

# MARITAL CAPTIVITY



## CIVIL MARITAL CAPTIVITY

### DOMESTIC CIVIL MARRIAGE

The couple married under civil law of the country of residence, after which a religious wedding ceremony took place. A civil divorce is possible, but seriously frowned upon by the religious community. This prevents the couple (often the woman) from getting a divorce.

### CIVIL DIVORCE

This type of marriage can be dissolved by a civil divorce. No religious divorce is required.

### FOREIGN CIVIL MARRIAGE

The couple married abroad under the state or religious law of a foreign country. Due to bilateral treaties between the current country of residence and the country of origin, the marriage is recognised under civil law of the country of residence.

It is possible that the husband and wife live in different countries after getting married. The wife can divorce under civil law of the country of residence, however, the husband is refusing a divorce under religious law or state law of the country of origin.

### STATE ANNULMENT CIVIL DIVORCE

This type of marriage can be either dissolved or annulled under state law. Whether a Dutch civil divorce is recognised in the country of origin, depends on their state law.

## RELIGIOUS MARITAL CAPTIVITY

### DOMESTIC RELIGIOUS MARRIAGE

The husband and wife only married under religious law in the country of residence or already divorced under civil law of the country of residence.

The husband or the religious authority, however, refuses to grant her a religious divorce or a divorce under the state law of the country of origin.

### ANNULMENT RELIGIOUS DIVORCE

The marriage can be annulled or dissolved under transnational religious law or religious law of the country of residence

### FOREIGN RELIGIOUS MARRIAGE

The husband and wife married under religious law of the country of origin and the marriage is neither recognised under the state law of the country of origin nor the the country of residence.

The husband or the religious authority, however, refuses to grant the wife a religious divorce.

### ANNULMENT RELIGIOUS DIVORCE

The marriage can be annulled or dissolved under transnational religious law or religious law of the country of origin.

## OTHER TYPES

### POLYGAMOUS MARRIAGE

The husband and wife are separated under civil law, but not under religious or state law of the country of origin. The man subsequently married more wives, but keeps his first wife in marital captivity.

### ANNULMENT RELIGIOUS DIVORCE

In most countries polygamy is illegal.

In those countries where it is not the marriage can be annulled or dissolved under transnational religious law or religious law of the country of the country of origin.

### Sources:

<https://www.femmesforfreedom.com/english/>  
[https://www.huwelijksdwangenachterlating.nl/sites/www.huwelijksdwangenachterlating.nl/files/downloads/rapportage\\_wel\\_gescheiden\\_niet\\_gescheiden\\_nov2017\\_def.pdf](https://www.huwelijksdwangenachterlating.nl/sites/www.huwelijksdwangenachterlating.nl/files/downloads/rapportage_wel_gescheiden_niet_gescheiden_nov2017_def.pdf)

