

## Affecting Change through Absence

**The Reframing of  
Intentions behind the Dutch  
Forced Marriage  
Prevention Act of 2015  
Following the  
Disappearance of Fatema  
Alkasem**

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**Abstract:** Just thirty-six days after the disappearance of Fatema Alkasem, a pregnant Syrian teenager, from an asylum center of Ter Apel, the Dutch legislature passed the Forced Marriage Prevention Act of 2015. This piece of legislation restricts the age of marriage to the age of 18 and prohibits marriage between first cousins and those among more than two partners. No longer will the Netherlands accept any marriages that do not fit this definition, even if they are performed legally in the country of which they were performed; as was the former policy.

The goal of this research is to determine the level to which the disappearance of the presumed child bride, Fatema Alkasem, influenced the enactment of the Forced Marriage Prevention Act that came two months later. To do this, the researcher tests whether or not the event of the disappearance Fatema Alkasem qualifies as a focus event according to the definitions of Thomas Birkland and John Kingdon. Data is collected from a variety of online media sources as well as public documents with particular focus on those dating between 31 August 2015 and 6 October 2015. A qualitative inquiry is conducted through the process of text coding and document analysis. The results of this research have implications for future policy learning as well as the ability to expand Birkland's theory of focus events.

**Key words:** Fatema Alkasem, Forced Marriage Prevention Act, Netherlands, child marriage, Syria, refugee, asylum policy, focus event, multiple streams framework, policy cycle, policy entrepreneurs, text coding, In Vivo Coding, Process Coding, Pattern Coding, document analysis.

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## **Preface**

In October 2015, I first became gripped by the stories of Fatema Alkasem and the ‘nareizende bruiden’. I had been living in the Rotterdam for less than 4 months and had just begun my Master’s program when I first heard of Fatema’s disappearance from an asylum center in Ter Apel. As the holder of a partner visa myself, I could in some ways relate to the struggle of relocating to the Netherlands in order to meet a partner. I, too, am a stranger in a country, where I am new to the language and history and culture. Much like these women and girls, my residence here is largely dependent on a relationship status.

However, based on the color of our skin and our countries of origin, my partner and I have been granted certain privileges that the ‘nareizende bruiden’ and their husbands have not experienced here, in the Netherlands, or anywhere else in Europe. My relocation from Boston to Rotterdam was not caused by displacement due to an armed conflict and civil war. I do not currently fear for my life, nor the lives of my partner, family, and friends; nor have I ever known that fear. When I arrived in the Netherlands in May 2015, I immediately moved to a stable home already owned by my partner; not a temporary asylum center like so many thousands of others that crossed the border that summer. I carried three pieces of luggage and boarded a direct flight from Logan to Schipol. I did not have to walk for miles with only the luggage I could carry on my back; leaving invaluable momentos behind, never to be seen again. I am fortunate enough to have a home and family to return to back in the United States. My partner is an EU citizen; he was born and raised in the greater Rotterdam area, and he helps me assimilate to the Dutch language and culture daily. English is my native language, and luckily for me, it is commonly spoken or at least understood by many people here. So when my partner is not with me, I can still communicate with those around me at the grocery store or the train station with relative ease. Both my partner and I come from liberal Western/ Judeo-Christian backgrounds and never have to consider maintaining our religious beliefs or ideological values while living in a place where these beliefs, values, or traditions are marginalized and misunderstood. We are privileged enough to be healthy and able to work and further our education, earning a stable income beyond savings and reliance of international aid.

So in many ways, I can only begin to imagine the struggles of these young women displaced from their homes and fleeing to the Netherlands in search of a better future. I acknowledge that these differences in privilege experienced by myself and the nareizende bruiden are numerous and great. It is my hope to use my privilege as a vehicle for activism and positive policy change. I want to build off of our similarities to assimilate together and to become active members of this community in this country we now call home.

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1.0 INTRODUCTION

In Chapter One, I will provide some background information specific to the case I have chosen to research: the disappearance of Fatema Alkasem and its potential impact on forced marriage prevention legislation that followed. I will define child marriage as it is understood by international organizations like the United Nations, and I will outline its contributing factors as well as a few measures agreed upon by activists and scholars to be effective in curbing the practice. I will then explain why research on this specific case is academically interesting. Finally, I will introduce my research question and relevant sub-questions followed by the aims of my research.

1.1 The Event of The Disappearance of Fatema Alkasem

On 31 August 2015, Fatema Alkasem, a refugee from Syria, was reported as missing from a Dutch Asylum Center. She was 14 years old, 9-months pregnant, and believed by many to have been a ‘child bride’; meaning that she was married as a minor to an adult man over the age of 18. She was last seen with her partner leaving the asylum center in Ter Apel to go to an appointment at the local hospital; an appointment to which she failed to appear.

The news of Fatema Alkasem’s disappearance brought to the foreground a conversation on what should be done by Europeans on the subject of forced marriage, and specifically child marriage, as practiced by those immigrants and refugees travelling to, or already living in, the European Union. Since the beginning of the Civil War in Syria in 2011, surrounding countries like Turkey, Jordan, and Lebanon have been on the receiving end of a disproportionate amount of asylum seekers (UN Women, 2013). It has been no secret among aid workers from the asylum centers outside of Europe that there has been a rise in rates of early marriage and pregnancy among those living in the asylum centers (UN Women, 2013) (Integrated Regional Information Networks, 2012). For Europeans however, this is a phenomenon which has only recently garnered significant attention.

**\*Doorn, E. v. (2015, September 2). Hoogzwanger Syrisch meisje (14) vermist. *Metro*.**

Original text in Dutch	English Translation
<p>Een hoogzwanger meisje uit Syrië wordt gezocht door de politie. Fatema Alkasem verbleef in het aanmeldcentrum voor asielzoekers in Ter Apel, maar verdween afgelopen maandag. Het jonge meisje staat op het punt om te bevallen en heeft medische zorg nodig. Vandaar dat de politie nu alarm heeft geslagen.</p>	<p>A heavily pregnant girl from Syria is wanted by the police. Fatema Alkasem stayed at the registration center for asylum seekers in Ter Apel but disappeared last Monday. The young girl is about to give birth and needs medical care. Hence, the police have now sounded the alarm.</p>
<p>Maandag vertrok de Syrische Fatema samen met haar partner uit het aanmeldcentrum. Ze gingen naar een afspraak in het ziekenhuis, maar daar kwamen ze nooit opdagen. De politie heeft nu geen idee waar het meisje is.</p>	<p>Monday the Syrian Fatema left with her partner from the application center. They went to an appointment at the hospital , but they never showed up. The police now have no idea where the girl is.</p>
<p>De politie plaatste een oproep voor het meisje dat bij vertrek een lange, roze jas droeg en een hoofddoek. „Zij is hoogzwanger en móet</p>	<p>The police placed a public alert about the girl who wore a long pink coat and headscarves on departure. "She is heavily pregnant and must give birth in a hospital,"</p>

in een ziekenhuis bevallen", liet de politie in het oproepbericht weten. Waar Fatema zou kunnen zijn is nog niet bekend. De politie hoopt met de oproep op tips over de huidige verblijfplaats van het meisje.	the police said in their alert. Where Fatema could be is not yet known. The police hope for tips about the current whereabouts of the girl.
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## 1.2 Child Marriage: A Global Problem

Child marriage is defined by the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) as “any marriage involving a person under the age of 18”, and it’s practice is very clearly condemned by this and other international institutions as being harmful to children and infringing on their rights. In practice however; child marriage is prevalent in varying degrees in all regions of the world. According to the International Center for Research on Women (ICRW), 51 million girls between the ages of 15-19 are currently married; 100 million girls will be married before eighteen within the next decade (Ann Warner, 2014).

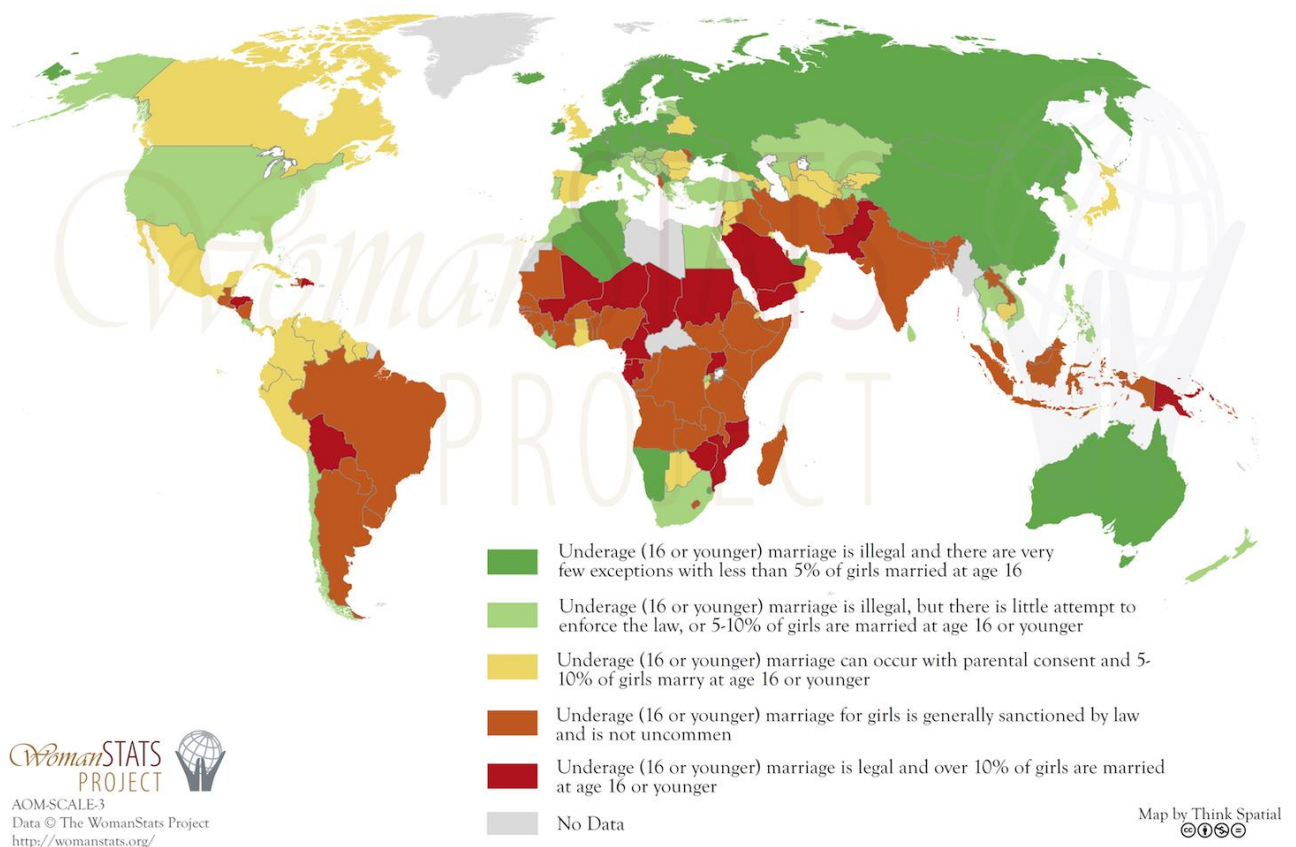
Child marriage is a human rights concern. Article 16 of the 1948 UN Declaration of Human Rights states that marriage should be entered into 'only with the free and full consent of the intending spouses'. Child marriages are in direct violation of this human right as any person under the age of 18 is not able to legally give consent to sex or marriage according to international law. The Committee that monitors CEDAW agreed by stating in 2000 that the minimum age for marriage for both male and female should be 18 years - the age when 'they have attained full maturity and capacity to act' (UN 2000, General Recommendation 21, Article 16.2). Often times however, these marriages are performed outside the auspice of the law and according to religious or customary traditions.

Child marriage is also a public health concern for at least two reasons. The first being that complications during pregnancy and child birth is the number one cause of death globally for young women between the age of 15 and 19. Because the women below the age of 20 are not fully grown, there is a high risk of obstetric fistula (Pobi, 2003, pp. 47, 50) occurring at the time of the birth due to their pelvises being underdeveloped an incapable to withstanding the duress of vaginal labor. An obstetric fistula is a tear in between the wall of the vagina and the rectum (Pobi, 2003, p. 50). Such a tear causes increased risk for bleeding and severe infection and requires immediate medical attention; something that may not be readily available in many parts of the world. According to UNICEF, maternal morbidity rates tend to increase as the age of the mother decreases, and for '...every woman who dies in childbirth, 30 more suffer injuries, infections and disabilities, which usually go untreated and some of which are lifelong' (UNICEF 2001, 11). Equality Now reports that girls under the age of 15 are 5 times more likely to die in child birth than a woman over the age of 20 (Equality Now, 2014, p. 10). Another major public health concern associated with early marriage is the spread of HIV/AIDS. According to UNFPA, teenage brides are contracting HIV at a faster rate than sexually active single girls. This is because often times the male partners of child brides are significantly older and have had multiple sexual partners before marriage (Gaffney-Rhys, 2011, p. 362), and women report feeling as though they do not have the power to ask their male partner to wear a condom. So sex is often unprotected and risky before, during, and outside of marriage (Pobi, 2003, pp. 46-48) (UNFP, 2012, p. 11).

Factors contributing to child marriage range from social, economic, cultural and political and they vary significantly from one context to another. The practice is most common in rural and poor communities as well as within strongly patriarchal societies (Ann Warner, 2014) (Integrated Regional Information Networks, 2012). It is agreed by most scholars and activists alike that to curb the practice of early marriage actions beyond policy formation must be taken to address these contributing factors (Gaffney-Rhys, 2011) (Ann Warner, 2014). Ways to do this include direct aid programs, increasing education and employment opportunities, meeting the sexual and reproductive needs of young women and girls through youth friendly services, and creating an environment where girls' rights are respected at all levels of society (Pobi, 2003) (Warner, 2011).

## Child Marriage for Girls: Practice and Law

Scaled 2015



(Woman Stats Project, 2015)

### 1.3 Child Marriage in the Syrian Refugee Community

While there is much written on the il/legality of child marriage, the demographics of those who participate in the practice, and the ways in which the international community can curb child marriage where it is most commonly practiced; there is little to no academic research on early marriage among migrating communities like those displaced due to the conflict in Syria. There is one report from 2013, however that addresses the issue of early marriage among Syrian refugees living in Jordan. *Gender Based Violence and Child Protection among Syrian Refugees in Jordan with Focus on Early Marriage*, was published in July 2013 by UN



Women in collaboration with Queen Zein Al-Sharaf Institute for Development (ZENID), Jordanian Community Development Centres, the United Nations Children's Fund (UNICEF) and the Jordanian Women's Union (JWU), the Family Awareness and Counseling Centre, and the International Rescue Committee (IRC). According to their research, 51.3% of female respondents and 13% of male respondents were married before the age of 18. While it is true that the practice of early marriage has rural and traditional roots in Syria before the crisis, researchers and aid-workers believe that the crisis has influenced the existing trends; particularly when it comes to the gap in age between spouses and the nationality of the husband who might not necessarily be Syrian, but an Arab man from another country promising more stability or economic mobility to the family (UN Women, 2013, p. 31).

One of the main problems UN Women highlight in their 2013 report, *Gender Based Violence and Child Protection among Syrian Refugees in Jordan* is the low awareness of possible physical and psychosocial repercussions and risks involved with early marriage.

Approximately one half of all those surveyed believed that it is normal for girls under the age of 18 to be married (UN Women, 2013, pp. 3, 29-32). Their research is corroborated by a focus group discussion conducted by CARE which found that the Syrian families that participated in the discussion did not identify early marriage as a negative issue impacting refugees in Jordan (CARE Jordan, 2013, p. 35). Another major problem highlighted by the UN Women 2013 Report is that issues of gender based violence are often suppressed and the services and resources for help are not well known to women; 83% of women surveyed did not know that any services were available for victims of gender based violence in their community (UN Women, 2013, p. 26). UN Women found that victims are more likely to report violence to family members than to service providers or the police, or in some instances they turn to religious leaders for mediation (UN Women, 2013, p. 2). While there is a clear lack of services and resources to address the needs of the community, what perhaps is even more pressing is the need to build trust on the part of NGOS/IGOS and public safety personnel to reach out to the community in question (UN Women, 2013, pp. 3-4, 22).

#### 1.4 The Legality of Child Marriage

As of November 2015, 116 states have agreed to ban child marriage by signing the UN Resolution on Child, Early, and Forced Marriage (UN General Assembly, 2014). Domestic laws however, tell a different story. There are still a number of countries that allow the marriage of minors; for example, the minimum age (for girls) to be married in Syria is 17, but with judicial consent a girl could be married as young as 13 (International Center for Research on Women, 2010). In Syria there is a separate minimum age to be able to marry depending on a person's gender; the minimum is 17 years for girls and 18 years for boys (UN Women, 2013). Many other countries do have a minimum age of 18 to marry, but allow for a number of exceptions that would permit the marriage of minors. Jordan, for example, requires that the minimum age for a girl to marry is 18, but with civil court consent a girl can be married as young as 15 years of age (International Center for Research on Women, 2010). While in the Netherlands, before the recent change in legislation, the minimum age for marriage was 16 except in case of pregnancy it could be younger with special permission (International Center for Research on Women, 2010).

One of the failings of these laws prohibiting child marriages both internationally and domestically is that child marriages are not always performed within the bounds of the law

(Gaffney-Rhys, 2011). Often times they are de facto marriages performed in a religious ceremony or according to local customs after which a cohabitation occurs, effectively equating to a marriage but without the acknowledgement or protections of the law. After the marriage ceremony is performed, the girls are often forced leave school or their jobs if they have them, and are isolated to the home (UN Women, 2013, p. 25) (UNFP, 2012, p. 11) (UNICEF, 2014, p. 19) (Pobi, 2003, pp. 44-47). This isolation prevents a young bride from reporting any kind of abuse she may be experiencing at home. Because she was married so young and because of the isolation from her peers and the proper authorities, she may not even be aware that what she is experiencing is abuse (UN Women, 2013).

Without pairing these laws with social outreach programs meant to address the root causes of the practice of early marriage, they run the risk of creating barriers to resources and services that may help young women and girls who are victims of gender based violence. The laws alone widen the gap of trust between the community and the government in which they live, thus further endangering the lives of the young brides and perhaps also their children resulting from these illegal partnerships (UN Women, 2013) (Gaffney-Rhys, 2011).

Implementation of these laws is very difficult, particularly among migrating communities, because the laws assume that registrations of births and deaths are performed and organized regularly and efficiently (Gaffney-Rhys, 2011). However, this is near impossible in many regions of the world that have a weak or failed state. Gaffney-Rhys writes that, according to the Innocenti Research Centre, approximately 40 million births are unregistered globally each year and it seems that the problem is most acute amongst indigenous populations and in rural areas (Gaffney-Rhys, 2011) (UNICEF, pp. 5, 8-9, 16). Because of these administrative failings, much of the identification of child marriages would rely on cooperation of one or both partners as well as the community in which these marriages are practiced. For reasons of social isolation and barriers to trust the authorities, such cooperation is unlikely making the identification of the number of child marriages and thus the implementation of these laws all the more difficult.

### 1.5 A Dutch Change in Policy: The Forced Marriage Prevention Act of 2015

Before the passage of the Forced Marriage Prevention Act of 2015, a person could obtain a legal marriage in the Netherlands starting at age 18, while the age of sexual consent was 16 (International Center for Research on Women , 2010). So in the case of pregnancy, for example, some exceptions were granted allowing marriages to be performed with one or both partners as young as 16. However, if a marriage was performed outside of the Netherlands in accordance with the laws of that country, the Netherlands would recognize that marriage as equally legitimate to one that was performed within its own borders. This loophole allowed for marriages between cousins, polygamous marriages, and marriages of minors to be acknowledged by the Dutch government. Because of this loophole, partners of such marriages seeking asylum in the Netherlands were entitled to family reunification with their spouses (Article 10 of the Dutch Civil Code 28b).

Upon arrival in the Netherlands, unaccompanied minors (including married minors) are placed under the guardianship of the Nidos Foundation. The Nidos Foundation is an independent family guardian organization for unaccompanied minor asylum seekers. It is the mission of guardians of the Nidos foundation to represent the interests of the child until they reach the age of 18 years (What Nidos Stands For, 2015). If a girl under 16 indicates that she

prefers to live with her official husband, together with her and her family the foundation will search for options that are acceptable for the families to bridge the period until 16 (Deira, 2015). That consultation with family necessary to mitigate the risk for honor violence and revenge, "said a spokeswoman for the IND. "It is a complicated process," she admits. "Nidos switches if necessary, the National Centre for Expertise in Honour-related Violence." (Ezzeroli, 2015)

While legally, the Dutch recognized these marriages of minors according to their criminal and civil codes, there were some procedures in place in cases of reported abuse. According to the Dutch Criminal Code article 253 (from 1881), an adult man may have sex with a child if they are as young as 12 years old, provided that the man and child are married.

“Hij die met iemand, die de leeftijd van twaalf jaren maar nog niet die van zestien jaren heeft bereikt, buiten echt, ontuchtige handelingen pleegt die bestaan uit of mede bestaan uit het seksueel binnendringen van het lichaam, wordt gestraft met gevangenisstraf van ten hoogste acht jaren of geldboete van de vijfde categorie.”

So merely having sex with a child was not enough to prove abuse because once the child was married, he or she had their rights as a child taken away and were now regarded as fully consenting adults in the eyes of the law.

After the disappearance of Fatema Alkasem however, there seemed to be a sudden shift in perception of the Dutch public and policy makers on the severity of the situation. In autumn 2015, the laws were amended so to nullify existing marriages in which either partner were below the age of eighteen years, and to prevent the acknowledgement of such relationships in the future. Child marriage was no longer perceived as a foreign problem whose victims lived well beyond the borders the Netherlands and of Europe. But soon after the disappearance of Fatema Alkasem, there was evidence of a number of child brides either already living in or on their way to the Netherlands where policy addressing the matter was lacking.

According to State Secretary of Security and Justice Klaas Dijkhoff while being questioned by members of the Tweede Kamer on 28 September 2015, the laws were written in a way so that only if a child reported ‘coercion’ to the appropriate authorities could they act in a way to separate the marriage and prosecute the husband for abuse (Deira, 2015) (Ezzeroli, 2015). This gap in policy is problematic for reasons cited by the UN Women Report on Gender Based Violence and Child Marriage in Jordan. For many Syrian refugees, child marriage is not understood to be a negative result of displacement, nor are those subject to abuse likely to report the incident or incidences to authorities or even family members because of a lack of trust and isolation from the community.

And so the “Wet tegengaan huwelijksdwang”, translated into English as the Forced Marriage Prevention Act, was adopted on 6 October 2015 (a mere 36 days after the disappearance of Fatema Alkasem) and went into effect before the New Year on 5 December 2015.

“The Dutch government wants to prevent forced marriage. The law on marriage in the Netherlands requires both partners to be at least 18 years old. If someone under 18 marries (or has married) abroad, the government will not recognize the marriage until both partners have reached the age of 18. This is set out in the Forced Marriage Prevention Act, which was adopted by the Senate on 6 October 2015.” (Government of the Netherlands, 2016)

After the passing of the Forced Marriage Prevention Act, the intake procedure upon the arrival of a child bride to the Netherlands is still very much the same. If it is discovered that a minor is married, they will be placed under a special guardianship with the Nidos Foundation by order of the court until they reach the age of 18, when the marriage will be legally recognized by the Dutch authorities (Deira, 2015). Now, these minors can be placed under protective services without having reported any abuse or coercion to Dutch authorities and without consultation of the families, but simply based on the fact that their marriage license obtained outside of the Netherlands indicates that they are below the age of 18. There would however need to be documented proof that they are indeed married and under the age of 18.

### 1.6 Points of Interest

***Through her absence, Fatema Alkasem became a symbol.*** Her narrative has been assumed and spread by strangers without her knowledge or consent. It has been assumed that she is a child bride. She has become a sort of cautionary tale of the dangers of child marriage being ‘imported’ into Western society. The fact that she was heavily pregnant at the age of 14 seems to say to the Western reader that she led a life of abuse and neglect. That she disappeared from the asylum center while in obvious need of medical attention suggests a continuation of this cycle of abuse, neglect, illness and poverty.

***There is evidence of an accelerated policy cycle.*** What is interesting about this change in policy in the Netherlands is how quickly it came to fruition, and yet, it seems as though some important policy learning was absent from the process. If reports like the 2013 document from UN Women on Gender Based Violence and Child Marriage of Syrian Refugees in Jordan had been consulted, perhaps there would have been a different outcome.

***There was a wide spectrum of support for the legislation.*** News of Fatema’s disappearance that sparked the conversation on child brides living in or entering the Netherlands really spanned the spectrum media biases. Public outcry came from all directions to change the bill, and it is not often in a Parliamentary system to see such unanimous support.

***Certain voices were notably absent from the conversation.*** Another interesting point to consider is that little to no advocacy was heard from those the legislation intends to protect either in favor or in opposition to the legislation. As noted by UN Women in Jordan, those of the Syrian refugee community do not regard child marriage as a negative result of their displacement. Many regard child marriage as means of economic mobility and personal/sexual security particularly during this time of uncertainty and turmoil. So there is no noticeable voice of the Syrian refugee community during this discussion of child marriage in the Netherlands. And so, it is interesting to note who exactly were the policy entrepreneurs of this legislation and what their intentions might be.

***There remain questions of implementation.*** The report coming out of Jordan is clear in its assessment that despite an existing policy in Jordan that prohibits the practice of child marriage, the phenomenon continues outside of the law. Much of the implementation of the law requires tireless vigilance on behalf of the Jordanian authorities and aid-workers to identify marriages that may have been performed under force or duress or the self-identification of child brides to these authorities. Because of the barriers of trust mentioned in the UN Women 2013 report, it is clear that much of the work of identifying child marriages still lies heavily self-identification, and that relying on these child brides to come forward to

the proper authorities is problematic, to say the least. One wonders how the Dutch authorities will overcome this barrier of trust.

### 1.7 Research Questions and Sub-questions

The research I am interested in conducting is one that evaluates the relationship between the event of the disappearance of Fatema Alkasem and the Forced Marriage Prevention Act that came just over 5 weeks later. The question I hope to answer is:

***How did the disappearance of Fatema Alkasem on 31 August 2015 impact the Forced Marriage Prevention Act passed into law by the Dutch Parliament on 6 October 2015 at the Agenda Setting, Policy Formulation, and Decision Making stages of the Policy Cycle?***

I have formulated my research sub-questions based of the criteria of a potential focus event and actual focus event as outlined by Thomas Birkland and John Kingdon. I attempt to look at the relationship between the event of the disappearance of Fatema Alkasem on the Forced Marriage Prevention Act at two different stages; first at the agenda setting stage of the policy cycle, and then at the policy formulation and decision making stages of the policy cycle. If, through my research, I can affirm the existence of all characteristics under Sub-Question A, I can confidently identify the disappearance of Fatema Alkasem as having exhibited the potential to become a focus event. If one or more characteristics are missing however, I will be led to question the definition of a potential focus event and its characteristics as well as the quality of the research I have conducted. After its potential of becoming a focus event has been proven or disproven, I will turn to answer the question of whether or not the event act as an actual focus event. Similarly to Sub-Question A, I have outlined a number of characteristics that must be evident in order to positively answer Sub-Question B.

**Sub-question/Hypothesis 1:           According to the definition outlined by Birkland, could the disappearance of Fatema Alkasem be considered a potential focus event by having set child marriage on the agenda for the Forced Marriage Prevention Act?**

1. Was the event sudden?
2. Was the event relatively rarely occurring?
3. Was the event reasonably defined as harmful or as having the potential to cause (greater) future harm?
4. Is there evidence that suggestions were made by the media, policy makers, or others that the harms caused, or potentially caused, by this event could be concentrated to a definable group or geography?
5. Was the event known to policy makers and the public simultaneously?

**Sub-question/Hypothesis 2:           Using a combination of Kingdon's post hoc understanding of a focus event along with Birkland's writings on the how focus events affect the decision making process, was the disappearance of Fatema Alkasem an actual focus event; meaning that it directly affected the decision made by the Dutch Parliament to pass the Forced Marriage Prevention Act?**

6. Did the event focus attention of policy makers to the issue of child marriage?

7. Did the event both clarify and narrow the range of a potential policy response?
8. Is there evidence that there was a sense of fear and urgency felt by policy makers that hastened their decision making?

### 1.8 Aims of the Research

It is my goal to determine what affect the disappearance of Fatema Alkasem had on the change in legislation narrowing the definition of marriage according to the Dutch government. To do this I will test whether or not the event could be regarded as a potential focusing event according to the definition provided by Birkland, and then I will test if it effectively acted as an actual focusing event in the policy formulation and decision making stages of the policy cycle.

My research will be conducted through multiple cycles of text coding; involving a mix of In Vivo and Process Coding techniques in the first cycle, and Pattern Coding in a second cycle. Sources will be a mix of formal and informal documents. Informal sources will include articles from a range of print media encompassing a spectrum of political leanings and biases. Formal sources include parliamentary procedures and debates that took place during the stage of policy formulation through the decision making process until the legislation was ultimately passed.

My research will uncover if there was indeed a relationship between the event of the disappearance of Fatema Alkasem and the Forced Marriage Prevention Act, and how strong this relationship may have been. Because my research is framed around Thomas Birkland's theory of focus events, it will also indirectly test whether or not his theory can be applied to events occurring in states with a Parliamentary rather than a Presidential system as it is in the United States, as well as whether events that are neither natural disasters nor terrorist attacks can be categorized as focus events. Depending on the outcomes of my research, there are various potential implications for implementation, monitoring and evaluation, policy learning of this and other similar policies in the future.

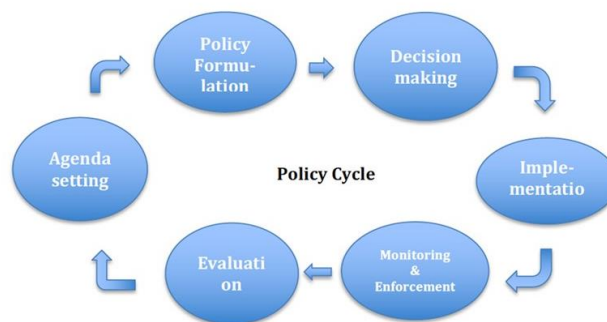
## 2.0 THEORETICAL FRAMEWORK

Chapter Two will provide the theoretical framework through which I will conduct my research. I will begin by explaining the policy cycle, and specifically the stages of agenda setting, policy formulation, and decision making. From there, I will demonstrate how the best way to engage with the research question is through a Governmental Politics Model of Behavior. I will summarize the theory of a multiple streams framework as written about in the works of Kingdon and Zahariadis; followed by its supplement, Birkland's theory on focus events. Birkland's theory on focus events is central to the research of this paper, as it is through this lens that I hope to explain the relationship between the disappearance of Fatema Alkasem and the later Forced Marriage Prevention Act passed by the Dutch Parliament. I wrap up the chapter by explaining the hypotheses I will be testing through my research, how they were created and the potential significance of various outcomes of their testing.

### 2.1 Policy Cycle

A policy is not created in a vacuum. There are certain elements that exist in the life cycle of a policy. These are activities and their progression are unique to every policy. They take place

constantly, often overlap, and may even lead to dead ends (Birkland T. , 1997, p. 6). In no particular order, these elements are (1) agenda setting, (2) policy formulation, (3) decision making, (4) implementation, (5) monitoring and enforcement, and (6) evaluation. While these stages are non-linear, meaning that the procession of the stages does not always occur in the same order or direction, they are interconnected. For the purposes of this research, I will be focusing my attention on three of the six stages; agenda setting, policy formulation, and decision making. At the time of this research, the Forced Marriage Prevention Act was passed too recently to adequately evaluate the effectiveness of implementation of the policy. Official evaluative reports will be available four years after the passing of the legislation around the end of the calendar year 2019 or in early 2020 (Forced Marriage Prevention Act, Article IV).



## 2.2 Multiple Streams Framework: Kingdon and Zahariadis

John Kingdon is most known for his theory of a Multiple Streams Framework as an explanation for policy change. According to his theory, policies gain the attention of policy makers at the coupling of three ‘streams’ or processes. When the streams of (1) Problem, (2) Policy, and (3) Politics unite, a policy window is created that would allow the issue in question to become part of the political agenda. Kingdon describes the political agenda in his book *Agendas, Alternative, and Public Policies* as being the “list of subject to which government officials and people outside the government closely associated with those officials are paying serious attention to at any given time” (Kingdon, 1995; 2003, p. 3).

Normally, these streams flow parallel and independently to one another. It generally takes either a change in either the Problem stream or the Politics stream to create a Policy Window (Kingdon, 1995; 2003, p. 194), which by the way, is not the guarantee of policy change, but merely the possibility of it. Triggers that may cause such a coupling include, but are not limited to, a change in the public’s understanding of the problem through new studies or technologies being created; a change in the political stream that is favorable to policy change, like an upcoming election for example; the development of new policy solutions; or a focusing event that helps draw attention to a particular issue. When any of these triggers occur, a problem is coupled with viable solutions from the policy stream and together they are paired with politically favorable forces to allow an opportunity for policy change (Kingdon, 1995; 2003, p. 194).

*The Problem Stream* can be identified through systematic indicators, through focus events, or even through feedback and policy learning from past changes (Kingdon, 1995; 2003, p. 90). The key here is ‘perception’. Often it is the role of policy entrepreneurs to ‘frame’ the problem in such a way that it gains the attention of policy makers. Policy entrepreneurs are advocates willing to invest their resources of time, energy, reputation, and sometimes money

to promote a position in return for anticipated future gain in the form of material purposive or solidary benefits (Kingdon, 1995; 2003, p. 179)

*The Policy Stream* consists of ideas and solutions to these perceived problems. Kingdon speaks of a sort of primordial soup of policies ideas that have yet to be fully realized or found their perfect problem with which to be paired (Kingdon, 1995; 2003, p. 117). Policy ideas found in the soup are developed through the imagination and re-imagination of academics, interest groups, specialists, and policy makers alike (Kingdon, 1995; 2003, p. 117). From this soup, a viable solution can be plucked and applied to the newly perceived problem. For some problems, however, there is not yet a viable policy solution in that soup and so the streams remain parallel and disjointed.

*The Politics Stream* is one that relates to political events and trends. Any change to a balance of power caused, for example, by a change in party leadership or an upcoming election can affect the flow of a political stream (Kingdon, 1995; 2003, p. 87). Public opinion and national mood also play a major role in politics stream, particularly in democracies where policy makers are elected at the will of the public. Perceptions of national mood are interpreted by elected officials based on interactions with their constituency (Kingdon, 1995; 2003, p. 163). Policy makers, who are these elected officials, tend to promote items on the agenda that fit this national mood and inhibit item that do not (Kingdon, 1995; 2003, p. 163). Still further pressure can be placed on policy makers through outside organizations like NGO's, lobbyists, and relationships with other states and countries.

Nikolaos Zahariadis takes the Multiple Streams theory of John Kingdon two steps further by arguing that it can also be applied to the decision making stage of the policy process and can be used in the parliamentary systems of European policy making. Along with Allen, he writes that "the predecision processes are intimately linked to decision making" (Zahariadis N. &, 1995, p. 92). The ideas of the policy stream are constantly being accepted, rejected, or amended by participants of the policy stream in order to forge coalitions among those participants so that their solution may one day be adopted (Zahariadis N. &, 1995, p. 92). And so when a solution is chosen, effectively so is a coalition.

There are those that criticize the Multiple Streams Theory, even with Zahariadis' expansion to the realm of decision making, for being insufficient in explaining the entirety of the policy cycle, as the 'problem' may be reframed or even abandoned in the long term during one of these other stages (Howlett, McConnell, & Perl, 2015). There are those who suggest the inclusion of two more streams- i.e. programme and process (Howlett, McConnell, & Perl, 2015), and there are other who suggest two coupling processes – one for agenda-setting and a second for decision making (Zohlnhofer, Herweg, & Rub, 2015) (Zohlnhofer, 2016).

This research seeks to understand the relationship between a particular event and the legislation that followed, and so a theoretical framework which takes a metaphorical magnifying glass to only a section of the policy cycle (specifically agenda setting, policy formulation, and decision making) is preferred to one that examines the cycle in its entirety. As stated previously in this chapter, the Forced Marriage Prevention Act was passed so recently that is not only futile, but impossible to evaluate the Dutch authorities' ability to implement, monitor and enforce the change in policy. Though depending on the answer to the research question, it is possible to formulate some expectations on how to properly evaluate the effectiveness of the policy in the future. For this reason, I will be following the lead of



Zohlnhofer, Herweg, and Rub by modifying the multiple streams approach so to observe the coupling of streams at both the agenda setting and decision making stages of the policy cycle.

### 2.3 Focusing Events: Kingdon and Birkland

When developing his theory on focusing events, Thomas Birkland draws heavily on the writings of both John Kingdon and Nikolaos Zahariadis' Multiple Streams Framework as well as Sabatier's on an Advocacy Coalition Framework. Others before him had theorized that focusing events could impact the policy cycle, however none had proved this empirically. In his book *After Disaster: Agenda Setting, Public Policy, and Focusing Events*, Birkland defines a focusing event as one that focuses attention to an issue and both clarifies and narrows the range of potential policy responses (Birkland T. , 1997). Focusing events are set apart from general problems such as crime or disease in that they gain attention more suddenly (Birkland T. , 1998). He does not however claim that focus events are always important nor are they the sole trigger of attention to a problem (Birkland T. , 1997, p. 1).

Birkland defines a potential focus event as one that is sudden, rare, harmful or has the potential for causing future harm, the harm is concentrated to one region or group, and the event is known to policy-makers and public simultaneously (Birkland T. , 1997, p. 22). If these five criteria are met, then an event can indeed be considered a *potential* focusing event. However, just because an event has the potential to be a focusing does not mean that a policy window will form, or even that policy-makers will take advantage of that window to formulate a policy that will address the problem made evident alike via the focusing event (Birkland T. , 1997, p. 22). Birkland writes that other political scientists like Kingdon, Cobb and Elder rely too heavily on post hoc definitions of a focus event, and not enough on what aspects of an event make it focal. He explains that the extent to which an event is focal exists on a spectrum, and that it is not a dichotomous yes or no answer as to whether or not an event is a focusing one (Birkland T. , 1997, p. 23).

In the response to a focus event, policy-makers tend to favor policies that are 'close at hand' (Birkland T. , 2004) (Birkland T. &, 2009). Because of the aforementioned characteristics that make an event potentially focusing, there is a sense urgency felt by the public and policy-makers alike and an overwhelming consensus that rapid response is required. This both clarifies and narrows a range of potential policy responses (Birkland T. , 1997). This rapid response makes it so that policy learning is difficult, and often the policy formulated is inherently lacking in effectiveness (Birkland T. &, 2009) (Birkland T. , 2004). On the other hand, it took something drastic for the policy window to even open, so perhaps without this urgency, no solution would have otherwise been made to address the problem.

Throughout Birkland's career, his writings on focus events tend to use examples of disasters that affect a large number of people at once. He mentions in the introduction to *After Disaster*, that he was particularly inspired by the Exxon Valdes oil spill of 1989 (Birkland T. , 1997). Much of his early writings relate to natural disasters or industrial/technological accidents. Later, Birkland is particularly concerned with the effects of acts of mass violence like the Columbine shootings of 1999 (Birkland T. &, 2009) and the 9/11 terror attacks (Birkland T. , 2004). As one can see, the writings of Birkland are generally quite focused on events occurring in or around the United State and generally only involve events that are either

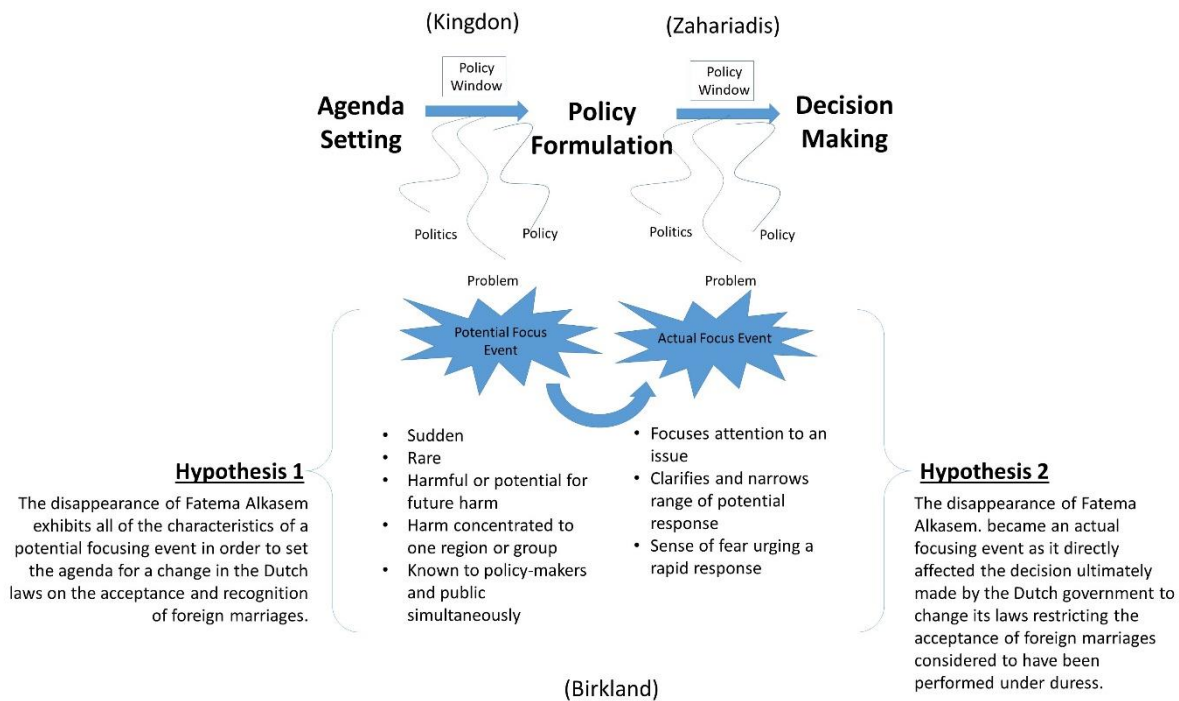
natural disasters or acts of extreme violence and terror. It is my belief that the theory of focus events can be transposed to a European context, and to an event that is not an obvious act of terror or natural disaster, but more symbolic in of a larger problem. Birkland makes mention of the importance of symbols in framing the problem identified by the focus event, he uses the example of adorable otters covered in oil as a symbol of the danger and tragedy of the Exxon Valdez spill that the American public could really rally around (Birkland T. , 1997, pp. 12-14). However, most of the focusing events he writes about are not necessarily symbolic themselves. Kingdon mentions in *Agendas, Alternatives, and Public Policies*, that a focus event can indeed be symbolic in nature (Kingdon, 1995; 2003, pp. 94-96), and I hope to prove through this research whether or not the disappearance of Fatema Alkasem fits this category.

When comparing the case of the disappearance of Fatema Alkasem to other focal events written about extensively by Birkland, it is clear that this case is very different compared to those of the pre-existing literature. The disappearance of a young girl does not fall under any of the categories of natural disaster, terrorist attack or some other act of violence that most other focus events seem to fall under. To the public's knowledge, there is no widespread and mortal threat caused by the disappearance of a pregnant teenager. No blood was visibly spilled, no lives were lost; and yet, the event can arguably be described as a rallying point for policy change regarding child marriage. Marriage and asylum policies were changed quickly and decisively after the disappearance of Fatema Alkasem came to light. Whether or not the event and the change in policy are connected is to be determined by this research.

### 2.5 A Combination of Theories

The theoretical framework of my research is based on a sort of *mélange* of the theories of Kingdon, Zahariadis, and Birkland. I will carry out my research in steps; first looking at the agenda setting stage of the policy cycle, and then at the policy formulation and decision making stages. At the agenda setting stage, I will assess whether or not the disappearance of Fatema Alkasem qualifies as a potential focus event by meeting all five characteristics outlined by Birkland. After which, I will take an in depth look at the legislative proceedings between the time when a change in policy was proposed until the change was enacted to determine if the event indeed had an effect on the decisions being made by policy makers in the formulation of the policy and the decision they ultimately made. I will identify if there was indeed a sense of urgency felt by the public and/or policymakers due to some perceived threat that both clarified and narrowed the potential policy solutions.

**Kingdon and Zahariadis' Multiple Streams Framework with Birkland's theory on Focus Events**



**2.6 Hypotheses**

I have framed my research using the above theories because they will allow me to understand the possible relationship between the event of the disappearance of Fatema Alkasem and the anti-child marriage legislation passed by the Dutch Parliament in 2015. My two hypotheses are designed in a way that will test the relationship between the event and the policy at two different stages of the policy cycle; the agenda setting stage and then the policy formulation and decision making stages in combination. The separation of these two stages being 23 September 2015, when child marriage in reference to the Syrian refugee community was first made mention of in the Dutch Parliament. My first hypothesis is designed to determine the relationship of the event of the disappearance and the forced marriage prevention policy at the agenda setting stage by testing whether or not the event qualifies as a potential focus event according to the definition provided by Birkland. My second hypothesis is designed to determine the relationship of the event and the policy at the policy formulation and decision making stage of the policy cycle by testing whether or not the event qualifies as an actual focus event according to the ad hoc definition provided by Kingdon.

Hypothesis 1: The disappearance of Fatema Alkasem exhibits all of the characteristics of a potential focusing event in order to set the agenda for a change in the Dutch laws on the acceptance and recognition of foreign marriages.

Hypothesis 2: The disappearance of Fatema Alkasem. became an actual focusing event as it directly affected the decision ultimately made by the Dutch government to change its laws restricting the acceptance of foreign marriages considered to have been performed under duress.

Not all potential focus events are actually able to focus the attention of policy makers and lead to actual effective policy change. Take the 1999 shootings at Columbine for example. Columbine was the event that focused the greatest media, legislative, scholarly, and professional attention to the problem of school violence (Birkland T. &, 2009). However, it did not yield novel policy responses, and it certainly did not build consensus on what should be done about it as some blamed lack of gun control, while others blamed violence in Hollywood films (Birkland T. &, 2009). Rather, the attention gained to the issue of school violence by the shootings, just ignited more rapid implementation of already existing policies at the local school level (Birkland T. &, 2009). Because this distinction exists between potential and actual, I believe that it is important to test the relationship between the event and the policy at two stages; the first representing the agenda setting stage of the policy cycle, and the second the policy formulation and decision making stages of the policy cycle combined.

Depending on the various outcomes from the hypothesis testing, one can learn a great deal about the nature of the relationship between the event and the policy and how to further develop Birkland's theory on focus events. The lessons to be learned from this research could give policymakers a clue as to how the administration can effectively perform the remaining three stages of the policy cycle; implementation, monitoring and evaluation, and policy learning. There is also a potential for takeaways regarding the theory on focus events and how it can be validated or improved. Of course, regardless of the outcomes, one can be sure that areas for further research will be identified.

#### Potential Outcomes of Hypothesis Testing

*Outcome 1:* If Hypothesis 1 is true, and Hypothesis 2 is false; the disappearance of Fatema Alkasem qualifies as a potential focus event, but does not qualify as an actual focus event. There is a relationship between the event and the policy, though it is weak. This outcome signifies to the researcher that the definition of a potential focus event can indeed include an event that is not a natural disaster nor a terrorist attack; however, in this particular case, the potential focus event does not evolve into an actual focus event.

*Outcome 2:* If both Hypothesis 1 and Hypothesis 2 are true; the disappearance of Fatema Alkasem qualifies as both a potential focusing event and an actual focus event. There is a relationship between the policy and the event, and it is strong. This outcome signifies to the researcher that the definition of a potential focus event can indeed include an event that is not a natural disaster nor a terrorist attack, and that it is possible for a symbolic potential focus event to evolve into an actual focus event.

*Outcome 3:* If Hypothesis 1 is false and Hypothesis 2 is true; the disappearance of Fatema Alkasem does not qualify as a potential focusing event, but does qualify as an actual focusing event. There is a relationship between the event and the policy, and it is strong. This outcome would signify to the researcher that there is a gap or flaw in Birkland's definitions of either a potential or actual focusing events. It may also signify a flaw in the research.

*Outcome 4:* If both Hypothesis 1 and Hypothesis 2 are false; the disappearance of Fatema Alkasem does not qualify as a potential focusing event, nor as an actual focusing event. There is no determinable relationship between the event and the policy. This outcome would indicate to the researcher that the timing of the event and the policy is purely a coincidence. Such an outcome would not provide any new insight on the theory of focus events.

### 3 RESEARCH DESIGN AND METHODOLOGY

Chapter Three will outline exactly how I will conduct my research. I will explain my choice to pursue a qualitative inquiry through the coding of various texts. A definition will be provided for what is a code, and what it means to code text. Then, I will go over the multiple cycles of the coding process, and I will describe in detail which three coding techniques I will utilize in my own research. After which, I will describe the tools I have chosen to collect and organize my data. A list of my data sources will be provided including justifications for why they were chosen. I end the chapter by explaining how I will test the two hypotheses that were mentioned in the previous chapter through the coding of texts.

#### 3.1 Qualitative Analysis through Text Coding

The nature of my research question is one that seeks to understand and evaluate the process of agenda setting, policy formulation, and decision making after a particular event, and so I feel that is most appropriate to seek an answer this question using a qualitative method rather than a quantitative one. In order to test the hypotheses mentioned in the previous chapter, I must identify trends of language and behavior among policy entrepreneurs and policy makers that would point to the existence of certain criteria needed to identify whether or not the disappearance of Fatema Alkasem can be categorized as a potential focus event and perhaps even an actual focus event. Using a combination of multiple text coding techniques, I will analyze a variety of sources that will allow me to visualize patterns and trends apparent in the days between 31 August 2015 and 6 October 2015.

This specific time frame is chosen as it begins with the disappearance of Fatema Alkasem from the asylum center in Ter Apel and it ends with the passing of the Forced Marriage Prevention Act, effectively prohibiting the practice of forced marriage and nullifying the legitimacy of these marriages among asylum-seekers already living within the borders of the Netherlands until both of the partners have reached the age of 18.

#### *Coding Process and Techniques*

A code is a word or short phrase that symbolically assigns a “summative, salient, essence-capturing, and/or evocative attribute” to a segment of text (Saldana, 2016, p. 4). It is a construct generated by the researcher to “translate” the data (Vogt, Vogt, Gardner & Haeffele 2014, p.13). This translation, allows the researcher to observe patterns and trends and to link ideas generated from one data source to the next. Coding is a process that divides, groups, regroups, and organizes data in order to consolidate meaning and develop an explanation (Gribich, 2013). From the data, a researcher assigns a series of codes. These codes are then grouped into categories, which lead to general and abstract concepts or themes (Richards, 2013). These then interrelate and lead to the development of theory (Corbin, 2015).

The process of coding a document is generally done in two or more cycles. In the first cycle of coding, there are up to 26 different techniques to choose from (Saldana, 2016, pp. 68-206). These techniques are divided into seven different categories; grammatical methods, elemental methods, affective methods, literary and language methods, exploratory methods, procedural methods, and theming the data. Some of these methods can be mixed and matched depending on what the type of research and the researcher’s preferred style of inquiry; this is called eclectic coding method (Saldana, 2016, p. 109). The techniques I have chosen to use while conducting my research are both categorized under the Elemental Methods of First Cycle

Coding. Once all the data has been coded using at least one of first cycle methods, and the codes have been categorized, it is time for second cycle coding. At this stage, the researcher groups the categories into abstract concepts or themes.

Throughout the process of coding, a research will keep a separate codebook to keep track of all the codes and their groupings. Research performed through text coding generates a lot of physical paperwork, even if the coding is done using computer-assisted qualitative data analysis software (CAQDAS) rather than manually. For this reason, I have included just the codebook to the appendices of this paper.

### *First Cycle Coding: A Combination of In Vivo and Process Coding*

In Vivo Coding is also known as “literal coding”, “verbatim coding”, “inductive coding” and a number of other terms. The term “In Vivo”, however, is the way by which this style is most commonly referred (Saldana, 2016, p. 105). Saldana explains in his Coding Manual for Qualitative Researchers that the root meaning for ‘in vivo’ refers to “that which is alive” (Saldana, 2016, p. 105). In the sense of coding, it refers to a word or short phrase from the actual language of the data source. It is particularly useful in studies that prioritize the voice of the person represented by the data source. By coding in this way, researchers are more likely to capture “the meanings inherent in people’s experience” (Stringer, 2014, p. 140)

While I think it is important to capture the voices and the sentiment of key policy entrepreneurs in order to effectively answer my research question, I also think that to test my hypotheses, I need to explore how these voices and sentiments did or did not manifest into actions performed by policymakers. To capture the chronology of events, I will use Process Coding. Process codes are easy to identify because they are all gerund-based, and virtually each line of text gets its own code. Charmaz (Charmaz, 2008, p. 106) explains that when analyzing a document using process coding, your categories will reflect its phases, or stages. As it is my ultimate goal to understand a particular event’s relationship to the policy cycle, Process Coding will be invaluable to my research.

I have chosen to conduct my first round of coding using a combination of In Vivo and Process coding techniques for a number of reasons. First being the nature of my research question. The second being the type of data sources I will be using. The third, and final, being my personal strengths/weaknesses as a social science researcher.

My research question is one that seeks to understand the relationship between the occurrence of an event and a policy that followed at three stages of the policy cycle. The research itself is both an ontological and epistemological quest; for which Saldana lists In Vivo and Process Coding as recommended coding techniques in his Coding Manual for Qualitative Researchers (Saldana, 2016, pp. 109, 112). Saldana suggests in his description of each coding style, that In Vivo and Process Coding techniques individually may not be enough to carry a research project (Saldana, 2016, pp. 109, 112). He suggests combining them with other styles. So it is not only appropriate, but recommended that these coding techniques be combined with others.

The disappearance of Fatema Alkasem and the conduction of the research for this paper took place less than one year apart. For this reason, I rely heavily on a combination of primary ‘historical’ documents with a combination of print and social media accounts of the news and public sentiment being circulated at the timeframe in question. The formulation of the data sources cannot be attributed to me. They are documents that pre-date this research, and so it is

difficult to infer certain nuances to the texts that may have existed at the time of their writing. I feel that, in the first round of coding, it is prudent to take the text at face-value and use codes that are based on quotes (In Vivo Coding) or action verbs (Process Coding) taken directly from the text.

Finally, I have chosen these text coding techniques because they are relatively easy to use and understand for a novice in coding for qualitative analysis. Saldana cites both In Vivo and Process Coding as being good techniques for first time text coders. These two coding techniques are also particularly useful for me in this research because Dutch is not my native language, although a number of the data sources I use are written in Dutch, and not English. Before, during, and after my first round of text coding, I will consult with native Dutch speakers on the meanings of the quotes and verbs that frequently appear throughout my analysis of the data so not to rely heavily on Google Translate. By coding using only direct quotes and actions verbs as labels, I avoid making any major translation errors.

### *Second Cycle Coding: Pattern Coding*

Once first cycle coding is complete, a second cycle is used to organize the many codes assigned to the data into more generalized categories, concepts, and themes. Saldana mentions six different kinds of second cycle coding in his Coding Manual for Qualitative Researchers (2016). These are Pattern Coding, Focused Coding, Axial Coding, Theoretical Coding, Elaborative Coding, and Longitudinal Coding (Saldana, 2016, p. 235). Elaborative and Longitudinal Coding are both techniques that rely on the codes assigned by other studies or the coding of studies that have taken place over an extended period of time. Focused, Axial, and Theoretical Coding techniques are often utilized in combination in order to develop a theory grounded in the codes assigned to the data. As it is not my intention to create a theory grounded by the research I have conducted, nor do I work from the codes assigned from previous researchers, nor is my research conducted over an extended period of time, I have chosen to utilize the style of Pattern Coding in my second cycle.

Pattern Coding both organizes the corpus and attempts to attribute meaning to that organization (Saldana, 2016, p. 235). This ‘meta code’ created through Pattern Coding is intended to identify emerging themes, configurations, or explanations for behavior (Miles, Huberman, & Saldana, 2014, p. 86). This will be particularly important for my research in trying to create a ‘master narrative’ of the In Vivo and Process Codes assigned in the first cycle which are intentionally assigned as objectively as possible. Pattern coding will allow me to interpret these quotes and action verbs so that I can potentially align them with the characteristics of a potential focus event and an actual one.

### 3.2 Data Organization: Microsoft Office Suite over CAQDAS

Coding can be organized in a number of different ways. Some researchers may choose to code manually; printing off each individual data source and assigning a corresponding code with a pen or pencil in the margins of the paper. Others may choose to use Microsoft Office as a means of organizing their work; coding individual documents using Microsoft Word’s editing tools, and maintaining a codebook in Microsoft Excel for easy analysis. Others still may choose a more sophisticated Computer Assisted Data Analysis Software (CAQDAS) like ATLAS, AQUAD, AnSWR, INTERACT, Dedoose, and Quirkos (Saldana, 2016, p. 31).

Because I am working alone, and my data sources are of a smaller -n, I have chosen to organize the data for this research using the easily available Microsoft Office Suite. Saldana mentions in his Coding Manual for Qualitative Researchers that using Microsoft Office is perfectly legitimate and easy to use especially for first-time coders, and for those who have smaller data sets (Saldana, 2016, pp. 29-39). He goes on to explain that CAQDAS programs are really more suitable for larger -N studies, and for those which require multiple researchers working on the same project to be able to clearly communicate with others the work they have done on the research project (Saldana, 2016, pp. 31-35).

### 3.3 Step by step: How I coded each online news article

Once I decided on an article that was appropriate for the research given the guidelines I set for myself (to be outlined in the following section), I copied and pasted the text of that article into a word document. Beneath the Dutch text, I would include the English translation. I would begin by reading over the article and its translation entirely. While reading through a second time, I would highlight phrases in the document according to which code they would be assigned; yellow for In Vivo codes and green for Process codes. Using the editing tools of Microsoft Word, I would include comments in the margins explaining what each of the codes meant in English. Once I completed the first round of coding of a document, I would include the codes identified in that article into a codebook created using Microsoft Excel. You will find the codebook of my research in the appendices of this paper. Both the Dutch and English translations of codes are provided as is a key for the respective articles to which they are attributed. After the first cycle of In Vivo and Process coding, I categorized the codes of the codebook into patterns through a process which Saldana calls word mapping; this word map you will also find in the appendices of the paper. By identifying patterns in the data sources, I was able to group the various codes according to the research sub questions which are framed according to the characteristics of a potential and actual focus event.

### 3.4 Data Sources for Text Coding

I have chosen to limit my coding to text only sources, and so the bulk of my data sources are print media articles that are readily available online. A number of my sources are newspaper or magazine articles, but some of them are also from popular TV/Radio channels in the Netherlands. I have only chosen to use the written articles provided on the websites of these TV/Radio channels however; this is because of their easy access and ability for me to translate. The sources ranging in political leanings from left to right are as follows; Telegraaf, Elsevier, Trouw, RTVNoord, Metronews, NOS, NRC Handelsblad, De Volkskrant I have chosen these sources based on the popularity of their readership in the Netherlands, their range of political leanings, and their coverage on the topic of child marriage and the Forced Marriage Prevention Act between 23 September and 7 October. I will code only those articles which relate directly to either the event of the disappearance of Fatema Alkasem, child marriage in the Netherlands, or the legislative process of the Forced Marriage Prevention Act. The reader will note, that majority of the articles coded and analyzed for this research were published on the days 23 September, 28 September, 29 September, 30 September, and 6 October. I have chosen not to code the articles published on 2 or September announcing the disappearance of Fatema Alkasem, because from what I was able to find, these articles contain the same missing persons announcement displayed in the beginning of Chapter 1 of



this paper. It was not until later in the month of September that policy makers and media personalities began linking her disappearance to child marriage.

### 3.5 Document Analysis

I have chosen to supplement the analysis of online news media with the analysis of Parliamentary documents in order to better understand the legislative process from the original source. The nature of these documents is unlike that of the news media articles and opinion pieces found online. They are not comparable to each other as the news articles are. Each parliamentary document has a different and distinct role to play in the legislative process, and should be analyzed individually but keeping in mind the document published before it. So for this reason, I have chosen not to code the text of these documents, but rather to conduct a qualitative inquiry through document analysis.

Document analysis is a “systematic procedure for reviewing or evaluating documents” (Bowen, 2009). This method of research is particularly useful for qualitative case studies involving single phenomenon, organization, program, or like with this case, a single event. Document analysis is less time consuming, more cost effectively, in this case, more exact and the data collected is non-reactive and stable. Data collected from document analysis is in the form of excerpts, quotations, and passages which are then organized into themes and categories.

Document analysis combines elements of both content analysis and thematic analysis. A researcher begins their study by skimming the document in question in order to quickly determine what information is relevant to the research at hand. Then, the researcher reads the document fully and organizes the collected data into categories related to the central research question; this process is called content analysis. Once the information is categorized, the researcher interprets any patterns after conducting a focus re-reading of the document; this process is called thematic analysis.

Bowen outlines five functions of documentary material in his 2009 article in the *Qualitative Research Journal* (Bowen, 2009, pp. 29-31). First, document analysis can be used to provide context. Analyzing these Parliamentary documents will allow me to better understand the political and policy streams at play. Second, document analysis allows the researcher to observe situations and notice inconsistencies and gaps that suggest questions that need to be answered by further research. It is my hope that I will be able to find a clear moment that the legislation is changed by the event of the disappearance of Fatema Alkasem. Third, document research is often supplementary data. More likely than not, documentary analysis is paired with one or more other methods of research to strengthen the validity of findings. Mine will be paired, of course, with the text coding of online news articles. Fourth, document analysis can be used as a means of tracking change and development of an event or phenomenon. These parliamentary documents are critical in understanding the progression of the Forced Marriage Prevention Act from start to finish. Finally, document analysis can be used to verify findings and corroborate evidence. I will be using these documents to verify what was reported by journalists during the time period of 31 August 2015 to 6 October 2015.

#### *Data Sources for Document Analysis*

In order to understand how I collected data from public documents, it is important to understand how the Dutch legislative process works. The Kingdom of the Netherlands is both

a constitutional monarchy and a parliamentary representative democracy. For the purposes of this sections, I will be focusing specifically on its legislative body, the Parliament or the States General.

There are two houses that exist within the Dutch Parliament; those are the Lower House referred to in Dutch as the Tweede Kamer or the Second Chamber, and the Upper House referred to in Dutch as the Eerste Kamer or First Chamber. The 150 members of the Tweede Kamer are directly elected every four years by Dutch voters, whereas the 75 members of the Eerste Kamer are appointed by members of the Provincial Councils after the provincial council elections every 4 years. The Tweede Kamer is the more important of the two houses as it is here where legislation is proposed and amended. The two main jobs of the Tweede Kamer are to scrutinize the government and to approve or reject bills. The Eerste Kamer is where the legislation voted on by the Tweede Kamer is approved or rejected according to whether or not it was done in accordance with proper procedure and current laws in mind. The Eerste Kamer does not have the authority to amend bills or to vote on piecemeal provisions.

As you can see in the figure below, there are a number of ways the life of a bill is documented in the Netherlands. Beginning with the Coalition Agreement of the two largest political parties published at the beginning of a 4 year term of the new administration, continuing through a correspondence of memoranda between ministers and members of parliament of both houses, the passing of motions and amendments to the bill in the Tweede Kamer, the eventual passage through the Eerste Kamer, and the finalized version of the bill that is ratified by the monarch. This documentation will be crucial to my understanding of the evolution of the Forced Marriage Prevention Act. For the purposes of this research on the relationship of the Forced Marriage Prevention act and the disappearance of Fatema Alkasem, my attention will mostly be focused on those documents written between 31 August and 6 October 2015. Anything written before these dates will help put the bill into a historical context. Through analyzing these documents, I will see the rhetoric surrounding the policy and if indeed there was a sense of urgency and a fear of future harm felt by policy makers that both clarified and narrowed their range of policy options brought about by the disappearance of Fatema Alkasem.

### Legislative Procedure in the Netherlands

#### I. Making plans-

A member of the Tweede Kamer, also known as a Kamerlid, has the power to propose legislation, which they will then be responsible for defending. In most cases however, a piece of legislation is proposed by one or two ministers depending on the scope of the legislation according to certain priorities pre-determined by the coalition government. A coalition agreement outlines priorities decided upon by the two most powerful political parties for the next 4 years of their tenure.

#### II. Drafting a bill-

Ministry officials of the coalition government gather in subcommittees of the Cabinet to assess opinions and expertise on individual priorities of the coalition agreement. This can be done through advisory committees, the funding of research projects through specific institutes, the consultation of interest groups or broad public debate. Any conflicts not worked out in the lower levels of the ministry then are sent to the minister responsible for the bill, who will deliberate these conflicts with his fellow ministers. This deliberation begins in one of the Cabinet's sub-committees and eventually works its way up to a full Cabinet meeting.

#### III. Advice from the Council of State-

Before a minister introduces a bill to the Tweede Kamer, they must write an explanatory memorandum outlining their reasons for introducing the bill, and they must respond to advice from the Council of State. The advice from the Council of State generally includes comments and proposals for amendments to the bill and the explanatory memorandum. The minister's response to this advice is then sent to the Tweede Kamer along with the explanatory memorandum and the language of the proposed bill.

#### IV. Passage through the Tweede Kamer-

Once the bill is sent to the Tweede Kamer Bill, it first goes to the appropriate permanent committee. The committee issues a report, to which the government responds to in another memorandum. The committee then has the option of issuing a second report, to which the minister would respond with a second memorandum. After this, the bill is brought to the floor for debate where motions and amendments are made, and eventually a vote is taken to pass or reject the bill.

#### V. Passage through the Eerste Kamer-

Once the bill is passed in the Tweede Kamer, it is sent to the Eerste Kamer for approval or rejection. First the bill is discussed in the corresponding permanent committee, and the Minister responds in memorandum. After this, the bill is brought to a plenary session. Unlike the Tweede Kamer, the Eerste Kamer cannot introduce motions or amendments, or vote on individual provisions. It must pass or reject the bill as a whole.

#### VI. Assent-

Once a bill is passed by both the Tweede Kamer and the Eerste Kamer, it does not become law until it is ratified by the monarch. The lead minister of the bill is responsible for obtaining the royal assent, and signs the bill alongside the monarch.

#### II. Publication on in the Bulletin of Acts and Decrees

After ratification, the bill is published by the Ministry of Justice in the Bulletin of Acts and Decrees.

\*Overheid.nl > How an Act becomes Law; <https://www.overheid.nl/?id=388>

### 3.6 Hypotheses and Tests

The following section will describe in detail how I will test each hypothesis. As mentioned in Chapter 2 Section 6, my hypotheses are framed according to Thomas Birkland and John Kingdon's theories on focus events. These two hypotheses are meant to test the relationship between the event of the disappearance of Fatema Alkasem and the Forced Marriage Prevention Act at two distinct couplings of the Problem, Policy, and Politics Streams; at the setting of the agenda and at the decision making stages. Each of the two stages are then

further delineated to test the existence of certain characteristics that Birkland describes as being present in the case of an event being a potential focusing one, and later as an actual focusing one. The following tests are based on the coding and analysis of texts, and as such are more subjective in nature rather than objective.

**Hypothesis 1: The disappearance of Fatema Alkasem exhibits all of the characteristics of a potential focusing event; meaning, it exhibits the characteristics that would be essential in focusing the attention of policy-makers to an issue in order to create policy change.**

These are mostly social and print media outlets. As this hypothesis focuses solely on the agenda setting stage of the policy cycle, I will only be looking at sources leading up to the date 23 September 2015, when the issue of child marriage within the borders of the Netherlands in the context of the influx of Syrian refugees is first mentioned in the Tweede Kamer.

*Test 1: To determine whether the event was sudden*

To test whether the event was rare, I will take look at the spread of the Missing Person Report of Fatema Alkasem through social media platforms and news media. I will analyze the language used by the police and journalists as well as the public commentary in response to the reports in order to gauge the level of shock in reaction to the news of her disappearance. These tests will allow me to determine how suddenly the news of Fatema Alkasem's disappearance hit the public consciousness

*Test 2: To determine whether the event was rare*

I will also search for similar Missing Person Reports in order to determine how unique was the case the disappearance of Fatema Alkasem when compared to others. I will also search any mention of similar problems/concepts/themes present in the news or in political rhetoric before her disappearance. These problems/concepts/themes include child marriage, teen pregnancy, and disappearing refugees specifically as they relate to those coming from Syria.

*Test 3: To determine whether the event was harmful or if there is a potential for future harm*

First I will begin by analyzing the language used in the Missing Person Report of Fatema Alkasem to determine the potential level of threat or harm the Dutch police understood to have been inherent in her disappearance from the asylum center. Then, I will rely on the codes, categories, and concepts derived from the news media sources mentioned in Chapter 3 using In Vivo, Process, and Pattern Coding methods. I will be looking for language that indicates a suspicion of threat or harm to Fatema herself and others like her. I do not want to limit myself as a researcher by noting any words or phrases that I am looking for in particular before conducting the research.

*Test 4: To determine whether there is a suggestion or understanding that the harm suggested in Test 3 is concentrated to a specific region or group of people.*

Like in Test 3, I will analyze both the language used in the Missing Person Report of Fatema Alkasem as well as the codes, categories, and concepts derived from the online news media sources mentioned in Chapter 3 using the methods of text coding analysis also outlined in

Chapter 3. In order to answer Test 4 affirmatively, Test 3 must also be answered affirmatively. Once it can be determined that there is a belief that the event was harmful or has the potential to cause future harm, it can be determined where and to what group of people are particularly susceptible to this potential harm. While conducting this research, I will be looking for direct and indirect insinuations that the harm is linked to a particular group or a particular region.

*Test 5: To determine whether the event was known to policy-makers and the public simultaneously*

Test 5 will be conducted using information obtained from previous Tests 1-4. This test is intended to determine who knew what and when they knew it, as well as who responded to the breaking news story and how. As with the previous tests, I will find this information by coding the text of online news articles and analyzing the documents made available by the Dutch Parliament.

**Hypothesis 2: The disappearance of Fatema Alkasem became an actual focusing event as it directly affected the decision ultimately made by the Dutch government to change its marriage and asylum**

As this hypothesis focuses mainly on the policy formulation and decision making stages of the policy cycle, I will only be looking at sources between the day that forced and/or child marriage is first mentioned in Parliament and the day the Forced Marriage Prevention legislation is passed; 23 September 2015 through 6 October 2016. The tests to prove or disprove Hypothesis 2 will be performed using the In Vivo, Process, and Pattern Coding techniques mentioned earlier in this chapter.

*Test 6: To determine whether the event focused attention to an issue (Agenda Setting)*

Test 6 is intended to prove or disprove that the event of the disappearance of Fatema Alkasem played a direct role in getting the issue of child marriage on the agenda of the Dutch Parliament. And so Test 6 will first need to prove that attention to this issue was non-existent or at least lacking before 23 September 2015, and second that the disappearance of Fatema Alkasem is mentioned in relation to child marriage by policy entrepreneurs at the any of the first three stages of the policy cycle. If she is mentioned in the Agenda Setting stage, that is enough to prove that her disappearance did indeed focus attention to the issue. If she is mentioned also in the Policy Formulation stage, that would prove that the relationship between the event of Fatema Alkasem's disappearance and the Force Marriage Prevention Act is strong.

*Test 7: To determine whether the event clarifies and narrows range of potential response (Policy Formulation)*

Test 7 is focused on the Policy Formulation stage of the policy cycle. In Birkland's explanation of an actual focus event, he says that policy makers tend to choose policies that are "close at hand" (Birkland T. , 1997) thus clarifying and narrowing their response. And so, Test 7 will analyze the evolution of the Forced Marriage Prevention Act and its progression through the two chambers of the Dutch Legislature. I will look to see if multiple bills were proposed, if there was much if any change to the language of the original bill, and if the suggestions of other policy solutions suggested outside of the legislature were taken under

consideration in the chamber. I will note if any suggestion of past studies or policies of other countries are mentioned in the debate. Finally, of course, I will also be looking to see if there was any mention of Fatema Alkasem in the debate on the floor of either of the chambers.

*Test 8: To determine whether policy makers felt that rapid response was required, due to sense of urgency and fear (Decision Making)*

Test 8 is very closely linked to the previous Test 7. Birkland explains that the reason for the clarifying and narrowing of policy solutions in response to a focus event is that there is a sense of urgency and fear of future harm felt by the policy makers. This fear and sense of urgency results in a rapid response. This characteristic of the decision making stage of the policy cycle will be proven or disproven through the analysis of transcripts of parliamentary debate, and what the final breakdown of the votes in favor and against the bill looked like. I will consider how quickly time passed between when a bill was proposed, how quickly it moved between the two chambers, and how long it took for the bill to become law. I will also be looking for language throughout the Parliamentary debate and in statements made by policymakers and other policy entrepreneurs in the media that would indicate a sense of urgency and need for rapid response to the problem of child marriage within the borders of the Netherlands.

#### 4 DISCUSSION OF FINDINGS

This chapter is dedicated to discussing the findings of my research on the relationship between the disappearance of Fatema Alkasem and the passing of the Forced Marriage Prevention Act that soon followed. I will begin by providing a clear timeline of events that occurred between the disappearance of Fatema Alkasem on 31 August 2015 and the passing of the Forced Marriage Prevention Act by the Eerste Kamer on 6 October 2015. This timeline will be broken up into three sections; Agenda Setting, Policy Formulation, and Decision Making. Much of the information on which this timeline is based was gathered through Process Coding online news articles between the dates of 2 September 2015 and 6 October 2015.

As I mentioned in Chapter 2, Birkland's theory on Focus Events is a supplement to the work of Kingdon and Zahariadis on the Multiple Streams Theory. So I have chosen in this chapter to clearly specify the problem, policy, and politics streams that were at play for this particular piece of legislation before answering the research questions specific to the theory on focus events in the following chapter (Chapter 5). These streams I have identified through analysis of the coded texts of online news articles as well as a contextual analysis of the parliamentary documents.

##### 4.1 Timeline of Events at Three Stages of the Policy Cycle: Agenda Setting, Policy Formulations, and Decision Making

###### ***Agenda Setting***

The timeline of this case begins 2 September 2015, when the news of the disappearance of Fatema Alkasem hit the public consciousness. On 31 August 2015, a missing person's report was spread throughout the nation alerting the public that a 14-year old girl on the verge of giving birth with her adult male partner had disappeared from an asylum center in Ter Apel. After failing to appear to their scheduled doctor's appointment, the two never returned to the

center in Ter Apel. Police were on the lookout, and not because she had committed any crime, but because it was known by aid-workers that Fatema was in need of serious medical attention. Fatema was presumed by many to have been a child bride. Articles and news segments popped up in a number of newspapers and channels like AD, Metronews, regional RTV stations, NOS, 4nieuws, and more. Posts were being shared on social media platforms like Facebook, Twitter, even Pinterest to get the message out to anyone who would listen; this young girl needed to be located and helped. For her safety and the safety of her unborn child, it was important she give birth in a hospital.

**Excerpt from English Translation of “Building Bridges”**

**Coalition Agreement between the VVD (People’s Party for Freedom and Democracy) and the PvdA (Labour Party)**

**29 October 2012**

**IX. Immigration, integration, and asylum**

Within the EU we will continue to lobby for tighter rules on family reunification within the relevant Directive, specifically: raising the minimum age for prospective marriage partners to 24 and ensuring that those wishing to marry partners from abroad can support themselves through gainful employment. We will also press for measures to combat sham and forced marriages.

DNA tests will be used to curb identity fraud.

Marriage between cousins will, in principle, be prohibited.

....

Family migration is meant for nuclear families: long-term, exclusive relationships between partners and those who form part of their household through biological kinship.

Peter Steinfort, reporting for RTVNoord, wrote a special segment, “Morgen zal het better zijn”/ “Tomorrow will be better” on 23 September 2015 relating to the disappearance of Fatema and the problem of accepting child marriages in the Netherlands. News of the disappearance and its supposed link to child marriage grabbed the attention of the nation, including a local leader of the PvdA, Richart Joling of Vlagtwedde whose district is near the asylum center Ter Apel from which Fatema Alkasem disappeared. He was shocked, and demanded to know how many other girls like Fatema there were in the Netherlands, especially in his local asylum center in Ter Apel (Steinfort, 2015) (RTV Noord, 2015).

Later that week, on 28 September 2015, NOS was the first to break the news of a leaked Immigration and Naturalization Service (IND) internal document citing the number of girls entering the Netherlands as “nareizende bruiden”, brides reuniting with their husbands already residing in the Netherlands, between January 2014 and March 2015. According to the IND document, as many as 34 child brides had applied for asylum between those 15 months with at least 22 on their way to Ter Apel. Since the publishing of the document, approximately nine of the girls had reached the age of 18; however, according to the IND, two of the girls en route to Ter Apel were as young as 13 years old and two more were 14 years old. The bride with the oldest husband of 38 years, was as young as 15 years.

Just as Steinfort had reported days before, the disappearance of Fatema Alkasem continued to take on a political nature as a number of other news agencies also drew the conclusion that she was a child bride similar to the others mentioned in the leaked IND document. Members of Parliament, media personalities, aid workers, academics, and even members of the royal family shared their outrage, disgust, and disbelief that these marriages were being recognized by the Dutch government.

### ***Policy Formulation***

The life of what would later become the Forced Marriage Prevention Act began in the autumn of 2012, when the People's Party for Freedom and Democracy (VVD) and the Labor Party (PvdA) parties formed a coalition after winning the election in September 2012. This would become the second coalition government under the leadership of Prime Minister Mark Rutte. One of the many priorities of this coalition government was to address the issue of forced marriage. The Coalition Agreement written 29 October 2012, focused mostly on marriages between first cousins and on scam marriages used to traffic people into the country using "gezinshereniging", or family reunification procedures. Above, you can see an excerpt of the English translation of this Coalition Agreement.

The first draft of the bill reached the Tweede Kamer floor for debate on 26 November 2012, not long after the second Rutte Coalition came to power. Amendments were added to address the issue of marriages between first cousins, and later raising the age to marry from 16 to 18. Unanimously, the bill was passed by the Tweede Kamer on 25 March 2014; a rare feat that should not go unnoticed.

While the issue of child marriage was addressed by the bill, it was not the focal point of the conversation on forced marriage. Before fall 2015, any rhetoric on child marriage was relating to members of immigrant communities in the Netherlands being forced into marriages outside the country's borders or the early marriage of Roma children (Mensenrechtenrapportage/ Human Rights Report 2013). The worry of many in the Tweede Kamer seemed to be that Dutch teens, especially girls, were being 'tricked' into marriages in countries where forced and child marriage is accepted/tolerated and then abandoned by their families to live in that country with their new spouse.

In the wake of the leaked IND documents of 2015, what once seemed to be a distant problem, was now surprisingly close to home. Members of Parliament demanded answers to questions of the State Secretary on Security and Justice, Klaas Dijkhoff, on how it is even possible that these marriages are recognized by the Netherlands and what is being done to protect these child brides once they are within Dutch borders. On 28 September, Secretary Dijkhoff explained before members of the Tweede Kamer that there are some procedures in place to separate child brides from dangerous home environments, but that the only way that authorities are able to act on these procedures are if the child brides themselves report incidences of coercion. He said to his colleagues in the Tweede Kamer that he is making do with the policies that are available to him and that clear policy is lacking (Deira, 2015) (Drayer, 2015) (Ezzeroili, 2015). It became evident to Members of Parliament that the only way to end this 'wave' of child brides entering the Netherlands would be to enact the bill passed by the Tweede Kamer more than a year prior into law.

### ***Decision Making***

Months before the news of the disappearance of Fatema Alkasem and that dozens of other child brides on their way to the Netherlands became known to the public, the legislative process was moving forward in the Eerste Kamer. Letters were sent from members of the Eerste Kamer Committee on Security and Justice to the State Secretary of Security and Justice asking for a clarification of a timeline for when they can expect a report from their office so that they can move forward with a vote on the bill.



After nearly a year and a half of waiting, the bill was finally scheduled to be taken up by the Eerste Kamer on 24 November 2015, and if passed, the bill was expected to become effective around February 2016. Many in the Tweede Kamer found this unacceptable; particularly after the news of Fatema Alkasem and the other child brides mentioned in the IND document. After much urging from MP's, particularly of the Labor Party (PvdA), the item was moved up on the agenda by more than a month. On 6 October 2015, the bill passed the Eerste Kamer as a 'hamerstuk' or a gavel piece, in other words, a formality without any debate or formal vote. It was signed by King Willem Alexander on 15 October 2015 and came into action on 5 December 2015.

What originated as a bill against forced and sham marriages, years later was championed by the press as a law against child marriage. Few of the news reports or articles analyzed for this research made mention of the fact that the Forced Marriage Prevention Act not only raised the age of legal consent to marry and struck the criminal and civil codes that allowed the recognition of foreign marriages of underage girls and boys, but it also limited polygamous marriages, those between first cousins, and any marriage performed under duress.

#### 4.2 Multiple Streams Joining to Create a Window for Policy

##### ***Problem Stream***

The problem stream begins with the civil war in Syria in 2011. This civil war has caused mass displacement of people, many of whom were, and still are, fleeing to neighboring states and later continuing their journey for asylum westward to Europe. In the summer of 2015, waves of refugees began crossing the borders of Europe, crowding into asylum centers across the continent. This prolonged displacement of people has caused much uncertainty and insecurity in the refugee camps both of Europe and of the countries surrounding Syria (UNHCR, 2016) (UN Women, 2013) (UNICEF, 2014).

Much of this uncertainty and insecurity are among the reasons for marriage, including child marriage, among refugees. In the Netherlands, those who are granted asylum have the right to family reunification (Immigration and Naturalization Service, 2016). By this right, once a man seeking asylum successfully crosses the border into the Netherlands and he is officially granted asylum, he can call for his wife to join him. Before the passage of the Forced Marriage Prevention Act, the Netherlands recognized marriages that were legally performed in other countries; this includes marriages that otherwise could not be legally performed according to Dutch domestic law. The pairing of this right to family reunification with the recognition of foreign marriages indeed sanctions forced marriages like child marriages, polygamous marriages, marriages between first cousins, and marriages performed under duress.

In cases of child marriage, physical and psychological traumas can be felt by the minor both before and after the marriage is performed (Pobi, 2003) (UNICEF, 2001) (UNICEF, 2014) (UN Women, 2013). As with Fatema Alkasem, early pregnancies are often at risk for being harmful to both the mother and the child. These problems were mostly unnoticed in the Netherlands until news of Fatema Alkasem's disappearance broke. This silence is perhaps because the minors subjected to these marriages are often isolated and disenfranchised (Pobi, 2003) (UNICEF, 2001) (UNICEF, 2014). There is a trust barrier as noted upon by the UN Women Report 2013 Report on Child Marriage among the Syrian refugees living in Jordan

(UN Women, 2013). If a young bride is subject to abuse by her spouse, she is unlikely to identify it as abuse let alone report it to authorities. She may report this abuse to a spiritual leader or to other family members, but it is unlikely that any actions are taken to ameliorate the situation. So the cycle continues.

### *Policy Stream*

What is particularly interesting about this case is that there was already a policy in the works so to speak. Years prior to the disappearance of Fatema Alkasem and to the leaking of the IND document, addressing forced marriage was a priority of the administration in power in the Netherlands. In fact, a bill had already been passed unanimously over a year prior. It was taking quite a long time however to see the Forced Marriage Prevention Act come to fruition, as the Eerste Kamer prioritized a number of other initiatives before the Forced Marriage Prevention Act.

This bill, as mentioned previously in this chapter in the section on Policy Making, covered a number of concerns regarding various categories of forced marriage. Its focus was not intended to be child marriage, and its passage through the Eerste Kamer to becoming law was more or less inevitable, it was just a matter of time as it was often out-favored by other legislation with higher priority.

### *Politics Stream*

The Administration formed by the coalition of the 'Partij van de Arbeid' (PvdA), a social-democratic labor party, and the 'Volkspartij voor Vrijheid en Democratie' (VVD), a conservative liberal political party, announced that addressing forced marriage would be a priority of their administration in their 'Reggerakkoord' or Coalition agreement, a sort of mission statement on 29 October 2012. Less than a month into their leadership, the Forced Marriage Prevention Act was introduced to the Tweede Kamer, and after making some amendments, the bill was passed unanimously in March 2014.

Policy entrepreneurs of this legislation before September 2015 include sitting members of the Tweede Kamer Committee on Security and Justice who were also members of the PvdA. These individuals were Representative Oosten, Rebel, Segers, and Helder. After the disappearance of Fatema Alkasem and leaking of the IND document, new policy entrepreneurs came to the surface. These included members of the PvdA party at both the local and national level, Joling, Kuiken, Azmani, and Markuszower; as well as members of other political parties including the VVD, the CDA, and the PVV, media personalities like Steinfort of RTVNoord and Elma Drayer of the Volkskrant. Directors of NGOs like Girls Not Brides, Plan Nederland, and the Center Against the Trafficking of Children were present throughout the discussion both in the press and on social media. The Secretary of Security and Justice himself voiced the need for clear policy to address the issue of child marriage. Other vocal critics of the lacking policy were Princess Mabel (also the director of the organization Girls Not Brides) and academics like a Professor of Private Law of the University of Groningen, Wilbert Kolkman .

While it is important to note who was an advocate for the legislation, it is also important to note who was seemingly absent from the policy process. No news report or article published the opinion of a member of the refugee community, or even of the pre-existing immigrant community, nor did they mention ever seeking any statement from any of these people. The

voices of the Syrian refugee community, and particularly of these young girls who the policy entrepreneurs claim to want to protect, are completely silenced.

### ***Policy Windows: Agenda Setting and Decision Making***

It can be argued that the Forced Marriage Prevention Act would have passed the Eerste Kamer eventually, and all of these issues would have been addressed with no one the wiser on the problem of child marriage being recognized in the Netherlands. As the Forced Marriage Prevention Act was introduced in the Tweede Kamer in November 2012 and was passed unanimously in March 2014, the disappearance of Fatema Alkasem in August 2015 obviously had no effect on either the setting of the agenda or the decision made by the Tweede Kamer on that particular piece of legislation. In fact, when it didn't even have an effect on getting the bill on the agenda of the Eerste Kamer.

It can be said, however, that the disappearance of Fatema Alkasem in August 2015 and the later leaked IND documents did create a policy window of sorts; not for the Forced Marriage Prevention Act itself, but for the urgency with which it was passed into law. In light of those events, child marriage found itself on the agendas of both houses of the Dutch Parliament in a way that it had not before. The Forced Marriage Prevention Act was not intended to address child marriage, but rather sham marriages used for human trafficking. After the disappearance of Fatema Alkasem however, it was, in a sense, repurposed to address the issue; revitalizing the bill so it could be passed through emergency measures without debate, or even a vote, in the Eerste Kamer.

## **5 ANALYSIS**

This chapter will provide answers to the research sub-questions outlined in Chapter 1 after conducting the Tests outlined in Chapter 4, and these answers will allow me to verify or falsify the hypotheses outlined in Chapter 2. The first half of this chapter is dedicated to unpacking the language of the various online articles coded for this research. The second half contains answers to the research sub-questions this is broken up into two sections reflecting the two hypotheses posed in Chapter 2. The first section of the second half of this chapter is organized according to the sub-questions that would indicate whether or not the disappearance of Fatema Alkasem had the potential to be a focus event. The second section of the second half of the chapter is organized according to the sub-questions that would indicate if the disappearance was in fact an actual focus event. At the beginning of each section of the second half, I state whether or not the respective hypothesis is true or false. Then, I will justify my claim by referring to my findings of each of the tests relating to that hypothesis.

### **5.1 Unpacking the Language in Online News Articles**

#### ***Forced Marriage Prevention Act touted as a Child Marriage Bill***

When reading news articles published after the disappearance of Fatema Alkasem, you get a very different picture of the Forced Marriage Prevention Act. You get the impression that the bill was intended to address child marriage specifically. Less than a third of the articles coded for this research mentioned the fact that the bill was already passed by the Tweede Kamer over a year prior to the publishing of the article and even less frequently do they mention the other forms of forced marriage it was intended to prohibit at that time.

These are the articles published on 6 October, the day the Forced Marriage Prevention Act was passed by the Eerste Kamer. As you can see, each article highlights the bill as being one intended to stop child marriage. This is an important distinction to make when you consider that the original intention of the bill was not to combat child marriage necessarily, but sham marriages trafficking people across borders. Not one of these articles mentions the concept of human trafficking or sham marriages. Only two acknowledge the fact that the law will also encompass other kinds of forced marriages including those that are polygamous or between first cousins; these are the Telegraaf and the NRC Handelsblad.

News Source	Title in Dutch	Title translated into English
Telegraaf and Trouw	“Senaat stemt in met voorstel tegen kindbruiden?”	Senate approves proposal against child brides
Volkskrant	“Senaat stemt in met wetsvoorstel tegen kindbruiden”	Law against child brides already in the Senate today
Metronews	“Senaat stemt in met wetsvoorstel tegen kindbruiden”	Senate approves the bill against child brides
NRC Handelsblad	“Eerste Kamer stemt versneld in met verbod op kindbruiden”	Senate approves acceleration of ban on child brides
Elsevier	“De Eerste Kamer is akkoord met wet tegen kindbruiden”	Senate agrees with law against child brides
NOS	“Wet tegen kindbruiden versneld aangenomen”	Accelerated adoption of law against child brides
RTLNieuws	“Wet kindbruidjes al door Senaat: huwelijk onder de 18 verboden”	Child brides law already in the Senate: marriage under 18 is prohibited
RTVNoord	“Eerste Kamer maakt haast en neemt wetsvoorstel kindbruiden aan”	Senate makes haste in taking up child bride bill

*Who are ‘we’ and who are ‘they’?: The ‘othering’ of child brides and Syrian refugees.*

A common theme I noticed when reading and coding the online news articles was that the idea of ‘we’ kept resurfacing again and again. Certain quotes were repeated in a number of different articles and across the spectrum of political leanings of the news outlets. Using the word ‘we’ in this way creates noticeable separations between the ‘normal’/‘us’ and the ‘others’/‘them’. So who are ‘we’? Much of the ‘we’ is defined in contrast to what ‘we’ are not and what ‘we’ should do about the different values of ‘them’ being imported into ‘our’ country.

‘They’ are refugees from Syria; ‘we’ are Dutch. ‘They’ are Middle Eastern; ‘we’ are Western European. The idea that these girls are coming from Syria is present in nearly every article from every news outlet. It is also heavily implied that these marriages occur outside of the Netherlands. Only one report from RTLNieuws supposes that the practice could be happening on an unofficial basis within the borders of the Netherlands, and only one report from the Volkskrant suggests that child marriage could also be occurring in other immigrant

communities in the Netherlands beside the Syrian refugee community. The term ‘nareizende bruiden’ referring to brides on their way to meet their husbands who are already residing in the Netherlands is used by all media outlets during this time period at least once. Similarly the idea that child brides are ‘onderweg’/ ‘on their way’ exists in all coded articles with the exception of two- Telegraaf and Trouw 6/10. Both are almost identical articles, and while they do not use the specific word, ‘onderweg’, they do mention the influx of people coming from Syria, among them are young girls married to older men. By using words and phrases like this to mark who is a stranger, clear distinctions are being made between ‘us’ and ‘them’ to perpetuate the idea that this is a new phenomenon being brought into the Netherlands by ‘them’.

‘They’ force their children to marry adults; ‘we’ do not force our children to marry adults. Many of the articles make a direct mention of the marriage laws and practices that exist in Syria compared to the laws in the Netherlands. In a way, the reader gets the sense that ‘we’ and our values are being challenged by ‘them’ through this rhetoric that ‘we’ must do something about child marriage within our borders. Words like afgrijpselijke/ horrible, onwenselijk/undesireable, onaanvaardbaar/unacceptable, and walgelijk/disgusting are used to voice shock and disdain for the practices of the other and our government’s apparent acceptance of this practice through a legislative loophole. As you can see from many of the quotes below, there is a strong sentiment of responsibility to protect and emancipate these young brides because those who are speaking feel that they are in a position of power and able to do so.

Quote in Dutch	English translation	Who said it	Appeared in articles
“Daar moeten we alert op blijven”	We must remain alert to this	State Secretary Klaas Dijkhoff,	Telegraaf 30/9, Elsevier 30/9
“Wat we moeten doen, is kijken hoe we de meisjes het beste kunnen helpen.”	What we must do is see how we can best help these girls.	Princess Mabel, Director of Girls Not Brides	Telegraaf 7/10
“We kunnen niet wegstijgen terwijl deze jonge meisjes gevangen zitten in een gedwongen huwelijk.”	We cannot look away when these young girls are trapped in forced marriages.	Kamerlid Attje Kuiken (PvdA)	Telegraaf 28/9, Trouw 28/9
"We kunnen niet stilzitten."	We cannot sit still.	Kamerlid Attje Kuiken (PvdA)	Volkskrant 28/9, Trouw 28/9, interview with RTL Nieuws *
"We zien ze niet, we horen ze niet. Dus denken we dat ze niet bestaan."	We do not see them, we do not hear . So we think that they do not exist.	Elma Drayer	Volkskrant 2/10

'Als overheid staan wij dus toe dat deze meisjes seksueel misbruikt worden. Ik vind dat zeer verwerpelijk en zeer ernstig.'	As a government, we therefore allow these girls are sexually abused. I find that very reprehensible and very serious.	Richard Joling (PvdA) Vlagtweede	Telegraaf 28/9, Volkskrant 28/9, RTVNoord 28/9
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*What was the problem narrative created by policy entrepreneurs?*

The problem, according to these articles, was that foreign marriages involving minors were being recognized by the Dutch government. This allowed for child brides to cross borders into the Netherlands, and the number of those taking advantage of this loophole was increasing. Nearly all articles published after the IND document was leaked cite the figures that there are, “Three child brides per week” coming to the Netherlands, and include the supposition that the number is perhaps even higher.

Through process coding, I have been able to determine the chain of events believed by these policy entrepreneurs to have taken place leading to the existence of child brides in the Netherlands. By first linking child marriage to the Syrian refugee population, and by implying that it is being brought into the Netherlands rather than occurring within the borders, these articles form a specific narrative of how this practice has suddenly become so visible. It all can be related back to the civil war in Syria. Because millions of people have been displaced since 2011, they have been forced to live in refugee camps across the globe while they seek asylum in other countries. The living conditions of these camps are appalling and prostitution and sexual assault are common. Parents, out of desperation, marry their daughters to older men. These marriages are performed outside of the Netherlands, either in Syria, Lebanon, Turkey, or Jordan. Once the husband has been granted asylum in the Netherlands, presumably after making a treacherous journey, he is entitled to seek family reunification with his young bride. Because the Dutch Civil and Criminal Codes at the time acknowledged foreign marriages as long as they were performed legally in the origin country, the child brides were permitted to enter the country as partners of these adult men.

*Advocating for why and how to address the issue of child marriage in the Netherlands*

A major recurring theme, particularly brought up by the more right wing media outlets like the Telegraaf, Elsevier, and Trouw is the sexual relationship between adults and children. They equate this loophole in the law as a sort of state sanctioned pedophilia. Their intention really seems to shock and disgust the public toward this practice and the government that allows permits it. These girls are commonly referred to in all articles as victims of sexual violence and other physical and psychological traumas in need of help, in need of emancipation and opportunities.

The overwhelming consensus in the media was to pass the law in the Eerste Kamer that had already received unanimous support in the Tweede Kamer. All articles but one seemed to support the quick passage of the bill.

Few suggest that the legislation alone may not be enough, but agree that it is a start. State Secretary Klaas Dijkhoff suggests that there are other ways that child brides may be entering

the country other than as *nareizende bruiden*. They may be entering through the family reunification procedures of their fathers or mothers, and once they are in the Netherlands they are join their husbands in a more unofficial capacity. This is a way that they can easily slip through the cracks of the system and child marriage in the Netherlands can continue to go unnoticed. For this reason, he says “We must remain alert”. The Director of Plan Nederland too wrote that the legislation will not be enough to end child marriage, and that the issue must be addressed at its roots. She suggests the creation of social programs like girls clubs to initiate comradery, confidence, and a sense of purpose among the young women and girls living in the asylum centers of the Netherlands.

Princess Mabel, director of Girls not Brides, on the other hand seemed to have disagreed with the legislation entirely. She agreed of course that child marriage is a problem, but that the solution is not to reject these girls from entering a country where they would receive more opportunities and appropriate attention to their needs. To her, the legislation creating barriers to entry was misguided. Her opinion piece however was not published in the *Telegraaf* until after the Forced Marriage Prevention Act had already passed the *Eerste Kamer*.

## 5.2 Answering Research Sub-questions with These Layers in Mind

### **Hypothesis 1: The Disappearance of Fatema Alkasem was a Potential Focus Event**

After considering the evidence gathered through coding the text of a number of media sources as well as public documents of the proceedings of the Dutch Parliament, I have concluded that the disappearance of Fatema Alkasem did indeed exhibit all the characteristics of a Potential Focus Event.

#### *Test 1: Sudden? Yes.*

Fatema Alkasem’s disappearance was certainly sudden. Before the police’s missing person’s report was published on 2 September 2015, I could find no indication apparent on online social or news media that her disappearance was known to anyone. There was not much written on the subject other than to say that she and her partner failed to appear to their scheduled doctor’s appointment and that they had also failed to return to the asylum center in Ter Apel. I could not find evidence of any interview with aid workers and police or the media. “Waar Fatema zou kunnen zijn is nog niet bekend. De politie hoopt met de oproep op tips over de huidige verblijfplaats van het meisje.”/ “Where Fatema might be is not yet known. The police hope The police hope for tips about the current whereabouts of the girl.”. This, to me, says that the aid workers of Ter Apel were unaware of any plans made by Fatema or her adult male partner to leave the camp before 31 August 2015.

#### *Test 2: Rare? Relatively.*

The missing person’s report of Fatema Alkasem was unique for a couple of reasons. First, I could not find any reports similar to hers in either the missing persons reports of the Dutch Police, of Amber Alerts, or in Europol. I was looking for any reports of missing refugee teens, particularly pregnant ones. I was not able to find a single match. Second, I can no longer find the official report of her disappearance. There are of course news articles, facebook posts, and tweets spreading the alert along with the tip hotline; however, the posting on the Dutch police website is no longer active. When it comes to determining whether or not the disappearance of Fatema Alkasem is rare by comparing hers to other’s missing persons reports is difficult to

say. Because her report has since been taken down, I wonder if there have been others like her who's reports have also been taken down or if perhaps their disappearances were reported or even noticed.

The leaked information from the IND proves that Fatema was not the only possible child bride living in the Netherlands. In fact, there were dozens already living in the Netherlands and more on their way. Ineke Van Wilden, program manager of the Center Against Child Trafficking, suggests in an interview with NRC Handelsblad 28 September 2015 that this number of child brides is rising in the Netherlands. Many of the articles coded for this research cite that there are at least three child brides trying to enter the Netherlands each week, and that this number has tripled in the past year. In the same article that mentions the perspective of Ineke van Wilden, spokesmen for the Center Agency for the Reception of Asylum Seekers called these rumors and refused to respond to them.

I believe there could be a gap in the number of disappearances from asylum centers and the number of child brides actually reported in the Netherlands. There are no incentives for aid workers to report such incidences beyond a moral/ethical will and perhaps this is why they had mostly gone unnoticed until the disappearance of Fatema Alkasem. For this reason, I would still say that her disappearance was unique enough to cause shock among members of Parliament, media personalities, academics, and the general public.

Test 3: Harmful or potential for future harm? Yes.

This is a difficult criteria to verify for this case. It is clear that on an individual level the lives of Fatema Alkasem and her baby were at risk because of her disappearance. However, her disappearance is not a cause for alarm for anyone else's safety but that of her own or her baby. Rather, her disappearance was more of a symbol highlighting the problem of child marriage in the Netherlands.

If we were to look at the disappearance of Fatema Alkasem in the context of child marriage as a growing problem among Syrian refugees, we analyze this criteria differently. A number of potential harms are cited in the literature reviewed in preparation to conducting this research as well as the data sources analyzed for this particular case. The harms listed range from harms as factors leading to child marriage, harms caused by child marriage, and harms that can occur after the separation of a child marriage. Some of these harms include sexual abuse, pedophilia, prostitution, physical and psychological traumas, rape, and teen motherhood.

Considering all this, it is apparent that there were indeed a clear threats of harm both on an individual level and on a more societal level. These threats were layered and multiple, ranging from physical harm to a challenge of ideologies. For more on this, please refer back to the first half of this chapter on unpacking language.

Test 4: Harm concentrated to one region or group? Yes.

Of course, the most obvious threat of harm was directed at Fatema and her child. Police and, assumedly, aid-workers stated that she needed medical attention and to give birth in a hospital. Her life and the her child's life were in grave danger because she was so heavily pregnant and so young. She, like so many other child brides, ran the risk of complications during labor and delivery of her baby. Quickly, policy makers and the public began to fear that Fatema Alkasem was just the tip of the iceberg and that other Syrian refugee girls either



in the Netherlands or on their way, were similarly at risk for a number of different harms beyond teen pregnancy.

The most prevalent rhetoric of news reports and articles published in September 2015 is that the child brides are, in a sense, being ‘imported’ to the Netherlands from Syria. Rarely is there any acknowledgement that child marriage occurs within the borders of the Netherlands either among Dutch nationals or other immigrant communities. Before the passing of the Forced Marriage Prevention Act, the law allowed for marriage of girls as young as 16 and younger with certain exceptions made in case of pregnancy; which by many UN definitions is indeed child marriage.

*Test 5: Known to policy-makers and public simultaneously? Yes.*

News of Fatema Alkasem’s disappearance was certainly made known to policymakers and the public simultaneously with the police announcement that was made 2 September 2015. Before her disappearance and the leaked IND report that followed as a result, it is evident that child brides crossing the borders into the Netherlands was not on the radar screens of many, including Members of the Tweede Kamer.

Before 28 September, the conversation in the Dutch Parliament on child marriage shifted drastically. While it had been discussed before, it was discussed in the sense that it was a problem in the ‘buitenland’, outside the borders of the Netherlands. Correspondence between members of the Tweede Kamer and the Ministry of Security and Justice show that before autumn 2015, there was a concern that young Dutch citizens with familial roots outside of the Netherlands and in countries where child marriage was commonly practiced were being taken from their homes to be married and later abandoned in those other countries. In 2013, there was some talk of concern regarding child marriage in the Roma community living in the Netherlands. For the most part however, this discussion resulted in any legislative action. So as you can see, child marriage occurring within the borders of the Netherlands, and concentrated to the Syrian refugee community was a new concept, not brought to light until the disappearance of Fatema Alkasem hit the public consciousness.

**Hypothesis 2: The Disappearance of Fatema Alkasem was an Actual Focus Event**

After considering the evidence gathered through coding the text of a number of media sources as well as public documents of the proceedings of the Dutch Parliament, I have concluded that the disappearance of Fatema Alkasem did indeed exhibit all the characteristics of an Actual Focus Event.

*Test 6: Focuses attention to an issue? Yes, in the Agenda Setting stage.*

The disappearance of Fatema Alkasem was mentioned in a number of key news articles in connection with the political attention intensifying on the subject of child marriage. Her disappearance was mentioned directly by Richart Joling (PvdA) and in reports by the NRC Handelsblad newspaper as well as the news segments aired by RTVNoord, and later by other members of the PvdA in the Tweede Kamer. I do not believe that it is a stretch of the imagination to say that news of her disappearance indeed focused public attention to the issue of child marriage, which before fall 2015 was only considered in terms of a practice that occurs outside of the border of the Netherlands or within the Roma community.

Kingdon defines the agenda as, “the list of subjects or problems to which government officials and people outside the government closely associated with those officials are paying serious attention to at any given time.” (Kingdon, 1995; 2003, p. 3). Both in this sense that it brought the issue to the forefront of public conversation, and in the sense that it helped put child marriage on the physical agenda or docket of the Parliament; the disappearance of Fatema Alkasem certainly played a role in setting the agenda by focusing attention of the Netherlands to the issue of child marriage.

Test 7: Clarifies and narrows range of potential response? Yes.

There are two ways that this criteria can be looked at; the effect of the focusing event on the formulation of the policy, and the decision to match that policy to solve the issue highlighted by the focusing event. The disappearance of Fatema Alkasem had no effect whatsoever on the language of the Forced Marriage Prevention Act as it was passed by the Tweede Kamer in March 2014 waiting in limbo to be taken up and passed into law by the Eerste Kamer. In that respect, it played no role in the formulation of the policy. However, there could not have been any policy more ‘close at hand’ than the one already written and passed by one of the two houses of Parliament. It just so happened that the that bill the Forced Marriage Prevention Act could also address the problem of child marriage being legally recognized by the Netherlands. No other attempt at a policy solution was made. Birkland writes in a number of his books and articles, that policy makers are wont to choose a policy response this is ‘close at hand’ like this one (Birkland T. &, 2009) (Birkland T. , 1997) (Birkland T. , 2009). So in that sense, the answer to whether or not the event of the disappearance of Fatema Alkasem both clarified and narrowed potential policy responses would be a resounding ‘yes’.

Arguably, this policy is lacking in a number of ways. The Forced Marriage Prevention Act prohibits entry of some of the most vulnerable victims of displacement to the Netherlands. It only addresses the legal status of marriages, but not the realities of ‘de facto’ marriages performed in religious ceremonies, which are common in rural and impoverished Syrian communities. The Forced Marriage Prevention Act also does nothing to address factors leading to child marriage, nor to erase barriers of trust. A number of the failings are in part because the original intention of the legislation was to limit human trafficking under the guise of ‘sham’ marriages. However, it was certainly close at hand to policy makers, and it could address the issue with minimal effort on behalf of the legislature.

Test 8: Rapid response caused by sense of fear and urgency? Yes.

Throughout the life cycle of this bill, it is evident that the Tweede Kamer felt a sense of urgency in it becoming law even before the disappearance of Fatema Alkasem. This urgency was only intensified in the fall of 2015. After intense pressure from the lower house and from the media and the public, the Eerste Kamer took up the bill more than a month before it was originally scheduled to do so and passed it under emergency measures as a formality. Because the bill was treated as a formality, it was passed without debate and even a vote.

Words like “hideous”, “disgusting”, “reprehensible”, “unbelievable” were used by policy entrepreneurs to make it clear that they found the lack of clear policy addressing child marriage existing within the borders of the Netherlands unacceptable. The reasons cited by many of these policy entrepreneurs included; that they must protect these girls, to help them and to emancipate them. This was addressed in the first half of this chapter, unpacking

language. The oft repeated statistics leaked from the IND internal document along with the implications from State Secretary Klaas Dijkhoff and Ineke van Wilden of the Center Against the Trafficking of Children that the numbers may actually be much higher than those reported suggested to readers and to policy makers that the situation has rapidly gotten much worse than it once was. These suggestions at the fast proliferation of child marriage across the nation certainly urged policy makers to find a legislative solution as quickly as possible.

When describing how the legislation was passed by the Eerste Kamer, the media tended to use words like “priority”, “emergency measures”, “formality”. There were few who questioned that this legislation needed to be passed; and quickly at that. Even those who criticized the legislation for its potential gaps, including State Secretary Klaas Dijkhoff and Monique van 't Hek Director of Plan Nederland, agreed that the legislation should be passed, but that more needed to be done to address the root of the problem.

## 6 CONCLUSIONS

In this final chapter, I will definitively answer the research question based upon the validity of the hypotheses stated in the previous chapter. Then I will suggest some future implications for the other three stages of the policy cycle; Implementation, Monitoring and Evaluation, and Policy Learning. I will explain how this research could help to expand Birkland’s theory of Focus Events by including a case which occurred in a parliamentary system like the Netherlands and was unlike most other focus events that have been written about in that it is neither a natural disaster or an act of mass violence. I will close out the chapter on a section on the subject of areas for further research.

### 6.1 Outcome 2: Both Hypotheses 1 and 2 are True

I have proven that both Hypothesis 1 and Hypothesis 2 are true. Thus, the disappearance of Fatema Alkasem qualifies as both a potential focusing event and an actual focus event. There is a relationship between the policy and the event, and it is relatively strong. This outcome signifies to the me, the researcher, that the definition of a potential focus event can indeed include an event that is not a natural disaster nor a terrorist attack, and that it is possible for a non-traditional potential focus event, one that is neither a terrorist or violent attack nor a natural disaster, to evolve into an actual focus event.

Hypothesis 1 Tests: Characteristics of a Potential Focus Event	
Test 1: Sudden?	Yes.
Test 2: Rare?	Relatively, yes.
Test 3: Harmful or potential for future harm?	Yes.
Test 4: Harm concentrated to one region or group?	Yes.
Test 5: Known to policy-makers and public simultaneously?	Yes.
Hypothesis 2 Tests: Characteristics of an Actual Focus Event	
Test 6: Focuses attention to an issue?	Yes.
Test 7: Clarifies and narrows range of potential response?	Yes.
Test 8: Rapid response caused by sense of fear and urgency?	Yes.

**Research Question:** How did the disappearance of Fatema Alkasem on 31 August 2015 impact the Forced Marriage Prevention Act passed into law by the Dutch Legislature on 6 October 2015 at the agenda setting, policy formulation, and decision making stages of the policy cycle?

**Research Answer:** The disappearance of Fatema Alkasem focused attention to the issue of child marriage within the borders of the Netherlands. It clarified and narrowed the potential policy response due to a fear of increased future harm urging legislators to act quickly.

## 6.2 Future Policy Implications

Birkland explains that policy change made in the wake of a focus event is wont to be lacking in effectiveness and feasibility (Birkland T. &, 2009). These potential failings of the policy could be result of a lack of policy learning due to the sense of fear and urgency felt by policy makers and the public at the first three stages of the policy cycle. Now that I have made clear that Forced Marriage Prevention act was indeed passed in response to a focus event and that all these elements of fear and urgency were present at the time of Agenda Setting, Policy Formulation, and Decision Making, special attention must be paid in the remaining three stages of the policy cycle.

### **Implementation**

There remains a question of intention when it comes to this legislation; the intention of bill when it was first introduced to the Tweede Kamer in 2012 versus the intention of the urgent push behind its passage into law in 2015. The Forced Marriage Prevention Act does not protect child brides in the way that policy entrepreneurs were advocating. Of course, measures were put in place to address the needs of child brides already living in the Netherlands at the time the law was passed, but beyond that the law itself does little more than close the doors to child brides who may be trying to enter the Netherlands through family reunification procedures. This gap in intention is due to the fact that the policy was originally written with a completely different goal in mind compared to what it was eventually championed as being.

There will still be gaps in this legislation even if it is implemented exactly as written. Trust barriers will continue to widen between the refugee community and the Dutch authorities. De facto marriages performed in religious ceremonies may also continue behind closed doors. It can be said that now because of the Forced Marriage Prevention Act, that adults having sex with minors regardless of their believed marital status can be convicted by the full extent of the law. However, in order to convict an adult of sexual abuse, molestation, rape, etc. the authorities must be aware of the illegal activity in the first place. Because child brides are notoriously isolated and aversive to reporting incidences of abuse, as noted by UN Women (UN Women, 2013), it is likely that much of the harms feared by policy entrepreneurs will continue to be reality unless more is done beyond this legislation to address the root causes of child marriage. Another failing of the Force Marriage Prevention Act is that it recognizes marriages that were performed when one or more of the spouses were underage when both partners reach the age of 18. Girls who were married as children, but since turned 18 are still able to enter the country of the Netherlands as ‘nareizende bruiden’. What is problematic about this is that although these girls may now have turned 18, they may still be living with

many of the same traumas caused by their early marriage with no respite and none of the protection, help, and opportunities advocated for in September and October 2015.

### ***Monitoring and Evaluation***

According to the current administration, the effectiveness of the policy will be evaluated approximately 4 years after it came into force; that being late 2019 or early 2020. It cannot be expected that this policy alone will address the issue of child marriage in the Netherlands for the many reasons stated in the previous section on implementation. Rather than just looking at the number of legal child brides crossing the border, and trusting that there cannot be more already living in the Netherlands, the administration in power must find other measures to monitor the effectiveness of the legislation. They must also be conscious of sources of information when monitoring and evaluating the success of the Forced Marriage Prevention Act; the barrier to trust between the Dutch authorities and Syrian refugees must be at the forefront of the debate when it comes to questioning the facts and figures that are presented in 4 years' time.

The first question worth asking when monitoring and evaluating the success of this legislation is whether or not it indeed had an effect on the number of child marriages in the country of the Netherlands. The most objective way to do this is by monitoring the number of teen pregnancies across the entire population. Another indicator could be the prevalence of cohabitation between members of the opposite sex with large differences in age. As stated in chapter one, child marriages often occur outside of the law. The marriage may not be sanctioned by the government, but if performed according to religious and traditional standards a couple could effectively be married by cohabitating without having actually registered as partners with the proper authorities. Also mentioned in chapter one was the prevalence of early pregnancy among married teens. Monitoring teen pregnancy through medical records and use of social programs may be the best way to determine how many child brides there may actually be living in the Netherlands.

Using the same metric, the Netherlands may want to compare these numbers of pregnant teens in their country to those in surrounding EU countries and also to other non-EU host countries like Jordan, Lebanon, and Turkey. This will indicate if the rates of child marriage found within Dutch borders are unique to the Netherlands, or if they are common across EU and other host countries. It is possible that the Forced Marriage Prevention Act will do little more than to prevent barriers of entry to the Netherlands by child brides. So it is possible that rates of child marriage in other countries could be vastly different. Another indicator of these barriers to entry can be the number of teen refugee girls from Syria claiming the Netherlands to be their intended destination versus the number of teen refugee girls from Syria who are actually granted asylum in the Netherlands. There is also a possibility of course that the rate of child marriage in the Syrian refugee population could decrease across all host countries for any number of reasons

### ***Policy Learning***

Now that the subject of child marriage within the borders of the Netherlands is on the radar screens of policy entrepreneurs, hopefully it will not take another focus event similar to the disappearance to Fatema Alkasem to make any positive changes in the future. While the effectiveness is being monitored inward, policy makers in the Netherlands should also turn

outward to see how other states are tackling the issue. The measures and indicators suggested in the above section on monitoring and evaluation are a way to assess the impact of legislation on the movement of refugees and the existence of trust barriers like those mentioned in the UN Women report 2013 (UN Women, 2013). It is unfortunate that reports like the one from UN Women in Jordan was not considered when deciding on a policy response to the problem of child marriage in the Netherlands. Hopefully, it will be considered in the future along with the results of the evaluation of the Forced Marriage Prevention Act to make more of an intentional legislative and societal effort to address the root push/pull factors of child marriage in migrating communities.

### 6.3 Areas for Further Research: Social Media as a Barometer for the Potential of Focus Events

When it comes to determining the potential for an event to become a focusing one, perhaps the most effective way to conduct one's research in real time would be to use interactions on social media as a sort of barometer. Spense et. Al define a crisis as an "unexpected non-routine events that often create conditions that are not favorable toward traditional methods of data collection" (Spense, Lachlan, & Rinear, 2016). They go on to say that social media has created new venues for examining the life cycle of a crisis (Spense, Lachlan, & Rinear, 2016; Spense, Lachlan, & Rinear, 2016). Without interacting with research participants, physical evidence can be gathered to examine the issues and emotions expressed during events as well as the proliferation of information available at the time of a crisis and the public's response (Crawford, 2015). This has already been done in previous years; during the outbreak and aftermath of Winter Storm Nemo and Hurricane Sandy in 2014 in the United States researched scraped information off Twitter using specific hashtags, and geographic locations (Spense, Lachlan, & Rinear, 2016). If this can be done during natural disasters such as these, I am of the impression that it can also be used to examine other events.

Potential problems with using social media sites as a data sources include issues of exclusion, biases, and ethics regarding privacy. Even today, not everyone has access to the internet even in non-crisis scenarios. There is a strong possibility that a crisis will profoundly limit the number of people who can communicate on social media either due to power outages, government interference, or distraction to more urgent matters (Spense, Lachlan, & Rinear, 2016). Relying entirely on data collected from sites like Twitter and Facebook may cause a researcher to miss the experiences of large groups of the population; those of lesser socio-economic status and those who may be most acutely affected by a crisis (Spense, Lachlan, & Rinear, 2016) (Houston, et al., 2014). Generally those with certain biases are likely to interact on social media, a researcher could run into the problem that they are only collecting two extreme ends of the spectrum of experience and sentiment if they rely entirely on communications on social media (Crawford, 2015) (Houston, et al., 2014). This would skew their perspective on what is the reality of the situation at hand. Finally, there is a very serious question of respecting personal privacy when collecting information scraped from the web. Yes, the posts are made visible to the public, but those posting likely are unaware that their communications are being scraped and used for research (Crawford, 2015). Perhaps the most ethical way of collecting data from social media sites would be to use surveys, but this will limit the candor you may find by simply observing interactions. With all this in mind, it would be advisable to use such research as a supplement to other forms of inquiry; much like document analysis is recommended to be.

Social media platforms such as Twitter, Facebook, Instagram, and Tumblr could be the arenas of the future for assessing the potential of an event to be a focusing one. Here, news media, policymakers and the general public interact with each other regularly. In a way, this real-time interaction and sharing of news blurs the line of who has access to become a policy entrepreneur and this certainly opens up the floodgates for more events to become focusing ones. News media outlets no longer have the monopoly on deciding what events get the most 'air time'; the process has become more democratic and decentralized through the increasing of access to the internet and social media across the globe.

## 7 EPILOGUE: WHATEVER HAPPENED TO FATEMA ALKASEM?

Sadly, there has been no news on the whereabouts of Fatema Alkasem since her disappearance on 31 August 2015. Some have suggested to police that she and her partner escaped to nearby Germany; others guess they made it further east. However, none of these tips are considered by the Dutch authorities as being particularly reliable. Sometimes I wonder if she knows she was missed; that concern for her health and the health of her child spread through the Kingdom of the Netherlands and across this internet like wild fire. One can only hope that she delivered her baby without incident, and that both mother and child are happy, healthy, and safe from harm.

You may have noticed that throughout this paper I frequently used the phrase, “The disappearance of Fatema Alkasem..”. I never shortened her name. I never referred to her disappearance simply as ‘the event’ or ‘the disappearance’. This was a conscious effort on my part to never let the reader forget the humanity of her; that a very real individual was at the heart of the debate on child marriage in the Netherlands. The search must continue, she must not be forgotten. Her story inspired many in the Netherlands to question the policies of their country and aspire to make changes for the better. Hopefully, one day she will know the impact she had.



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## 9 APPENDICES

### 9.1 Wet tegengaan Huwelijksdwang

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## **Wet tegengaan huwelijksdwang**

### **Zichtdatum 27-07-2016**

### **Geldend van 05-12-2015 t/m heden**

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Wet van 7 oktober 2015 tot wijziging van Boek 1 en Boek 10 van het Burgerlijk Wetboek betreffende de huwelijksleeftijd, de huwelijksbeletselen, de nietigverklaring van een huwelijk en de erkenning van in het buitenland gesloten huwelijken (Wet tegengaan huwelijksdwang)

Wij Willem-Alexander, bij de gratie Gods, Koning der Nederlanden, Prins van Oranje-Nassau, enz. enz. enz.

Allen, die deze zullen zien of horen lezen, saluut! doen te weten:

Alzo Wij in overweging genomen hebben, dat het wenselijk is huwelijksdwang tegen te gaan, en voorts te verduidelijken wanneer de erkenning van rechtsgeldig in het buitenland gesloten huwelijken in strijd is met fundamentele beginselen van de Nederlandse rechtsorde, en dat daartoe Boek 1 en Boek 10 van het Burgerlijk Wetboek dienen te worden gewijzigd;

Zo is het, dat Wij, de Afdeling advisering van de Raad van State gehoord, en met gemeen overleg der Staten-Generaal, hebben goedgevonden en verstaan, gelijk Wij goedvinden en verstaan bij deze:

#### **Artikel I**

[Wijzigd het Burgerlijk Wetboek Boek 1.]

#### **Artikel II**

[Wijzigd het Burgerlijk Wetboek Boek 10.]

#### **Artikel III**

- A.** Artikel 31 van Boek 1 van het Burgerlijk Wetboek zoals het gold voor het tijdstip van inwerkingtreding van deze wet, is ook na dit tijdstip van toepassing indien de aangifte of aankondiging van het huwelijksvoornemen bij de ambtenaar van de burgerlijke stand voor dit tijdstip heeft plaatsgehad.
- B.** Artikel 233 van Boek 1 van het Burgerlijk Wetboek is niet van toepassing op hen die voor de inwerkingtreding van deze wet als gevolg van het sluiten van een huwelijk of geregistreerd partnerschap meerderjarig zijn geworden. Voor deze personen blijft het recht van toepassing zoals dat gold onmiddellijk voorafgaande aan het tijdstip van inwerkingtreding van deze wet.

#### **Artikel IV**

[Wijzigd deze wet.]

#### **Artikel IVa**

Onze Minister van Veiligheid en Justitie zendt binnen vier jaar na de inwerkingtreding van deze wet

aan de Staten-Generaal een verslag over de doeltreffendheid en de effecten van deze wet in de praktijk.

**Artikel V**

Deze wet treedt in werking op een bij koninklijk besluit te bepalen tijdstip.

**Artikel VI**

Deze wet wordt aangehaald als de Wet tegengaan huwelijksdwang.

Lasten en bevelen dat deze in het Staatsblad zal worden geplaatst en dat alle ministeries, autoriteiten, colleges en ambtenaren die zulks aangaat, aan de nauwkeurige uitvoering de hand zullen houden.

Wassenaar, 7 oktober 2015

Willem-Alexander

De Staatssecretaris van Veiligheid en Justitie,  
K.H.D.M. Dijkhoff

Uitgegeven de veertiende oktober 2015

De Minister van Veiligheid en Justitie,  
G.A. van der Steur

9.2 Codebooks

9.3 Word Maps

9.4 Timeline