the extent to which this political priority is based on the assumption of large-scale fraud. This idea, which rests more heavily on assumptions than on statistical evidence, takes shape in the many local elusions to invasion. For one police officer specialised in this domain, whom I spoke to in March 2012, this is a struggle against the practice he referred to as the 'carrousel effect'. This he defined in the following terms: 'One fraudulent marriage opens the door for 27 illegals to come to Belgium'. Seeing the surprise that must have been apparent on my face, the police officer added: 'And you obviously have to think about the collateral damage that has in terms of places in crèches and the CPAS,^{iv} for example'. A councillor for the civil registry in one of the Brussels districts (communes) called this practice a 'chain reaction family reunification', and explains his calculation using a diagram scribbled in the margin of a piece of paper he takes from his desk. This diagram, made up of arrows and skewed links, looked something like a degenerated family tree. Once the last line was drawn, the councillor looked over at me and then contemplating his drawing: 'So you see, with one entry, we have approximately 60 people who come in'. Yet these affirmations are far from consistent and more closely resemble an

attempt to present a 'plague' than a statistical reality (Lejeune, 2013). In fact, the repeated policy reforms appear to find their justification – their *raison d'être* – in the 'scale' of the phenomenon, although the phenomenon itself is poorly quantified. We know that the 1999 reform was based on statistics published by the Ministry of Justice, which pointed to around 3,000 cases of sham marriages in the ten years preceding the change in the law, or around 300 cases of 'fraudulent marriage per year. The figures released since mainly concern 'suspect' marriages into which an administrative inquiry was opened – in 2011, the Brussels prosecution recorded 11,000 such cases. The figures give no information on the proven realities of fraud, but say a great deal about the scale of suspicion. What is more, in certain administrative districts, any marriage involving a citizen from outside the EU is automatically subject to investigation. For the years 2014-2015, Thomas Evrard, a lawyer at ADDE,^v says that only around 10% of the marriages assessed were refused for suspicion of fraud.^{vi} For this author, this figure shows that the measures in place are excessive, a view supported by the abundant jurisprudence overturning negative decisions by the administration (Maskens 2016: 2). The state is intensely anxious in the face of this phenomenon, where affects, intimacy, mobility and citizenship intertwine.

In the Brussels civil registry offices, the ideology and the actions of the state administrators tasked with stopping sham marriages can be seen as inseparable from their desire to limit two major acts of 'fraud' massively ascribed to migrants^{vii}. First of all, while they are of course keen to prevent the institution of marriage from being hijacked as a tool of migration, they are also eager to prevent foreigners, seen as illegitimate and 'lazy', from hoarding the national wealth. To do so, they use what I call the migrant-parasite metaphor. Faced with such morally 'deviant' behaviour, the agents of the state come up with their own strategies to twist the law or supplement it with obstacles (opaque procedures, withholding information, delaying tactics, etc.). Indeed, administrative employees explain how they sometimes manoeuvre to achieve their goal of restraining migratory flows: 'We play on delay', I heard. Another civil registrar showed me a specific case of suspected cohabitation that he had examined. As he did not have any evidence to deny the request, he explained his administrative actions to me in these terms: 'I will send a report of a suspicious request for cohabitation to the Foreign Office and maybe they will delay giving him the residency permit'.

The fraud rhetoric also 'feeds a culture of distrust that robs all the social and marital practices of migrants of their real meaning' (Spire 2008: 54, author's translation; see also Carrey, 2017 for an ethnographic theory of mistrust), as is the case with 'arranged' marriage, as we have seen with the case of Fadwa and Rachid, which despite not appearing in law, is the object of the moral condemnation used to justify the refusal of marriages or their recognition in Belgium. This must be placed in the broader context of the perceived threat that the norms of migrant groups may have on the liberal

values of Europe. Arranged marriages are perceived as immoral in various European contexts, a threat to numerous European nations (for Denmark see Fernandez, 2013; for Norway see and Eggebo 2012).

The metaphor of the 'migrant-parasite' is reinforced on a daily basis in this bureaucratic environment. It is generally accepted in this context that migrants from third countries are a threat to the balance of the social state, a plague invading Europe (Martiniello 2001). Hence, many agents orient their actions towards unfavourable judgements and a restrictive application of migration policies. The fact that there is no real training for those in charge of the fight against sham marriages, and the 'on the job' learning that this necessitates, has favoured a generalised adoption of this mission to defend the social state. In fact, as Alexis Spire stresses, the agents all receive the same conditioning: 'what they learn first and foremost is how to perceive and receive foreigners' (Spire 2008: 42, author's translation).

In numerous civil registrar offices, what questions are the correct questions to ask of interviewees is a subject perpetually debated between administrative agents, who take seriously their difficult task of distinguishing true love from false. Over lunch on one occasion, a discussion took place amongst some of the agents. Samantha, an administrative employee in her twenties, emphasised that she can distance herself from suspicion:

'Well, we don't have to go through their intimate life. We are not the police and everybody has the right to marry. And a couple who answers badly to questions may be a real couple. My father doesn't remember my birthday. I have three favourite colours and if you ask my boyfriend, I will say one and he will say another... I also have a lot of favourite meals...'

Notwithstanding, she concluded by explaining her own approach: 'But I'm strict, you can ask my boss, she will tell you. If you ask me, even with marriages like that [she puts her thumb up], I can make you doubt. I doubt everything'.

Even if every agent can distance himself or herself from the method used to distinguish real from sham marriage, and even go as far as to call into question the reliability of their method, the weight of the suspicion is tangible. It produces consequences manifest in the state of mind of those very agents. From this doubting perspective, everything and anything can be interpreted as suspect.

Samatha makes explicit the way she relates her personal experience of conjugality with the way she works and makes decisions. This shows how the proper perspective of individual state agents impacts the way they implement laws (see Author 2015, 2017 and 2018). As Jessaca Leinaweaver (2009: 61) has admirably shown through her study of the personal biographies of adoption workers in Ayacucho in Peru, state formation

resulted also from the reinterpretation of state representatives 'biographies in line with 'state premises'.

Conclusion

The bureaucratic utopia depicted here is not a reaction to the predominant landscapes of globally dominant modality of politics, as most of the contribution to this special issue, but is in line with the 'capitalist-colonialist-domesticating order' described by Ghassan Hage (2015:1). Indeed, the case studies above exemplifies how in the selective process of the state, the precarious couple are thought to burst on the welfare state and move aside contrary to the more well-to-do couple, echoing capitalist functioning; strangers that are somehow 'too strange' are thought to lack morality and autonomy, not being modern enough to be integrated or incorporated into the national body, echoing colonialist discourses; and finally, the practices of interview implicitly teach the migrant and his/her partner how to behave in order to be part of the nation (to be romantic in essence, to look in the eyes, to be self-confident and story-teller, to be polite and collaborative, etc.). In this sense, the way state agents apply the law could be understood as an implicit conservative mobilization. They react to what they perceive as "too permissive" Belgian politics of the 80' and 90' which according to them "let too much migrants enter the country". They organize themselves in order to protect the Belgian national body from invasive migrants.

In the introduction of this special issue, Ruy Blanes and Bjørn Enge Bertelsen also insist on the importance of thinking utopia and dystopia in tandem. The utopia of some (here the state agents who defend the sovereignty of the nation) constitutes the dystopia of others (those who organize themselves to support free movements, far from the Belgian State, in order to host and support migrants in their own way^{viii}). They also understand utopia, amongst other things, as "the materialization of desire and will". In the case of this contribution, the will to protect the nation's borders from individuals often depicted as 'parasites' transform state agents into gatekeepers. The implicit search for conformity to moral norms is part of the civilizational process at work: if the official goal of the fight against sham marriage is to exclude cheats, in practice we observe a shift from measuring the authenticity of the relationship to implicitly evaluating the desirability of the migrant partner. In doing so, the way state agents implement policies among bi-national couples are generative of sameness, identity, similitudes, whiteness, reproducing in a sense social and racial hierarchy of the host society.

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ⁱ According to the article 146bis of the Belgian civil code introduced in 1999, 'there is no marriage if, even though formal consent has been given for preparation, it emerges from a combination of circumstances that the intention of at least one of the spouses is obviously not the creation of a lasting life community, but aims only at the procurement of a residence permit, tied to the spousal status.'

ⁱⁱ This means of exercising power corresponds to Foucault's (last) definition of power as 'a way of acting that does not have a direct or immediate effect on others, but which acts on their actions. An action on action, on potential or real actions in the future or the present' (Foucault 1984: 312-131, author's translation). This form of power, different from the disciplinary techniques that act directly and physically on individuals, is characteristic of the exercise of power in security-focused societies.

ⁱⁱⁱ In 2005, a new set of instructions came into force with a memo dated 13 September relating to the official exchange of information between officers of the civil State in collaboration with the immigration office. Eight years later, this form of 'at the border' union is still the object of close political attention and new regulations speak volumes about the State's anxieties over the subject, because the memo of 6 September 2013 adds three new criteria to that of 1999. On top of these preventive measures, extra punitive measures were added in 2006 which, while rarely used, appear to have been thought up specifically to dissuade applicants for instrumentalised marriage (Foblets and Vanheule 2006: 264). Another law came into force in 2011, tightening the conditions for family reunification in Belgium.

^{iv} CPAS means *Centre Public d'Action Sociale*, a state organization providing social assistance.

^v *Association de Défense des Droits des Etrangers* or Association for the Protection of Migrants' Rights.

^{vi} As the author highlights, this statistic has never been published. It is based on figures produced by the Immigration Office, which he managed to obtain: 'for the year 2014: 4,876 investigations into future marriages in Belgium led to 634 refusals; 3,841 investigations into future marriages abroad led to 331 refusals. From January to November 2015: 3,728 investigations into future marriages in Belgium led to 282 refusals; 3,209 investigations into future marriages abroad led to 276 refusals (Evrard 2016: 2, author's translation).

^{vii} For more ethnographic insights on the current practices of defrauding and faking , or the contemporary 'hermeneutic of suspicion', see the work of Beek, J., Cassis, K., and Krings, M., 2019, Mapping out an anthropology of defrauding and faking, *Social Anthropology*. 27 (3), 425-437.

^{viii} In the aftermath of what have been called the "migrant crisis" in 2015, citizens decide to host migrants in their own house. For more details on such initiative, see the website of the citizen's center for refugee support: <http://www.bxlrefugees.be>