Introduction

I usually forget the date of events, but August 14, 2015, is one of the dates that sticks in my memory, as it was the day I entered Germany with four young men hoping to fulfill their wishes in a new European country. They were a group of young men who aspired to begin a new life after the war tore up all their dreams. Two of them were at the beginning of their youth; they had finished high school with distinction, hoping to study a prestigious specialization such as medicine or engineering at university.

At the beginning of my arrival in Germany and in the first housing complex for refugees, I was acquainted with what seemed to me to be a married couple, with two children: a son and a daughter, both no more than five years old. A male cousin of the wife, who was around twenty years of age or less, accompanied this family. At first glance, I did not doubt the marriage of the two, and I thought that the two children were the children of the couple. My relationship with this family gradually deepened, especially with the husband, who later told me that the mother of the two children is a widow, whose husband died in Syria due to the war, and that her family decided to send her to Germany - fearing for her and her children - with her cousin. The young man, the narrator whom I thought to be her husband, used to be close to the family even before the death of the husband. He revealed to me that he was not her husband originally nor the children's father, but because her deceased husband had a strong friendship with him, he decided to marry his widow and take care of the two children.

I suppose they pretended to be a married couple for two reasons: First, to cease the uproar of other families or Syrians in particular from delving into their reputation. This is especially true with regards to the reputation of the "presumed" wife, as Syrian culture considers this kind of relationship or closeness between the two partners without the framework of engagement or marriage as outside the accepted norms, thus falling within the unacceptable social and religious defects. This is true even though the "presumed" husband did not have any sexual relations with the "presumed" wife, as he confided to me. Second, those who are in charge of distributing the refugees to their living places would not separate him from his "presumed" wife and her children when he applies for Asylum as one family,

because of their "clear kinship" or "marriage relationship". The question that arises in this context is, why did the supposed "husband" reveal all this information to me later?

During my stay in a refugee complex, there were often intense discussions about the developments of the war and what was going on in Syria generally. In addition, religious debates would start to escalate, imposed by the reality of the minority status as Muslim refugees in a Western society that differs from theirs. Because of my academic background in Islamic law and my knowledge of the political situation in Syria, I was often involved in these discussions. The husband realized my religious background - through questioning me -, which prompted him to confide to me and to ask to conclude a marriage contract between him and the one who claimed to be his wife within the framework of religious law (Sharia). As he pointed out, this would have kept him away from committing sins in case he should stay alone with her. The request was a bit shocking to me, but I understood the complex context and developments of such relationships.

The case of these two individuals resorting to religious marriage is a situation that many Syrian families turned to in the German context due to the effects of the war and the conditions of forced displacement. This caused a major disruption in the customary family dynamics which, for the majority of Syrian communities, usually begin with an engagement formality. Then the marriage ceremony is part of a long ceremonial process in which the families of both parties -whether they are relatives or not - are highly involved. The war also brought about a profound change in the functions and structures of the Syrian family. Considering the chaos that resulted from the war, which lasted for years, religious marriages are taking place on a large scale inside and outside Syria.

At a later stage of my stay in Germany, after about a year, I started to get to know different groups of Syrians, both young and old. Their educational levels were diverse, and, most importantly, they came from different Syrian governorates known for their somewhat different cultures. My attendance in language and integration courses enabled me to get to know these Syrians. In addition, my involvement in some social events (card games) made it possible to me to meet young people, who were confused about their future in Germany, and husbands, who were eagerly waiting for their families to be reunited.

In fact, in these card-playing gatherings I saw for the first time Syrians from rural and urban areas, from east, west, north, and south governorates coming together in considerable numbers. These gatherings, and the in-

tense discussions they initiated, brought me to the idea of this research project. Discussions about the situation in Syria and the procedures for family unification dominated in the first phase of these meetings. At a later stage, religious issues were at the heart of discussions due to – as I mentioned – the Syrian community presence as a minority – mostly Muslims – within a "non-Muslim" society that they were unfamiliar with before.

After the relative stability of the Syrians' legal status, the discussions between these refugees turned to the issue of building a future in Germany. Then, after the arrival of more Syrian families in Germany and the successful reunification of many of them, discussions shifted to the problem of marital disputes, especially after the spread of news about a few incidents of violence that occurred against some and stories about the frequent occurrence of divorce amongst Syrian refugees. These events were shocking to a large segment of the Syrians themselves. I was one of those who wondered about the causes of the violent incidents and the many cases of divorce, and I tried to understand this phenomenon. That is where the idea for this study and my research question occurred.

Research question

The Syrian crisis – since its outbreak in 2011 until today – has forced millions of Syrians to flee internally and externally.[1] According to official German statistics, Germany received more than 700,000 Syrians until 2020.[2] Statistics show that the total number of Syrians living in Germany until 2020 is more than 800,000.[3]

The German government made earnest efforts to receive the large numbers of refugees who entered during the years 2015/16. Those efforts were

1 The number of Syrian refugees is estimated at over 6 million; see 'Ausländer aus Syrien in Deutschland bis 2020 | Statista' <https://de.statista.com/statistik/daten/studie/463384/umfrage/auslaender-aus-syrien-in-deutschland/> [accessed 11 November 2021]; 'UNHCR – Syria Emergency' <https://www.unhcr.org/syria-emergency.html?query=syria> [accessed 28 March 2021].

2 Bundesamt für Migration und Flüchtlinge, 'Das Bundesamt in Zahlen 2020' (Bundesamt für Migration und Flüchtlinge, 2021), p. 17.

3 Statista Research Department, 'Ausländer aus Syrien in Deutschland bis 2019 | Statista' <https://de.statista.com/statistik/daten/studie/463384/umfrage/auslaender-aus-syrien-in-deutschland/> [accessed 28 March 2021].

directed to receive the refugees first and then try to integrate them in German society later. However, the presence of Syrians in this new society was not without serious challenges and difficulties, especially at the familial level, as these families went through economic, social, and moral dilemmas caused by the war, which caused disruptions in their structures and functions.[4]

With the Syrians finding refuge in Germany, the phenomenon of family conflicts appeared among the Syrians as a dilemma threatening their welfare. It also occupied a space in the various German institutions, both civil ones, such as associations concerned with women's or children's affairs, and official ones when these disputes reached police stations or courts.[5] Despite this, I assumed that the disputes taking place within the family but remaining outside these official institutions were much greater than what is made public. I have looked at how their disputes occupied, and still do, a large space within some media and social media - especially the Arabic-speaking media - located in Germany.[6]

I also noticed - before and during the fieldwork - that the phenomenon turned into a topic of hot discussion and debate when Syrian families gather together. As a result, I became more interested in understanding this phenomenon through a work of research that attempts to answer the following central questions:

What are the factors and reasons that played a role in fueling family conflicts within the Syrian family in the German context? Why did some

4 Penny Johnson, 'War, Violence, Refugees, and Arab Families', in *Arab Family Studies. Critical Reviews*, ed. by Suad Joseph (Syracuse, NY: Syracuse University Press, 2018), pp. 473–474.

5 See, for instance, Peter Hepfer and Maximo Gonzalez, 'Lebenslänglich für Syrer: Frau vor den Kindern „förmlich niedergemetzelt"', *Pforzheimer Zeitung* <https://www.pz-news.de/startseite_artikel,-Lebenslaenglich-fuer-Syrer-Frau-vor-den-Kindern-foermlich-niedergemetzelt-_arid,1255092.html> [accessed 18 March 2021]; 'Mordprozess in Stralsund: Syrer tötet seine Frau und wünscht sich die Todesstrafe', *WELT* <https://www.welt.de/vermischtes/article164587857/Syrer-toetet-seine-Frau-und-wuenscht-sich-die-Todesstrafe.html> [accessed 18 March 2021]; Osthessen News, '35-jähriger Syrer tötet Ehefrau mit Schlagwerkzeug' <https://osthessen-news.de/n11633254/35-jahriger-syrer-toetet-ehefrau-er-hat-seine-ganze-familie-kaputt-gemacht.html> [accessed 18 March 2021].

6 See, for instance, Farīda Tšāmqğī, 'Aṭ-ṭalāq...mā bunīya fi Sūriya hudima fi almānia' ('Divorce, What Was Built in Syria, Demolished in Germany'), *DW*, 2017 <https://p.dw.com/p/2iTi6> [accessed 18 March 2021]; Wafā' Ṣbīḥ, 'Ṭallaqatnī zawğatī, wa ufakiru bil'awdat ila Sūriya' ('My Wife Has Divorced Me and I Am Considering Returning to Syria'), *Abwab*, <https://bit.ly/4c92lm2> [accessed 18 March 2021].

of these conflicts take on a violent nature at times? What are the dynamics that families resort to in order to deal with these conflicts?

These research questions opened the gate to attempt to understand Syrian families in all their complexity and diversity, as well as examine the processes of their interaction within the German context, as it is not possible to imagine a deep understanding of this phenomenon of conflicts without understanding the families, their cultures, and the social environment from which they came. In addition, it was of paramount importance for the research to understand the contexts they experienced during the war at home, the process of displacement and forced displacement, and how they then tried to adapt and coexist in the new German environment.

It should be noted that the phenomenon of family disputes was not limited to the German context. Some workers in the judicial institution in Syria, and some researchers outside Syria,[7] have pointed to the high rate of divorce - which is considered both an indicator and a result of these conflicts.[8] Nevertheless, it is understood that each country has its own contexts that affect any phenomenon, different from the contexts of the other country. Hence, it was necessary to study Syrian families in the German context to see how families interact with it and what are its effects on them.

Shedding light on family conflicts and understanding the Syrian family is important from several aspects:

1) Bridging a knowledge/cultural gap between the Syrian and German societies, which occurred as a direct result of the sudden migration of large numbers of Syrian families from their original society to live in the new society. This, in turn, helps formal and informal institutions to deal with these families in an attempt to maintain their welfare and optimal

7 I contacted by phone one of the researchers, Fāris ar-Rifāʿī, who conducted a quantitative research in the Netherlands, and he found out that of forty Syrian families in a Dutch town 11 had divorced and 10 were considering separation. Summary of his research published in Arabic; see Fāris ar-Rifāʿī, 'Limāḏa tazdād ẓāhirat aṭ-ṭalāq fi awsāṭ al-lāǧiʾīn alǧudud bihulandā' ('Why Is the Divorce Phenomenon Increasing among New Refugees in the Netherlands?'), 2019 <https://www.eqtsad.net/news/article/25838/> [accessed 28 March 2021].

8 Members of the Syrian Ministry of Justice told Sputnik that the divorce rate in Syria rose 100 percent in 2013 compared to the pre-war period. Sputnik, 'Taʿarraf ʿlā ʾasabab Irtfāʿ ḥālāt at-ṭalāq' ('Find out Why Divorce Cases Are on the Rise' <https://sptnkne.ws/cvRz> [accessed 28 March 2021]. See also Omer Karasapan, 'The War and Syria's Families', 2017 <https://www.brookings.edu/blog/future-development/2017/03/22/the-war-and-syrias-families/> [accessed 28 March 2021]; ar-Rifāʿī.

integration. At the same time it provides the Syrians with the picture that has been painted about them, which, although self-critical in some aspects, may help them to know the gaps that should be overcome. This, in turn, may contribute to the stability of their families and reduce the intensity of conflicts by mitigating their causes in an attempt to ensure that they do not occur as much.

2) Paving the way for academics to study the migration of the Arab family, its intimate relationships, and its interactions with host societies, in light of the scarcity of writings about it in these contexts.[9]
3) To reveal changes in the concept of the family, its functions and structures, and the relations between the sexes, in light of changes in patriarchal attitudes in two different contexts. These are topics of interest to many researchers interested in family affairs and issues.
4) Develop a vision for understanding how conflicts can be dealt with in a more professional manner, both for religious actors involved in resolving them and for legal bodies working to develop laws in general and family law in particular.

State of research

There is a large body of literature on refugees, but it is often written within specific policies compatible with the directions of the United Nations High Commissioner for Refugees (UNHCR). These studies often focus on humanitarian aids, voluntary repatriation, local integration, or resettlement, whereas "longer-term dynamics, such as changes in refugee family formation and dynamics, are marginal to the main policy tasks at hand,"[10] as Penny Johnson wrote. Johnson argues that this plethora of literature prevents a deeper understanding of refugee families. The other problem is the generalizing trend that is noticeable in many of these studies.[11]

A departure from the study of the Syrian family as an analytical unit in the German context has not yet appeared, and the short period of the large

9 Paul Tabar, 'Migration and Transnational Arab Families', in *Arab Family Studies. Critical Reviews*, ed. by Suad Joseph (Syracuse, NY: Syracuse University Press, 2018), p. 387.

10 Johnson, p. 474.

11 Michelle Lokot, '"Blood Doesn't Become Water"? Syrian Social Relations during Displacement', *Journal of Refugee Studies*, 33.3 (2020), 555–76.

presence of Syrian refugee families in Germany – since 2015 – may be the reason why such studies have not been publicized before.[12] Despite this, there have recently been some limited qualitative and quantitative reports that have focused on the ideas of integration and work, or of looking at the Syrians as a new population group in Germany.[13] In addition, one of the important studies (a Ph.D. thesis) that dealt with the issue of family conflicts among the Syrians and Afghans appeared recently. The study focused particularly on custody disputes and attempted to examine the manner in which the practice of German international private law deals with Islamic law relating to family law in the aspect of children's rights in German courtrooms.[14]

Outside the German context, one of the important qualitative studies reports appeared on the Doha International Family Institute (DIFI). The study examined the effects of pre-and post-immigration stress on marital relations between families of Arab refugees – Syrians and Iraqis – in Canada.[15] Despite the importance of the subject of the study and its ability to gain insights into the traumatic experiences of refugees and the changes in gender roles on marital relationships, the data in the report did not receive sufficient or a nuanced academic analysis.

Several qualitative and quantitative research papers that explored topics related to the status of women and the change in their roles as well as to the

12 I should point out that, while writing my book, there were other dissertations or articles being written about Syrians in Germany at the same time, some of which have been appeared recently; for instance, see Irene Tuzi, *Renegotiating Gender Roles and Relationships in Displacement. Syrian Families in Lebanon and Germany* (Diss., Berlin: Humboldt University Berlin, 2021); Sarah Raboi, *Confronting Uncertainty. Syrian Refugee Women in Germany* (Diss., Bayreuth: University of Bayreuth 2022); Hilal Alkan, 'Caring (for) Relations: Syrian Refugees between Gendered Kin-Contract and Citizenship in Germany and Turkey', *Citizenship Studies*, 26.6 (2022), 746–62.

13 See, for instance, Lily Hindy, 'Germany's Syrian Refugee Integration Experiment', *The Century Foundation*, 2018 <https://tcf.org/content/report/germanys-syrian-refugee-integration-experiment/> [accessed 6 November 2020]; Rebecca Jade LaPoint, '(In) Hospitable: Refugees as "Guests" in Germany Today', *Senior Projects*, 318 (*Spring* 2017); Susanne Worbs, Nina Rother, and Axel Kreienbrink, 'Syrische Migranten in Deutschland als bedeutsame neue Bevölkerungsgruppe', *Informationsdienst Soziale Indikatoren*, 61, 2019, 2–6.

14 Alexander Collo, *Muslimische Migrantenfamilien im deutschen Sorge- und Umgangsverfahren* (Baden-Baden: Nomos, 2021).

15 Mohammed Baobaid et al., *Pre and Post Migration Stressors and Marital Relations among Arab Refugee Families in Canada* (Hamad Bin Khalifa University Press, 2019).

family disintegration were also published. However, most of these studies were limited to the Syrian context or to the Syrians in Turkey.[16]

It is worth noting that some anthropological and social researchers have conducted studies on Syrian families in their different environments – urban and Bedouin – before the war from several aspects in the Syrian context. Some of these previous references have been made use of in some topics of this research work.[17]

Although the research group focuses on the Syrians, this research topic cannot be separated from previous literature that dealt with the situation of minorities from different aspects in different European contexts. The increasing immigration to the West has led to a form of cultural pluralism and to a diversity in the norms and values that these immigrant minorities hold. This diversity prompted the study of the space that could be granted to these groups in order to enhance their independence in the exercise of their customs and religious norms. However, attention is given to the idea that such independence should not lead to violations of the rights of their members in contravention with the official legal systems of the state in which they live.[18] This clash between observing the group's privacy while not violating public rights forms part of a more general discourse regarding

16 See, for instance, Ṭalāl al-Muṣṭafā and Ḥusām as-Saʿd, *At-taġaīurāt alatī ṭaraʾt ʿala ʾadwar al-marʾat s-swrīya fi al-ḥarb as-Swrīya (Changes in the Roles of Women in the Syrian War: Qualitative Study)* (Haramoon Center for Contemporary Studies, 2019); Ṭalāl al-Muṣṭafā, Ḥusām as-Saʿd, and Waǧīh Ḥaddād, *Tašḫīṣ ad-dmār al-muǧtamaʿī as-sūrī (2 Min 3) muʾašširāt at-tafakuk alʾusarī wa al-muǧtamaʿī fi Sūriya (Diagnosis of Syrian Societal Destruction (2 out of 3). Indicators of Family and Societal Disintegration in Syria)*, 2021; Lülüfer Körükmez, İlhan Zeynep Karakılıç, and Didem Danış, *Taǧārib al-marʾa as-sūriya fi alʿamal wa alʿalāqāt bain al-ǧinsīn … aḍ-ḍarūra, at-tafāhum, at-taġīīr (Syrian Women's Experiences in Work and Gender Relations … Necessity, Understanding, Change)*, trans. by Fāris Ǧāsim (Haramoon Center for Contemporary Studies, GARk taplık, 2020).

17 See, for instance, Sally K. Gallagher, *Making Do in Damascus. Navigating a Generation of Change in Family and Work* (Syracuse, NY: Syracuse University Press, 2012); John Borneman, *Syrian Episodes. Sons, Fathers, and an Anthropologist in Aleppo* (New Jersey: Princeton University Press, 2007); Dawn Chatty, *From Camel to Truck. The Bedouin in the Modern World* (New York: Vantage, 1986); Dawn Chatty, 'The Bedouin in Contemporary Syria: The Persistence of Tribal Authority and Control', *The Middle East Journal*, 64.1 (2010), 29–49; Muḥamad Safūḥ al-Aḫras, *Tarkīb al-ʿāʾila al-ʿarabīya wa-waẓāʾifuhā – Dirāsa maydānīya li-āqiʿ al-ʿāʾila fī Sūriya (The Composition of the Arab Family and Its Functions – a Field Study of the Reality of the Family in Syria)* (Damascus: Wizāra aṭ-Ṭaqāfa wa-l-Iršād al-Qawmī, 1980).

18 For more insight on these issues, see Ayelet Shachar, *Multicultural Jurisdictions. Cultural Differences and Women's Rights* (Cambridge: Cambridge University Press,

the integration policies of these groups into their new societies.[19] Finally, the family cannot be separated from the debate over gender relations, feminist theories, or debates about male dominance.[20] Therefore, the literature related to these three themes shall contribute to deepening the understanding of the topics of this research that will be discussed in different places.[21]

Research structure

To answer the research question and analyze the problem it addresses, the research was divided into five main chapters. The first chapter deals with the methodology followed by the research, the group (of people) that were studied, and the field in which this study was conducted. Starting from the family as an analytical unit to understand its conflicts was not easy. Despite the Syrian families' openness to the "strange" other in general, they love their privacy, especially when it comes to mingling with women and knowing what is going on inside the household. Therefore, the first chapter of this research presents the methodology that was relied upon to overcome some of the obstacles to the study of the families. At the same time, the first chapter attempts to explain how to reach a deeper understanding of Syrian families in general and their conflicts in particular. From here, the research relied on the empirical ethnographic methodology, as it is the best method for collecting qualitative data that is difficult to detect unless there are relationships of trust between the researcher and the research group. Many of these relationships were built before and during the fieldwork, which took place at the end of 2019 and the beginning of the year 2020. These relations with the research group gave me a great opportunity - especially as I am a member of this group and speak their language - to delve into the details of the daily lives of families in the new German environment.

2001); *Family, Religion and Law. Cultural Encounters in Europe*, ed. by Prakash Shah, Marie-Claire Foblets, and Mathias Rohe (London: Routledge, 2016).

19 See, for instance, Michael Spieker and Christian Hofmann, *Integration, Teilhabe und Zusammenleben in der Migrationsgesellschaft* (Baden-Baden: Nomos, 2020); Douglas B. Klusmeyer and Demetrios G. Papademetriou, *Immigration Policy in the Federal Republic of Germany. Negotiating Membership and Remaking the Nation* (New York: Berghahn Books, 2009).

20 See, for instance, Raewyn Connell, *Gender. In World Perspective* (Cambridge: Polity Press, 2012); Sandra Lee Bartky, *Femininity and Domination. Studies in the Phenomenology of Oppression* (New York Routledge, 2015).

21 Such as in chapter 3, 4, 5.

In addition, it also helped in revealing the contexts of the previous families before and during the war earlier to their asylum trip to Germany.

It is worth mentioning that the group studied (as part of the Syrian society) diversifies in many aspects: regionally - rural and urban, small family and extended families, tribal or clan - religiously and sectarian - Sunni Muslims, Shia, Druze,[22] Alawis,[23] Christians - and nationally - Syrians or Syrians of Palestinian origin. Therefore, despite the quality of the data collected, the diversity of families made it difficult to analyze data and develop theoretical frameworks in the process of understanding families and the factors behind their conflicts, given the relative difference in cultural, religious, and social values and norms from one family to another. There may be a few other ethnicities in the study city - Nuremberg in the state of Bayern - such as the Kurds; however, my interaction was limited to the groups that I referred to, as they were the ones that the circumstances allowed me to build relations with in light of the scattering of many Syrian families in that big city.

The first chapter also reviewed the research tools that were used to collect the data, such as participant observation, qualitative interviews, and focus group discussion. This chapter also dealt with the methodology in which the data was analyzed, noting that this methodology contributed to forming part of the research structure; I will refer to those parts below. The last section of the chapter tackles the obstacles encountered during the progress of the fieldwork and how to try to get over them with the interlocutors.

The second chapter of this research reviews the images of the lives of the "interlocutors" in their Syrian context during the war through two aspects:

22 They are a religious minority (about one million Druze in the world) whose faith stems from diverse religious traditions. The Syrian city of As-Suwayda has the largest concentration of them. They are seen as a separate and unique community due to their history, traditions, culture, and religion. They are often misunderstood due to the nature of their esoteric religious doctrine. They are also called Unitarians "Muwaḥḥidūn". For more on them, see Samy Swayd, *Historical Dictionary of the Druzes* (Scarecrow Press, 2006), pp. xxxi–xl.

23 They are a religious group whose opinions about themselves conflict between their affiliation to Islam ("Shiite Islam") or their non-affiliation to any religion. Alawis are not only seen as a sect but as a community with its own culture and history. Alawis are believed to make up 11 percent of Syria's population. For more on them, see Torstein Schiøtz Worren, *Fear and Resistance. The Construction of Alawi Identity in Syria* (Univirsity og Oslo, 2007), pp. 43–44; Leon T. Goldsmith, *Da'ratu L-Ḥawfi, Al-'alawiūn as-Suriyūn Fi s-Silmi Wa l-Ḥarb (Cycle of Fear. Syria's Alawites in War and Peace)* (Beirut: Arab Scientific Publishers, 2016), pp. 82–90.

1) The reasons that prompted these people to migrate to Germany. 2) Social fissures (such as sectarian, religious, or conflict of identity) that occurred between Syrian societies and affected families in general. In order to keep a complete picture of people's daily lives during the war, I made the causes of displacement and the forms of societal rifts associated with it in the same background of the interlocutors who are the owners of the story. Insecurity and fear of being killed, kidnapped, or imprisoned, fear for children, the difficult economic situation, and the aspiration for a better future come at the top of these reasons. The chapter concludes with a discussion of the contexts that led to the Syrian crisis and resulted in these factors referred to and of these major fissures in Syrian societies.

The third chapter deals with the changes and challenges facing Syrian families in the new German context. The chapter begins in its first section by reviewing the theoretical framework that it has benefited from in the analysis; that is the concept of "segmented assimilation." The chapter discusses the factors that affected the changes that occurred in Syrian families through four aspects: 1) The social environment in which families grew up. 2) The amount of social control exercised on families. 3) Gender positions. 4) The age at which the family members arrived in Germany.

The second part of the chapter discusses the challenges faced by the family in the new German context through several aspects: 1) Language challenges. 2) Work. 3) Adequate housing. 4) Religious/cultural challenge. 5) Fear of great responsibility towards children. 6) The pressures of discrimination and some racist practices. 7) The pressures of feeling alienated. This section focuses on examining the interaction of families with these challenges on the one hand and explores their indirect effects on fueling conflicts within these families on the other hand.

The fourth chapter discusses the factors directly affecting family conflicts within a theoretical framework; that is the patriarchal system or "masculine dominance" through two dimensions: The first route observes the internal determinants of conflict dynamics, i.e. those related to the family's characteristics, structures, and functions. This section deals indeed with three determinants: 1) Gender roles, where the research explores the roles of men and women in Syrian societies and the impact of defining these roles in the new German context. 2) Economic factors, where it discusses the effects of the division of labor between men and women on relations between spouses in the Syrian and German contexts. 3) The cultural/religious clash, where it observes the religious and cultural norms held by the newcomers and the collision of some of them with the values of the new society, and

thus the acceptance or rejection of change and the clash between the two sides towards these interactions.

The second dimension examines the external determinants of conflict dynamics, that is, the external influences on the conflicting parties. Although they are categorized as external determinants, the interaction of these determinants with internal factors sometimes overlaps. This section explores two main determinants: 1) The effects of the factors of war and forced displacement. These factors - which are depicted in detail in the first chapter - are reviewed based on their effect on the relationship between spouses. It is not possible to separate the scenes of violence and suffering experienced by the families from the escalation of conflicts between the two parties and the resort to violence in some cases later on. 2) Effects of the new German context. These effects are studied through two dimensions: First, the effects of changes in laws on relations between spouses are explored, especially in the areas of legal protection for women through laws that punish violence and through the power of law enforcement. In addition to this legal aspect, attention is given to the aspect of family laws through divorce procedures and the right of custody.

The fifth chapter sheds light on conflict management through a theoretical framework that discusses the effects of normative pluralism in Germany on the dynamics of conflict resolution. This chapter examines two aspects: First are the alternatives that the conflicting parties resort to in their attempts to resolve their disputes, such as mediators from notable family or friends, religious actors, and the Syrian or German judicial systems. Second, it discusses mechanisms and obstacles to conflict resolution. In this section, the focus is on religious marriage and divorce in Germany, especially in the context of normative pluralism and the broad religious freedom granted to religious/Islamic organizations. This section explores the reasons why people resort to religious marriage and divorce, analyzes the consequences of such types of transactions based on religious norms, and examines the obstacles to resolving disputes that may arise between the parties.

Theoretical frameworks

I mentioned above that the research used three theoretical frameworks to help analyze the data and reach a deeper understanding of the Syrian families. These three concepts are “segmented assimilation”, “masculine

dominance", and "normative pluralism". I will not discuss these three concepts in this context extensively to avoid repetition with the discussions in the subsequent chapters (3, 4, 5), but I will refer briefly to the analytical dimensions that necessitated the use of these theoretical frameworks.

Assimilation or integration?

"Assimilation" is a controversial concept, and since the 1960s it has been negatively viewed as a form of "Eurocentric hegemony" and "the weapon of the majority to put minorities at a detriment by forcing them to live by cultural norms that are not their own."[24] It stems from the expectation that minorities want to get rid of their own culture, and it takes up a standpoint based on ethnic differentiation, which raises a particular cultural model as a criterion for other cultures. This concept has been subjected to significant criticism on the grounds that the process of assimilation is one-sided, that is, it assumes that the minority will be changed completely without considering the effects that may result from the process of interaction of the culture of the minority with the majority.[25]

The most important criticism faced by the concept of assimilation is that it leaves no room for a positive role for ethnic or racial minority groups to play in the majority society.[26] But, "[d]espite the accuracy of some of the criticisms of the canonical formulation of assimilation, we believe that there is still a vital core to the concept, which has not lost its utility for illuminating many of the experiences of contemporary immigrants and the new second generation", as Richard Alba and Victor Nee wrote.[27]

Two different approaches to the traditional understanding of assimilation can be observed. The first is the adoption of other concepts such as "segmented assimilation", "pluralism", or "integration"[28] as alternatives to

24 Richard Alba and Victor Nee, *Remaking the American Mainstream. Assimilation and Contemporary Immigration* (Cambridge, MA: Harvard University Press, 2003), p. 2.

25 Richard Alba and Victor Nee, 'Rethinking Assimilation Theory for a New Era of Immigration', *International Migration Review*, 31 (1997), 826–74; Alba and Nee, *Remaking the American Mainstream*, p. 4.

26 For more see Alba and Nee, *Remaking the American Mainstream*, p. 5.

27 Ibid., p. 9.

28 See Alejandro Portes and Min Zhou, 'The New Second Generation: Segmented Assimilation and Its Variants', *The Annals of the American Academy of Political and Social Science*, 530.1 (1993), 74–96; Alba and Nee, *Remaking the American Mainstream*, p. 6; Hartmut Esser, 'Pluralisierung oder Assimilation? Effekte der multiplen

that concept to move away from those negative connotations it carries. The second rejects the traditional understanding of assimilation. For example, the German sociologist Hartmut Esser considers this pre-conventional understanding of assimilation to be naive; it is, therefore, misleading to replace it with the concept of "integration" as it does not express social integration.[29] In his discussion of the relationship of the concept of assimilation, Esser distinguishes between social integration, which is the integration of ethnic minorities into various areas of the host society,[30] and system integration, which means "the cohesion and the relatively balanced functioning of an entire social association."[31]

Social integration has four basic aspects: "*Culturation* as the adoption of knowledge, skills and cultural 'models', especially also linguistic socialization; *placement* as the adoption of rights and taking up positions in (relevant) areas of the respective social system, e.g. in education and the labor market; *interaction* as the establishment of social relations and inclusion in (central) networks; and finally *identification* as the adoption of certain 'loyalties' to the respective social system."[32] Esser considers individual assimilation to be a special case of the social integration of immigrants as active individuals. According to the previous four dimensions, Esser distinguishes between four aspects of individual assimilation: cultural assimilation, structural assimilation, social assimilation, and emotional assimilation.[33] Esser concludes that "[t]here is (at least) no reasonable alternative to the structural assimilation of the migrants, especially in the educational system and in the primary labor markets. And insofar as the other dimensions of integration, especially cultural and social integration, are - directly and indirectly - related to it, this also applies to them."[34]

Inklusion auf die Integration von Migranten', *Zeitschrift Für Soziologie*, 38.5 (2009), 358–78.

29 Hartmut Esser, 'Welche Alternativen zur ‚Assimilation' gibt es eigentlich?', in *Migration – Integration – Bildung. Grundfragen und Problembereiche*, ed. by Klaus J. Bade and Michael Bommes (Institut für Migrationsforschung und Interkulturelle Studien (IMIS), 2004), p. 45; Hartmut Esser, *Integration und ethnische Schichtung* (MZES-Mannheimer Zentrum für europäische Sozialforschung, 2001), p. 22.

30 Esser, *Integration und ethnische Schichtung*. p. 19.

31 Ibid., p. 18.

32 Esser, 'Welche Alternativen zur ‚Assimilation' gibt es eigentlich?', p. 46, emphasis in original.

33 Ibid.

34 Ibid., pp. 44–45.

Regardless of the various concepts and discussions that are used to describe the adaptation processes of migrants or refugees in the receiving countries, in reality there are multiple policies in industrialized countries in general through which they try to integrate migrants or refugees within their territories. Syrians as new refugees are subject to these policies, and in return they interact with them. Therefore, the chapter examines the interaction of Syrian families with these policies through the lens of their indirect effects in fueling conflicts within such families. Chapter three benefits from some frameworks of the theory of segmented assimilation during the data analysis process, and, most importantly, the reality of the integration of families has been observed through two dimensions. These are: the changes that occurred to the Syrian families in the new German context and the challenges that they faced during the integration process.

Masculinity[35] in the Diaspora

The excessive transformations and changes that the world is witnessing as a result of technological progress, wars, and extreme violence used in these wars on one hand and the processes of displacement and asylum on the other have their tolls on all aspects of life. These grave changes affect the cultures of people in one way or another. One of the effects that the fourth chapter of this research focuses on is gender, sexual identity, and its effects on marital relations among Syrians in their diaspora.

"In the world gender order […] there is a 'patriarchal dividend' for men collectively arising from higher incomes, higher labor force participation, unequal property ownership and greater access to institutional power. Men are privileged sexually and culturally."[36] The context of these shifts, as well as the different global gender order to which migrants are accustomed, raises questions about the effects of migration on their gender identity, the impact of the local context of the receiving country on this identity, and the impact of the re-discovery of these identities on internal relationships between family members.

35 For more illustrations and details about the development of scientific studies on masculinity and its relations to the topic of research, it can be referred to the second section, "Theoretical View of Conflict Factors" from Chapter four.

36 Raymond Hibbins and Bob Pease, 'Men and Masculinities on the Move', in *Migrant Men. Critical Studies of Masculinities and the Migration Experience*, ed. by Mike Donaldson et al. (New York: Routledge, 2009), p. 1.

In observing the effects of the war on women in the Syrian context, Benjamin Froese relies on feminist sociology theories through the lens of radical feminist theory that attributes gender inequality and women's oppression to the patriarchal system. In addition, he sees that "the root of women's oppression is a social system where all social institutions are male dominated."[37] In her attempt to understand the effects of displacement and forced displacement on masculinity among Syrian refugees in Lebanon, Irene Tuzi draws on Bourdieu's epistemology. She claims that a disruption in social space and an imbalance between the habitus[38] and the new domain of sexuality produced a crisis that in turn led to the use of masculinity in a form of "protest masculinity".[39] Protest masculinity[40] concisely "means over-compensation in the direction of aggression and restless striving for triumphs."[41] It reveals the collective practices of marginalized men who struggle to regain their male dominance. R. W. Connell notes that "[t]he masculine protest was a feature of women's psychology as well as men's, but over-determined by women's social subordination. In men it could become a public menace."[42] Marcia C. Inhorn, who has studied masculinity in the Arab world, believes that the study of masculinity should begin with Connell's theory of "hegemonic masculinity", which has generally had a significant impact on masculinity studies.[43]

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37 Benjamin Froese, 'The Effects of War on Women in Syria: A Feminist Analysis', *Undergraduate Research Conference Proceedings*, 13.1 (2019).

38 Bourdieu's habitus is a system of permanent and interchangeable dispositions that integrate structures, habits, and practices of past experiences. This means that people's practices, whether as a symbolic activity or as a practical behavior, are governed by the previous experience of individuals and by various forms of socialization. For more, see Pierre Bourdieu, *Outline of a Theory of Practice* (Cambridge: Cambridge University Press, 2013). pp. 82–83; Salāḥ ad-dīn Laʿrīnī, 'Mafhūm Al-Hābitus ʿinda Bourdieu' ('Bourdieu's Concept of Habitus'), *Social Sciences Journal (SSJ)*, 8.4 (2014), 63–71.

39 Irene Tuzi, *Forced Migration and Gender Relations. The Impact of Displacement on Masculinity among Syrian Refugees* (Sapienza, University of Rome, 2020), pp. 1–2.

40 This concept originated with Alfred Adler with the beginning of the radical psychoanalytic school's interest in masculine theory and the relationship between masculinity and femininity. Connell made extensive use of the concept in his analyses of masculinity. See R. W. Connell, *Masculinities* (Berkeley: University of California Press, 2005), pp. 16, 109–112.

41 Ibid., p. 16.

42 Ibid.

43 Marcia C. Inhorn, *The New Arab Man. Emergent Masculinities, Technologies, and Islam in the Middle East* (Princeton: Princeton University Press, 2012), p. 41.

In my opinion, these three concepts are very close, and they all aim to understand masculinity, femininity, and relations between the sexes. All of them can help in understanding the imbalance that occurred between the sexes within the Syrian family in the German context, which resulted in a kind of conflict between the two parties. During their immigration to Germany, Syrian families carried with them this "patriarchal system", which was generally rooted in the social and institutional systems in Syria.

The interaction of Syrian families – with the characteristics they bear related to this patriarchal system[44] – with the integration policies in the German context and the new cultural, social, and legal norms led to disruption in the relationship between the sexes. This disruption and imbalance extended to the roles of the two parties. That has eventually produced a "male protest" by men to maintain their masculine power and a "feminine protest" by women towards the ancient practices associated with "male domination" and patriarchy. This led to the emergence of various conflicts and several dynamics that at times contributed to the reconfiguration or restructuring of the gender identities of husbands and wives and to the reorganization of roles and relationships between them.

With this approach to addressing research issues by understanding "patriarchy", "male domination", and "protest masculinity" at the micro-level that is represented in family conflicts in the context of this study, the research bypassed the traditional frameworks in which patriarchy was studied in the Arab world.

Patriarchy or masculine domination in the Arab world is often dealt with as an aspect related to the relationship between the sexes in a kind of generalization; at that, both Arab males and females are often placed within ready-made and stereotyped templates. These stereotypes place the man in the frame of "violence" against women, while the woman is placed in the mold of "submissive humiliation" by not having an independent decision.[45] This is despite the changes in the world that have greatly affected gender relations in most countries around the globe, including the Arab world, and

44 The process of Syrian families' interaction with integration policies is not an abstract or theoretical process but rather is related in one way or another to the characteristics of the groups to be integrated, that is, with the norms, characteristics, and qualities these minorities carry from their previous societies. Uma Segal, *A Framework for Immigration* (Columbia University Press, 2002), p. 23.

45 Inhorn, p. 55; Árdís Kristín Ingvars and Ingólfur V. Gíslason, 'Moral Mobility: Emergent Refugee Masculinities among Young Syrians in Athens', *Men and Masculinities*, 21.3 (2018), 383–402, here pp. 386–87.

thus this image has become traditional, backward, and inaccurate.[46] However, there is still a tendency among segments of Western refugee-receiving societies to take this inaccurate traditional image for granted.[47]

Certainly, there is no doubt that Arab societies, in general, have patriarchal tendencies that, in their entirety, constitute an obvious form of patriarchy and male domination.[48] The cultural characteristics, religious and ethnic norms, the strength of the presence of the extended family, the presence of tribal or ethnic blocs, and their political connections to regimes have significant influences in shaping these different patriarchal systems and their intensity. Therefore, masculinity and patriarchy were and still are among the problems that many researchers have tried to study to understand its causes and explore its consequences, not only at the family level but also at more dangerous levels represented in political and economic domination.[49] Anthropologist Madawi Al-Rasheed, for example, argues that the religious politicization exemplified by Wahhabism in Saudi Arabia has made it part of state institutions, and this explains why women are

46 Inhorn, p. 55.

47 Many of those interviewed from Syrian families indicated that many Germans adopted this stereotype about them through experiences they had, most of which came within the framework of disapproving questions related to women's freedom, veiling, and the nature of their work and studies. On the first arrival of the Syrian refugees and in one of the language courses I attended, the teacher went out with the students to the street to teach them some German vocabulary in reality. In front of a construction workshop, the teacher referred to one of the women working in the workshop and mentioned that in Germany women can work as engineers; as I told her that women in Syria also work as engineers, this caused her astonishment.

48 The most important global indicator for measuring the gender gap monitors four main aspects: political and economic participation, educational attainment, and health. This indicator shows that in the years 2006–2010 Syria ranged from 103 to 124 out of 134 countries studied. The gap increases after the Syrian crisis, with Syria ranking 152 out of 156 countries. The majority of Arab countries such as Syria occupies the last ranks in this indicator, and this shows the relative male dominance in these Arab societies and thus the inequality between the sexes in general in various fields. For more, see Ricardo Hausmann, Laura D. Tyson, and Saadia Zahidi, *The Global Gender Gap Report 2010* (World Economic Forum, 2010), p. 9; World Economic Forum, *The Global Gender Gap Report 2021* (World Economic Forum, 2021), p. 10.

49 See, for instance, Hisham Sharabi, *Neopatriarchy. A Theory of Distorted Change in Arab Society* (New York: Oxford University Press, 1988); Buʿ Ali Yāsīn, *Azmat al-marʾa fi al-muǧtamaʿ al-ḍukorī al-ʿarabī (The Crisis of Women in the Arab Patriarchal Society)* (dār al-ḥiwār llnašr wa at-tawzīʿ, 1990); Ḥalīm Barakāt, *Al-Iǧtirāb Fi Aṭ-Ṭaqāfa Al-ʿarabīya (Alienation in Arab Culture)* (Beirut: Center for Arab Unity Studies, 2006).

underdeveloped and unequal in Saudi Arabia.[50] These alliances between authoritarian power and religious and civil institutions exist in most other Arab countries, although to varying degrees, and different orientations often serve the interests of authoritarian regimes.

Highlighting the different dynamics of the family through the lens of conflict can alter this traditional patriarchal stereotype, revealing how men and women under different social conditions can reshape their gender identities, relationships, and roles within the family, while helping to observe the complexity and diversity of these relationships and roles. Connell writes in this context, "to recognize diversity in masculinities is not enough. We must also recognize the relations between the different kinds of masculinity: relations of alliance, dominance and subordination. These relationships are constructed through practices that exclude and include, that intimidate, exploit, and so on."[51] The fourth chapter explores some of these complex relations within the Syrian family.

Normative pluralism[52]

It is true that the concept of normative or legal pluralism is relatively recent, but as a phenomenon and a practice, it extends throughout history.[53] Historically, customary and religious laws existed long before the establishment of the modern nation-state and the "rule of law."[54] For example, the People of the Book (Jews and Christians) at the beginning of Islam had the choice between referring to their scholars or judges or to the rulings of Islam that

50 Madawi Al-Rasheed, *A Most Masculine State. Gender, Politics and Religion in Saudi Arabia* (Cambridge: Cambridge University Press, 2013), pp. 15–17.

51 Connell, *Masculinities*, p. 37.

52 Normative pluralism can be treated as legal pluralism. Legal pluralism is "generally defined as a situation in which two or more legal systems coexist in the same social field." Sally Engle Merry, 'Legal Pluralism', *Law & Society Review*, 22 (1988), 869–96, here p. 870. See also William Twining, 'Normative and Legal Pluralism: A Global Perspective', *Duke Journal of Comparative and International Law*, 20 (2009), 473–518, here p. 475.

53 Keebet von Benda-Beckmann and Bertram Turner, 'Legal Pluralism, Social Theory, and the State', *The Journal of Legal Pluralism and Unofficial Law*, 50.3 (2018), 255–74, here p. 256.

54 Christine Parker, 'The Pluralization of Regulation', Theoretical Inquiries in Law, 9.2 (2008), 349–69, here p. 352.

governed the Muslim community.[55] With the emergence of nation-states and colonialism, this necessitated an axiomatic transformation of "where there is society, there is law" to "where there is state, there is law."[56] However, with the dedication of these nation-states and colonialism to the relations between the state, the people, and the law, the issue of legal pluralism became problematic. This set the conditions for the emergence of "anthropology of law" as a discipline of anthropology, which at that time aimed at, "[o]n the one hand, to research physiologically pre-, or early law in presents environments and, on the other, to address the challenges of 'legal pluralism' as an applied colonial practice."[57] At the turn of the twentieth century, there was a growing interest in the interaction of law with everyday social and economic life, that is, in an attempt to explore "how law was used in daily practices."[58] At that time, a view prevailed based on considering law as an organizing principle of society, and consequently "'ĀDĀT", i.e. social norms, habits, and customs were not recognized,[59] and conflicts were not of interest to early anthropologists. This trend later changed, and the interest in people's perceptions of customary laws, conflicts, and dispute resolution processes emerged as a reaction to colonial governments' distortion and politicization of the character of custom systems.[60] Benda-Beckmann and Turner point out that two research paths can be distinguished in using the study of real situations or cases to study conflicts: The first aims to use conflicts as a source from which to extract unwritten (customary) law. The second aims to understand the contested processes and the decision-making process. Later anthropology of law focused on the relationships be-

55 It was reported that Al-Zuhri (d. 124/742), one of the jurists of the first generation in Islam, said about the verse in Quran: "So if they come to you, [O Muhammad], judge between them or turn away from them" that the Sunnah was conducted that they (the people of the heavenly books) be returned in their rights and inheritance to the people of their religion (i.e. their scholars or judges), unless they come willing to implement a penalty, for in this case the Prophet judges between them according to the Book of God (i.e. the Qur'an). Muhammad ibn Jarir al-Tabari, *Tafsir al-Tabari* (Dār ar-Risāla, 2000), Vol. 10, p. 332.

56 Benda-Beckmann and Turner, p. 257.

57 Ibid. pp. 256–257.

58 Ibid. p. 257.

59 Although they are not recognized as legal norms, to some extent they are recognized in the context of the application of legal norms (interpretation), as Mathias Rohe commented.

60 Benda-Beckmann and Turner, pp. 257–258.

tween local normative systems and state institutions,[61] and the relationships between state law and informal, religious and customary law constituted the new starting point in anthropological studies.[62] Therefore, it will be the basis for understanding the interaction of these norms held by Syrians with the laws of the state in this research by studying the reality of Syrian families in the German context.

Conflicts between parties result in their attempts to resolve them. The transition of Syrian families from their previous contexts moving into new contexts made new dynamics emerge when dealing with these conflicts. Such dynamics may intersect or differ from the previous dynamics. Nevertheless, at the same time, they may clash or form a break with the laws of the German state, as "the family is arguably the foremost arena in which citizens resist the state and are free to form their own allegiances,"[63] as pointed out by Joel A. Nichols. These dynamics used by families are related to the previous norms and characteristics that they carry from their local communities, prompting individuals to observe these norms, especially in their aspects related to religious teachings.[64] Prakash Shah writes in this context: "Customs and religious practices among more recent settlers and their descendants have not been altogether abandoned as a consequence of arrival and living in Europe. Under the homogenous official legal orders, customs and religious practices have in many cases simply gone 'underground' and survive, sometimes very vibrantly, but unofficially."[65] Of all these religious norms, family norms remain the most special and controversial in comparison to other areas, as they relate to aspects of transactions that regulate relationships between human beings, away from the domain of worshiping, in which the relationship is between believers and God.

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61 Since the source and authority of state law differs from the characteristics of religious or cultural norms, Abd al-Hadi Ahmad An-Na'im suggests using the concept of normative pluralism instead of legal pluralism. Abdullahi Ahmed An-Na'im, 'Religious Norms and Family Law: Is It Legal or Normative Pluralism', *Emory International Law Review,* 25.2 (2011), 785–810.

62 Benda-Beckmann and Turner, p. 259.

63 Joel A. Nichols, 'Religion, Marriage, and Pluralism', *Emory International Law Review*, 25 (2011), 967–85, here p. 969.

64 Marie-Claire Foblets, 'Family, Religion and Law in Europe: Embracing Diversity from the Perspective of "Cultural Encounters"', in *Family, Religion and Law. Cultural Encounters in Europe*, ed. by Prakash Shah, Marie-Claire Foblets, and Mathias Rohe (London: Routledge, 2016), p. xiii.

65 Prakash Shah, 'Distorting Minority Laws? Religious Diversity and European Legal Systems', in *Family, Religion and Law. Cultural Encounters in Europe*, ed. by Prakash Shah, Marie-Claire Foblets, and Mathias Rohe (London: Routledge, 2016). p. 3.

The situation is complicated not only by the lack of formalization of any of these religious customs and norms within the context of Western countries but also by the lack of legal cooperation between states in the aspects of family laws. Despite the participation of European countries in the Private International Law agreements related to family relations, the recognition of non-European legal forms of managing family relations remains negligible. Therefore, there is controversy over the development of new mechanisms by which legal systems can accommodate the presence of minorities in Europe, as Shah points out.[66]

Hence, "normative pluralism" was highlighted as a framework that helps to understand the family's interactions with the new German norms. In addition, "normative pluralism" explains the complexities that arise in light of the spaces granted - narrow and expanding - for the interaction of German laws with the previous religious, cultural, and social norms that families from Syria brought with them, which was highlighted in the second section of Chapter five.

Thus, we perceive in this research the link between these three concepts and the analytical methodology that attempts to understand the Syrian family in general and the factors of its conflicts in particular. At first glance, these three frameworks may seem inconsistent, but their harmony appears in the processes in which the family moves from one stage to another. We are talking about stages starting with the challenges and changes it faces in the new environment, through the reconfiguration of gender identities and their interactions with this environment and the resulting conflicts, and ending with the mechanisms and complexities it exercises under new norms and conditions to resolve these disputes.

66 Ibid. pp. 3–4.