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Intersections of Immigration and Domestic Violence

Voices of Battered Immigrant Women

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Feminist criminologists have helped to criminalize domestic violence in the United States and elsewhere. With this significant accomplishment, scholars also have critiqued the intended and unintended consequences of such reliance on the state for women's safety. One such critique reveals the intersectionality of social inequalities, social identities, and domestic violence. Here, the authors analyze the relationship between immigration and domestic violence based on interviews with 137 immigrant women in the United States from 35 countries. They find that immigration shapes how women understand domestic violence, their access to resources, and responses to domestic violence. This project documents observed dynamics of structural intersectionality for immigrant women as national origin and citizenship status are considered as another layer of identity politics and marginalization in relation to domestic violence.

Keywords: *immigration; domestic violence; intersectionality; intimate partner violence; national origin; citizen status*

Over the past 30 years, feminist academics and practitioners have revealed the extent and variety of gender violence, ranging from street-level sexual harassment (Stanko, 1985) to woman battering (Dobash & Dobash, 1979). According to Chesney-Lind (2006), "naming of the types and dimensions of female victimization had a significant impact on public policy, and it is arguably the most tangible accomplishment of both feminist criminology and grassroots feminists concerned about gender, crime, and justice" (p. 7). Indeed, feminist criminological research was part of the battered woman's movement's hard-won efforts to criminalize domestic violence (Adelman & Morgan, 2006). Feminist criminologists, their cross-disciplinary

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associates, and others also have been part of the growing critique of the limits or unintended effects of the criminalization of domestic violence (Britton, 2000; Chesney-Lind, 2006; Coker, 2001; Snider, 1998). Together, scholars and activists have identified harms induced by the criminal justice system not only on battered women, and poor battered women of color in particular, but also on men who batter, and in particular poor men of color who batter (Merry, 2000).

Noting the interconnection between racist violence, violence against women, and the institutionalization of the battered woman's movement within U.S. social service and criminal justice systems, feminist criminologists and others have called for antiracist, multicultural feminist analyses of gender violence and other forms of crime (Burgess-Proctor, 2006; Potter, 2006; see Baca Zinn & Thornton Dill, 1996, and Crenshaw, 1991, for foundational elaborations on intersectionality). Much of this analysis has looked at immigrant status as part of one's racial location in the social hierarchy (e.g., Crenshaw, 1991; Scales-Trent, 1999). Here, we build on the history of feminist criminology with an integrated feminist analysis of immigration and domestic violence. Rather than consider immigration as a variable or static category within race, we consider immigration as part of the multiple grounds of identity shaping the domestic violence experience. It is part of the interactive dynamic processes that, along with race, gender, sexual orientation, and class, inform women's experiences of and responses to domestic violence. We do so by analyzing one-on-one interviews with immigrant battered women from a variety of countries, revealing common experiences among immigrants in an effort to highlight *immigrant* as a separate and multiplicative aspect of identity, violence, and oppression.

We situate our study within the literature on gender, immigration, and domestic violence, noting the scholarly focus on discrete groups of immigrants (e.g., by ethnicity or national origin) rather than the commonalities experienced by various immigrant groups. We then outline our research methods and sample, followed by an analysis of the data that focus on commonalities across immigrant battered women's experiences. Specifically, we suggest that although significant investment has been made by federal and state governments, and local community-based organizations, to improve the criminal justice system response to immigrant battered women in terms of legal reform, law enforcement training, and increased services, immigrant battered women continue to face considerable structural barriers to safety. These barriers exist prior to immigration (e.g., social pressure to marry) and as a result of immigration (e.g., economic disadvantage that has gendered consequences). In turn, immigration law and women's perceptions of law enforcement inform their attitudes toward reporting intimate partner violence. We conclude with a discussion of our research findings and their implications for theory and practice, expressing concern with the level of awareness of existing legal options for battered immigrant women and the growing anti-immigrant trend across the United States to devolve enforcement of federal immigration law to local authorities.

Feminist Theory of Intersectionality

Feminist discourse on intersectionality has developed over the past two decades. Although there are some differences in interpretation and application, intersectionality theory considers the ways that hierarchies of power exist along multiple socially defined categories such as race, class, and gender. These categories mutually construct each other via structural inequalities and social interaction, creating a matrix of intersecting hierarchies that is not merely additive but multiplicative in terms of unearned privilege, domination, and oppression (Baca Zinn & Thornton Dill, 1996; Collins, 1991/2000; Crenshaw, 1991; Higginbotham, 1997; Steinbugler, Press, & Johnson Dias, 2006). In this way, both opportunities (including social and material benefit) and oppressions may be simultaneously created by intersecting forms of domination (Baca Zinn & Thornton Dill, 1996; Steinbugler et al., 2006). Thus, for instance, “a gay Black man may experience privilege vis-à-vis his maleness but be marginalized for his race and sexuality” (p. 808). Angela Harris (1990), along with other critical race feminism legal scholars, refers to this notion of intersecting, indivisible identities as “multiple consciousness.” Theories of intersectionality have inspired scholars across many disciplines to notice how various forms of privilege and oppression operate simultaneously as well as to reveal those forms of social identities that go unnoticed.

Writings on intersectionality use country of origin as an example of how racial and ethnic identities result in domination or oppression. Crenshaw (1991) specifically refers to immigrant status as an example of how race affects violent victimization in the United States. In this article, we show how the experiences of legal and undocumented immigrants are different from those of U.S. citizens and yet similar to one another, regardless of country of origin. Notwithstanding the racialized politics associated with immigration in the United States, and recognizing the racism that many immigrants face, our effort here is to build on the substantial literature on intersectionality to reveal the intersection of immigration and domestic violence. We do so to highlight the salience of immigration for battered women in terms of how immigration affects the level and types of intimate partner violence women experience and shapes marital dynamics and women’s helpseeking opportunities. We also examine how immigration and the policing of immigration may compromise women’s safety. Thus, although we attend to the racialized category of immigration and the racist anti-immigrant sentiment aimed at immigrants, analytically, we have separated immigrant status from race/ethnicity as a category of intersectionality.

Immigration

Twenty-first century migration across international borders is a significant global phenomenon (Sassen, 1998). Motivated by a combination of push and pull factors

such as impoverishment and economic opportunities, political instability and the opening of previously closed borders, and the loss or gain of family ties, large numbers of people enter key receiving countries such as the United States each year. The United States is considered “a nation of immigrants.” Nevertheless, who is allowed to legally immigrate has varied over time. U.S. immigration and naturalization laws have shaped the resulting immigrant pool in terms of gender, race or nationality, sexual orientation, and marital status. These social identities have been central to U.S. immigration law, ranging from the exclusion of Chinese prostitutes in the 1870s to the men-only Bracero Program instituted in 1942 (Calavita, 1992). Subsequent changes in immigration policy, including an amnesty initiative in the mid-1980s, led to heterosexual family reunification and an increase in the numbers of women and children who migrated to the United States. Such gendered, racialized, and sexualized patterns reflect how immigration and naturalization law serves to police the purported moral as well as political boundaries of the nation (Gardner, 2005). These immigration laws affect why, when, how, and with whom women immigrate and their experiences of domestic violence subsequent to arrival in the United States.

One factor among many that motivates emigration from Southern toward Northern tier states is immigration policies that focus on family reunification. Other factors include the intensification of economic globalization under neo-liberal policies and relative ease of movement between political borders. Together, these factors are responsible for women making up an ever-increasing proportion of immigrants to the United States. Indeed, by the turn of the century, “close to 60 percent of immigrants from Mexico, China, the Philippines and Vietnam were female”; a similar percentage of female immigrants were between ages 15 and 44, significantly younger than their native-born counterparts (Zhou, 2002, p. 26). This young age cohort requires of female immigrants a long-term commitment to domestic and workplace labor in their new country of residence. In addition to their unpaid domestic and paid workplace labor, female immigrants also frequently contribute financially to the economy of their countries of origin via remittances home. In areas other than age and labor, however, female immigrants, as a whole, are a diverse group: migrating alone or with children and family; undocumented and/or dependent on male kin who sponsor their immigration. Some women arrive as highly skilled workers and successfully secure well-paid jobs. Other women, regardless of their skill sets, become among the lowest paid in the U.S. workforce. Still, female immigrants share the gendered effects of their border crossing.

As research on the gendered nature of immigration has emerged in terms of changing patterns over time of migration, identity formation and transformation, education, fertility, health care, and employment (Gabaccia, 1992; Hondagneu-Sotelo, 2003; Pessar, 1999; Strum & Tarantolo, 2002), so too has insight into the so-called domestic lives of immigrants. Ethnographers, for example, have analyzed how

the meaning of marriage, along with women's and men's expectations of intimate relationships, may change as a result of migration patterns, access to education, and women's economic opportunities (Hirsch, 2003). These studies of immigrant domestic life help trace continuities and disruptions of the construction of gender across the migration process. For our purposes, one of the most critical links lies between the transformation of gender across the migration process and domestic violence.

Immigration and Domestic Violence

Violence against women is one of the most common victimizations experienced by immigrants (Davis & Erez, 1998; see also Erez, 2000, 2002; Raj & Silverman, 2002). Working together, battered immigrant women, activists, and scholars have documented how immigration intensifies domestic violence and creates vulnerabilities that impair immigrant women's management of domestic violence, preventing them from successfully challenging men's violence, from securing decreases in rates or types of men's violence, or from leaving their intimate partners. According to domestic violence scholars, "immigrant women arrive with disadvantages in social status and basic human capital resources relative to immigrant men" (Bui & Morash, 1999 p. 774) or cannot participate as actively in networks as male counterparts do (Abraham, 2000). As a result, barriers to safety for immigrant women include a lack of resources for battered women, social isolation or lack of local natal kin, economic instability, and perceptions that disclosure of battering to outsiders sullies community status. Criminal justice agencies that lack translation services and/or knowledge of immigration law, lack of trust in law enforcement and/or government authorities, and immigration law that dictates legal and sometimes economic dependency on the batterer, who may be undocumented or lacking legal immigrant status, also pose significant barriers (Bui, 2004; Dasgupta, 2000; Wachholz & Miedema, 2000).¹

U.S. immigration law endangers battered immigrant women by giving near total control over the women's legal status to the sponsoring spouses, replicating the doctrine of coverture, under which "a wife could not make a contract with her husband or with others" (Calvo, 1997, p. 381). Coverture, in effect, identifies the married couple as a single legal entity, within which the husband has control over the property and body of the wife and their children. Similarly, women who immigrate as wives of U.S. citizens, legal permanent residents, diplomats, students, or workers are legally dependent on others to sponsor, pursue, and complete their visa petitions. This legal dependency intensifies gendered inequality, creates new ways for men to abuse and control their intimate partners, and entraps battered women (Erez, 2002; Salcido & Adelman, 2004). As part of the Violence Against Women Act (VAWA), legal reforms have been instituted to relieve some of the legal and economic dependencies imposed on battered immigrant women. These reforms include self-petition, which

lets an abused spouse apply for a green card on his or her own; cancellation of removal, which lets an abused spouse who has already been subjected to removal proceedings request to remain in the United States; the U-visa, which lets a victim of crime (including domestic violence) who has been helpful to its investigation or prosecution apply for a nonimmigrant visa and work permit; and access to public benefits such as food stamps (Orloff, 2002; see also Wood, 2004). Obstacles to these well-intentioned legal reforms for immigrant battered women remain, in particular due to the complex nature of legal qualifications, including who is eligible to apply for which form of legal relief, and meeting the threshold required to demonstrate having been subjected to battery or extreme cruelty. The rise in anti-immigrant public sentiment has resulted both in the exclusion of some immigrants from access to education and medical care and in increased local law enforcement of federal immigration law. When coupled with post-9/11 delays in processing visa applications, the consequences of anti-immigrant sentiment further complicate the implementation of legal reforms for immigrant battered women.

Knowledge of immigrants' experiences with domestic violence is largely culled from case studies of discrete communities. Due in large part to the depth of social and cultural capital required to conduct sensitive research with members of marginalized immigrant communities, researchers tend to focus on small, local samples of battered women from specific immigrant communities (but see Menjivar & Salcido, 2002). Thus, we have insightful contributions based on the experiences of domestic violence by immigrant women to the United States from, for example, Bosnia (Muftic & Bouffard, 2008), Cambodia (Bhuyan, Mell, Senturia, Sullivan, & Shiu-Thornton, 2005), Mexico (Salcido & Adelman, 2004), Russia (Crandall, Senturia, Sullivan, & Shiu-Thornton, 2005), South Asia (Abraham, 2000), and Vietnam (Bui & Morash, 1999). These studies generate critical albeit partial knowledge with regard to immigration and domestic violence. In addition, until now, much of the holistic knowledge on immigrant battered women has been (rightly) directed toward services and policy-based interventions.

In this study, we take a different approach. We offer a detailed analysis situated within a theoretical framework of intersectionality, using *immigrant* as a positioned identity within the social structure as well as within interactions. This approach highlights the commonalities experienced by battered immigrant women, regardless of their ethnic or national group membership or countries of origin. Aware of the specific and unique contextual elements affecting domestic violence in each immigrant group, and the heterogeneity of domestic violence experiences that immigrant women from different cultures or ethnic groups endure, in focusing on the commonalities experienced rather than the unique elements of violence against immigrant women, we expect to highlight the theoretical value of the findings as well as draw public policy implications.

Research Methods

As previously noted, extant case studies of immigrant battered women typically consist of small, local samples derived from within one discrete community group. Our goal was to create a relatively large sample of diverse participants to be interviewed about their experiences with immigration and domestic violence. Diversity of participants in this study is based on each participant's language, ethnicity, nationality, cultural groupings, and country of origin. The sampling frame originated in states with large numbers of recent immigrants, with diverse immigrant communities, and with communities residing in both urban and rural areas: California, New York, Florida, Texas, Michigan, Wisconsin, and Iowa were selected as research sites.

Major immigration legal assistance organizations in these states helped to identify relevant social service agencies that provide direct services to immigrants. The directors of the social service agencies were contacted by phone about possible participation. In addition, members of social service agencies from other parts of the country who attended various regional and national meetings related to training or discussions about battered immigrant women and other issues concerning domestic violence and immigration were also approached for possible participation. Representatives from several agencies in New Jersey, Ohio, and Washington who expressed interest in participation were added to the list of participating agencies. Altogether, 17 agencies participated in the study, conducting interviews.

The interviews also addressed contacts with the criminal justice system, which some immigrant women may be unwilling to discuss with strangers. In light of the sensitive nature of the interview content and common reluctance among immigrant battered women to disclose detailed accounts of victimization and criminal justice experiences to outsiders, each participating agency instructed its bilingual social service provider to initiate contact with battered immigrant women with whom the provider had previously established rapport and a helping relationship of trust. As with much feminist research, one considers the positionality of the research subject in devising the methodology and conducting the research. The providers' relationship with the immigrant women was an integral component of the data collection phase because the providers were not only familiar with interviewees' strengths, concerns, and needs but also shared their language and, commonly, their culture. Therefore, the provider asked each woman if she was willing to be interviewed, explained the purpose of the research project, and, once the woman gave her consent, conducted the interview.

We recognize that where a power differential existed between the social service agency staff and the helpseeking interviewees, it may have compromised the validity of those data pertaining directly to access to or quality of social services. However, as noted below, many of the social service agents were battered immigrant women turned advocates, where the power differential was minimal. Furthermore,

given the logistical barriers (e.g., training and sending interviewers to agencies in multiple states) and skill-based challenges (e.g., language competency) involved in collecting sensitive data from such a diverse sample, on balance we determined that access to a range of immigrant battered women, secured in large part due to the relationship of trust they had established with the agency staff and the linguistic comfort afforded to participants, overrode this limited, albeit important, methodological concern.

The bilingual social service providers who conducted the interviews ($N = 20$), were employees or volunteers who either had training in social services or, in some cases, were themselves survivors of domestic violence who had become battered women advocates. Each was given sets of questionnaires and instructions concerning the interviews (e.g., ethical standards such as confidentiality and interview techniques such as probing questions). The questionnaires, originally written in English, were sent ahead of time to the agencies so that the interviewers could become familiar with their content and be prepared, if necessary, to conduct simultaneous translations.² The social service providers/interviewers most often conducted interviews in the immigrant women's native language (i.e., in about two thirds of the cases).

The interviewees ($n = 137$) were immigrant women who sought help related to their immigration and/or domestic violence problems. As such, they are not necessarily representative of all battered immigrant women but represent a subsample of this population: those who have overcome barriers to reveal abuse or seek help, and those whose battering came to the attention of social services, often due to the gravity of their victimization. Furthermore, they are not representative of the subgroup of immigrant women seeking help, as they have been recruited through requests for interviews by agencies that agreed to participate in the study. There were several organizations that for practical or resource reasons did not elect to participate ($N = 8$). Some could not afford the time to conduct lengthy interviews; others were not successful in identifying battered immigrant women who were willing to participate. The sample, therefore, is not a random representation of the universe of battered immigrant women in the United States. The value of the data reported in this study, however, lies in providing accounts of the dynamics of the interaction between domestic violence and immigration from a diverse sample of women who vary by language, ethnicity, nationality, and country of origin.

Most interviews were conducted in the first (non-English) language of the interviewees, as reported by the interviewers.³ English also was used in some interviews in part or throughout the interview, if the woman being interviewed was well versed and expressed comfort in speaking English. The interviews lasted between 45 minutes and 2½ hours and included closed- and open-ended questions about the women's demographic characteristics, circumstances of their arrival in this country, experiences with abuse and violence in their home countries and in the United States, and their attempts to seek criminal justice and/or social services to ameliorate their situations.

Interviewees were offered a modest stipend (\$20) for their time, regardless of whether they completed the interview. Interviews were completed most commonly in one session, but a few were completed during a second session. Any requests to skip a certain question because an interviewee was uncomfortable about describing issues she considered private were honored. Despite an extensive list of interview questions, most women responded to our questions in great detail. Translation problems invalidated some of the responses or resulted in partial responses.⁴ For these reasons, the results for a small number of items in the interview schedule present only the range of responses rather than a quantified version of the responses.

Quantitative data were calibrated and the open-ended questions transcripts were analyzed through coding techniques described by Glaser (1992). As we read each response, we searched for and identified patterns and variations in participants' experiences and we reached a set of conceptual categories or propositions. The analysis was conducted by applying the logic of analytic induction, which entails the search for "negative cases" and progressively refining empirically based conditional statements (Katz, 1983). When negative cases were encountered, we revised our propositions until the data were saturated, making the patterns identified and the propositions offered consistent throughout the data. Once no new conceptual categories could be added, or propositions had to be reformulated, it was assumed that saturation had been reached.

Research Sample Profile

Female immigrants to the United States in the final research sample ($n = 137$) came from 35 countries.⁵ They self-identified with a variety of religions: Christian (58%, of which 36% identified as Catholic),⁶ Muslim (22%), Hindu (5%), and Jewish (1%). The age of the women ranged from 19 to 56 years, with a mean age of 32.5 and median age of 31.

In terms of marital status, approximately the same percentage of women were married in their home countries (45%) or were never married (i.e., single and/or living apart from an intimate partner) before coming to the United States (43%). The rest of the sample were either divorced (4%), separated (2%), or living with someone (2%) in their home countries prior to immigrating to the United States. At some point after immigrating to the United States, most single women got involved with an intimate partner. The percentage of "never married" decreased from 43% to 6% and those living with someone increased from 2% to 18%. Although the percentage of women in the sample who were married during the interview was the same as those who were married in their home countries prior to the move to the United States (45%), the percentage of women who stated their marital status was "divorced" at the time of the interview increased from 4% to 18%, and the percentage of women who were separated from their spouses rose from 2% to 23% of the sample.

Table 1
English Proficiency

English Language Literacy	Fluent	Some Ability	No Ability	Total
Reading	27%	46%	27%	100%
Writing	25%	37%	38%	100%
Speaking	26%	48%	25%	99%

The range of years the women have lived in the United States was from 1 to 30 years, with a mean of 8.7 years and a median of 6. The length of time they lived with the abuser was between 1 and 30 years, with a mean of 7.6 and median of 6 years.

In terms of family size, the overwhelming majority of interviewees had children (86%). The mean number of children was 2.4, and the median was 2. The educational level of the interviewees ranged from 5 to 16 years of education, with a mean of 11.6 and a median of 11 years of education (where 12 refers to high school graduate), excluding one woman who stated she had no education at all.

A quarter (25%) of the women in this sample had no ability to speak English, whereas 48% had some ability and another 26% were fluent English speakers. Thus, the use of interviewers skilled in the participants' native language was imperative. Only 27% were fluent readers of the English language, whereas 25% were fluent writers. The vast majority of women sampled had only some or no ability to read (46% some ability; 27% no ability) or write (37% some ability; 38% no ability) in English. The English proficiency of the sample as reported by interviewees is detailed in Table 1.

Immigration status varied among interviewees and between interviewees and their intimate partners at the time of the interview (see Table 2). Immigration status was divided into the following categories: U.S.-born citizens, naturalized citizens, lawful permanent residents (LPRs), VAWA self-petition, work visa, undocumented, and temporary visa. Consistent with the definition of immigrant, none of the women in this sample were U.S.-born citizens, whereas 11% of partners were natural-born citizens. Two categories described the largest percentage of female participants: LPR and undocumented. Thirty-four percent of participants were LPRs whereas 36% of their partners were LPRs, and 24% of participants were undocumented immigrants whereas only 15% of partners were undocumented. Naturalized citizens were 19% of our sample of women and 34% of partners. Nine percent of participants and 4% of partners had temporary visas, 9% were VAWA self-petitions, and 5% had work visas. No partners in this study had work visas or were VAWA self-petitions. In general, male partners occupied a citizenship status with greater rights and privileges than did the female victims in this study.

More than half of the women (58%) were employed at the time of the interview. Most often, employment involved unskilled work, and domestic labor was the most

Table 2
Immigration Status

Immigration Status	Female Immigrants	Intimate Partners
U.S.-born citizen	—	11%
Naturalized citizen	19%	34%
Lawful permanent resident (LPR)	34%	32%
		4% amnesty LPR ^a
VAWA self-petition	9%	—
Work visa	5%	0%
Undocumented	24%	15%
Temporary visa ^b	9%	4%
Total	100%	100%

NOTE: VAWA = Violence Against Women Act.

^aPreviously undocumented, but secured LPR as part of 1986 Immigration Reform and Control Act.

^bTemporary visas included tourist, student, and work visas.

common type of work reported (15%) by those employed. Almost half of the women (42%) had no gainful employment. More than three quarters of the husbands or partners (78%) were employed, most often in menial, service, unskilled, or skilled labor. About one quarter of both men (27%) and women (26%) sent money remittances to family in their home countries. More than one third of the women (39%) either used or planned to use public benefits.

Women reported being subjected to a lengthy period of abuse, ranging from 6 months to 25 years, with a mean of 5.5 years and median of 4 years of mistreatment, which included physical, mental, and sexual abuse, as well as verbal assaults. Women were also subjected to threats of being reported to Immigration and Naturalization Services (INS, now referred to as Immigration and Customs Enforcement [ICE]), being deported, or having their children taken away. The abuse also included tactics of isolating the woman to perpetuate her dependency on the abuser (e.g., she was not allowed to go to English classes, to go to school, to have employment, to be in touch with friends or family members, etc.).

Getting Married

All the women in the study had been married at one time. These marriages may have originated outside or inside the United States. Regardless of its place of origin, women indicated a lack of choice or a feeling that their resistance to the marriage was ignored. One third of the women in our study experienced arranged marriages,⁷ typically through parents or relatives, often meeting the spouse days or weeks before the marriage. Women reported futile resistance to such arrangements. One woman explained, “I refused to marry him. . . . Nobody heard my refusal.” Another echoed this sense of entrapment:

Yes, in five days, between knowing/hearing about him and setting the date of the wedding, we were married. I had not seen him before the wedding day. My father told me that he has drinking problems but God willing he will change after marriage. I did not want to marry him, but I had no choice.

Two thirds self-selected their spouses, having met in the country of origin through family, friends, work, or another connection such as shared neighborhood or religion. Those who met their spouses in the United States did so through immigrant community resource organizations. The impetus to marry was generally instigated by forces from without, primarily from family and peers, and even by those who married for love. Women who married for love highlighted the salient effect of familial and communal pressure to marry. Of the women who stated that they chose to marry their mates (two thirds of the sample), more than one quarter (27%) felt pressured to get married. Pressure to marry derived from financial instability, being too young to effectively resist, or, in a few cases, pregnancy. One woman who was married at age 15 explained, "We had no opinion or choice. Whatever our parents would say, we had to do." Others who were perceived of as too old also felt pressure to marry:

I was the oldest girl in my family, and my younger sister already received a proposal, and my family felt that I was holding the marriage up since no one who had seen me in the past had wanted to marry me. There were 15 other men who had seen me and rejected me, so there was a lot of pressure to marry.

Women also stated how they wed to escape ongoing abuse they were suffering at home.

I was abused by [my] father physically. The day I left the house, and was proposed by [my soon-to-be] husband, my father beat me so badly I accepted the marriage proposal, in attempt to get out of the violence I was living in at home.

In this way, for the young as well as those perceived to be too old to remain unmarried, marriage was an escape route from economic instability, surveillance and constant pressures by peers and family, victimization, or unplanned pregnancy. However, in the long term, marriage became yet another site of entrapment for newly immigrant women.

Becoming an Immigrant Battered Woman

Women reported various reasons for coming to the United States. One third (34%) followed their spouses, and one eighth (13%) married U.S. citizens, most of whom ($n = 10$) were military men.⁸ About one fifth (16%) came for family reunification. A substantial proportion of the women immigrated for economic reasons: 29% came to improve their economic status and 12% to work. Another significant proportion fled violence in the home country (18%) or political repression (10%).

In the United States,⁹ most of the women (87%) reported that the gendered division of labor was clear-cut; women focused on being a wife and mother and were solely responsible for housework and child care. In a minority of cases (17%), women were responsible for grocery or child-related shopping. Most often, they did not have access to a car or did not have a driver's license (60%). Men were responsible for gainful employment and money transactions related to the family, and only in a minority of cases (13%), the women stated that their men helped with work around the house.

According to female interviewees, the abuse resulted in severe mental and physical harm, including depression, withdrawal, numbness, and anxiety. About one third of the women (34%) required hospitalization to treat the injuries that resulted from the battering. Almost half of the women (46%) reported being battered while they were pregnant, with the abuser often trying to hit, kick, or otherwise interfere with the pregnancy. This abuse took place in all parts of the house, in particular in the bedroom or kitchen. Contrary to popular myths concerning domestic violence, it also occurred in public areas such as medical clinics, cars, and various social service offices, in front of family, children, neighbors, and other community members. Members of the husband's family often participated in the abuse.¹⁰ Victimization in the presence of others is indicative of a perception that the abuse is justified or that it will garner no consequence to the perpetrator. The former suggests that the offender's actions are condoned by friends, family, and the community. The latter raises questions about institutional responses to publicly displayed abuse and how the immigrant status of the victim affects the perceptions and reactions of medical and social service workers.

Immigrant women have an added risk of victimization due to relocation. For women who immigrated with a spouse or partner, the move seemed to have an adverse effect on men's level of violence and control tactics. Following their arrival to the United States, for half of these women, the level of violence increased, and almost one quarter (22%) stated that the violence began after arrival: "It has gotten worse. Now he takes out all the frustration on me." For one fifth (20%) of the women, the level of violence stayed the same, for 6% it decreased, and for 2% it stopped. The escalation of abuse was particularly difficult for immigrant women who had left their natal families behind: "I don't have family here, so he tells me that I don't have another choice but to stay with him." Another woman argued that "if he were in Syria, he would take into consideration my parents and would not act abusively as in U.S." Lacking natal family and an extended kin network led to a high rate of social isolation and a deep sense of vulnerability for immigrant women.

Immigration affected husbands and wives differently. For example, some women reported that immigration removed what they understood as constraints against domestic violence, which were rooted in their home countries. "If I want to compare it to Iraq and the U.S., of course the move has affected us. In Iraq we have family, parents, relatives. Here there is drinking and open society, especially for men."

Women explained that men acquired new interests, such as alcohol, drugs, gambling, and women, which often accompanied the abusive behaviors of the spouse.

In addition to marital arguments to which men who batter often respond with abuse (e.g., jealousy, infidelity, drinking, money issues, child discipline, or education issues), there also were distinct issues created by the move to the United States that caused tension in the marriage and exacerbated the abuse. For example, many of the women reported that remittances they or their husbands made (i.e., sending money to family members in country of origin) often precipitated arguments or fights. Other issues included the husband's inability to provide for the family in the new country or his insistence that the wife, although now in the United States, continue to be a "traditional woman and never ask him about anything" or that she remain "a very traditional Latina wife, waiting on him hand and foot and never raising my voice on him." Women often explained the reasons for their battering as "my being a bad wife and mother" or "I needed to do what he told me to do, when he told me to do it."

According to women who took advantage of economic opportunities opened for them in the new country, this change provoked their spouses and led to abuse: "In the U.S. he suffered jealousy attacks and saw me prosper—he did not like that."

Economic Challenges

Economic challenges are not unique to immigrant families, but finding suitable employment or any job at all presents major difficulties for most immigrant families. The difficulty of securing employment that matches one's skills is a significant source of conflict between husbands and wives (e.g., being an engineer but working at a gas station). One woman attributed domestic violence to her husband's unemployment and resultant idleness: "He did not work, stayed home, which made him crazy." Another suggested that unemployment, per se, was not the problem. Rather,

the dissatisfaction, failure, disappointment, not being able to meet one's economic expectations in life switches the burden on the wife. She becomes the reason of his failures. She is blamed all the time. She consistently tries to please him; it doesn't work. She gets all the frustration and all kinds of abuses.

At the same time, battered immigrant women also are deprived of supportive community, extended family, or a social network that could help them during such difficulties.

If a spouse did not have work in home country, family or relatives would extend him money and help him. Here in U.S., there are many bills to pay; there is no one to give you a hand. One gets embarrassed.

On the other hand, for women working outside the home, their absence is often seen by men as a threat to the gender hierarchy. Women reported that although they worked outside the home, they controlled little to none of the money they earned and were subject to abuse and domination by their husbands.

It was really good in the beginning, and then he lost his first job and things started getting really bad. It has not been very happy at work, and that is why he would take things out on me. We used to be happy. He would always keep the money and occasionally would demand a lot of sex, but then after a few years, he really started beating me up . . . [in particular] when I had to file his immigration papers.

Immigrant Status

Some women reported that the increase in emotional, sexual, and physical abuse coincided with immigration-specific activities such as entering the country, filing immigration papers, or accessing social welfare systems. The majority of women who came with their spouses reported that the transition and move to the United States altered the dynamics of the relationship: “He has had more power to manipulate in the U.S. because I am illegal and depended on him and I didn’t have any rights here”. An immigrant woman’s dependency on her male partner elevates his position of dominance over her. At the same time, legal dependency represents a macrostructural vulnerability that systematically marginalizes immigrant women by limiting their access to goods and resources, such as work, social services, protection under the law, and so on. Although law is not intentionally gender biased, one that creates a status-marriage dependency, such as immigration law, makes immigrant women more vulnerable to the domestic violence power dynamic (Erez, 2000; Menjivar & Salcido, 2002).

Husbands became increasingly abusive, and the physical and emotional battering became more conspicuous and severe. One woman explained that “the relationship had gotten bad in Mexico and continued the same in the U.S. The abuse changed from verbal to physical.” Another woman agreed that the violence worsened after immigration: “I believe when I came to the U.S. my husband treated me more like a kid. I do not have control over my life.” Still another woman explained how “he has become more abusive. He knows the system; I don’t. He speaks English; I don’t. I don’t have family support or someone living with me, so he can lie about me.” Even one woman who had divorced her husband still was being threatened by him with regard to her immigration status: “He’s going to call INS, because I lied that I was single instead of divorced. [From California] he stalks me, contacts me at home, at work in Michigan.”

The overwhelming majority of women (75%) described how men used immigrant status to force them into compliance. “He used my immigration status against me. He would tell me that without him, I was nothing in this country.” Men threatened

women in a number of ways with regard to immigration including that they would call ICE officials and report their immigration status (40%); get them deported (15%); withdraw their petition to immigrate or otherwise interfere with the naturalization process (10%); take away the children or deny their custodial rights (5%); and, more generally, use immigration status to humiliate or degrade them (5%). One undocumented woman succinctly stated, “He makes threats to report me to the INS if I don’t do what he wants.”

Women also illustrated the connection between immigration and domestic violence being particularly painful for mothers. “He would tell me I did not have any rights in this country. He threatened to take our children—and he finally did!” In another instance, a woman was forced to trade custody of her children for an adjustment of her immigration status. In addition, mothers feared that their children would be deprived of opportunities for a brighter future that, in the minds of the women, the United States can provide. One woman was concerned about “employment for my older children and their immigration status. [My] son wants to be a U.S. citizen, to attend school and work here.” Women did not want to jeopardize their children’s immigration status and thought that divorce or leaving the United States would have negative consequences for their children.

Many battered immigrant women who do not have lawful permanent residency believe that divorce means losing their right to work or stay in this country. “If ever I challenge him to stay here, he will divorce me; I will lose my green card and will not be able to financially survive.” This translates to jeopardizing her ability to sustain herself financially. Although the VAWA (1994) and its subsequent reauthorization (2000) Public Law 103-322, Violence Crime Control and Law Enforcement Act of 1994 Public Law 106-386, Victims of Trafficking and Violence Protection Act of 2000 provided battered immigrant women a self-petition option, most immigrant women are not aware of it. A husband uses the woman’s lack of knowledge, dependency, and immigration status as a weapon to threaten and demand compliance. A man can easily manipulate his control over the relationship and the family because of an immigrant woman’s actual or perceived legal dependency: “What prevents me from leaving is the immigration status. I need my green card.” Abusers commonly convinced immigrant women that they have no rights (or that they are not entitled to any rights in this country) or that the abusers have the power to cancel their status at any time. Some threatened to withdraw the petitions already filed on the women’s behalf or to tell ICE officials that the women married for the sole purpose of legal residency. Most of the women reported enduring abuse for long periods of time because of their desire to remain in the United States, in hopes that their husbands would change their immigration status to legal.

Culture and Community

The majority of the women (65%) reported abuse-tolerant perspectives in their home countries where, they explained, domestic violence is not considered a crime.

On one end of the abuse tolerant–intolerant continuum, a woman stated that “my national community doesn’t believe that domestic violence exists.” Another woman described another position along the continuum: “In Armenian culture, it is okay for a husband to hit his wife, and she should accept it. In America, it is considered a crime.” Other women also drew a sharp contrast between their home countries, where domestic violence is a normal part of the marriage, and the United States: “There’s a difference because here it’s a crime. In Nicaragua if the couple makes up, then it’s okay.” Overall, women reported being raised in households where fathers and husbands were considered authoritarian decision makers with the right to wield violence as needed to secure women’s compliance and that their communities expected them to reproduce such marital arrangements.

The man is the center of authority. He is the supreme decision maker. He is the bread-winner; without him, in general, it is very hard to survive financially, especially if you are unskilled or uneducated.

I was raised in a Hindu household . . . to be obedient and considerate of your elders.

Tradition [says] that you stay with the person you married no matter what he does. Women stay home, to be housewife and put up with domestic violence. Here divorce is acceptable more so domestic violence not accepted.

Women in Latin America and Mexico are supposed to suffer a lot with their husbands.

We have to listen to men more than the American women. We have to stay home most of the time when we get married. We have to be more responsible for children and husbands.

These general comments were reinforced by more individualized lessons:

My mother and father told me to go back and be a better wife. Otherwise I would be shaming them.

My mother told me to bear it, since it was my decision to marry him.

At first they were sad, told me to be patient. God will solve it.

Family members warned that divorce would negatively affect their children’s welfare or chances for a good marriage or would decrease their younger sisters’ prospects to marry. They used fear of shame, gossip, and guilt to convince their daughters to stay with their abusive husbands. In addition, some women also expressed fears, based on their respective husbands’ threats, that leaving would lead to serious injury or even death. Despite their fear and familial admonitions to “put up with domestic violence” and “listen to men,” the majority (85%) of women made one or more attempts to leave the abusers. Many of the women tried from 1 to 15 times to extricate themselves from the violence. Some women stated that they attempted to leave hundreds of times.

Reporting Abuse

Women reflected on the expectation that “everything stays in family. Sometimes we don’t even tell our families, only after many years of problems.” According to their immigrant communities, marital strife was to be kept private and should not be disclosed:

A man can do anything; he is the head of the family, and a woman should always sacrifice to make things work. The expectations for men and women are different. Our culture does not welcome outside intervention. We don’t involve outsiders in family issues. We do not consider domestic violence as a crime; police do not get involved. We don’t go to shelters. Legal system does not get involved.

They don’t like [public intervention], because they want to have the liberty of committing family violence at will.

In this town, it will label the woman. It will make it harder on the woman. [Public intervention is] not a good idea.

In the face of abuse-tolerant and privacy-affirmative perspectives, more than half (54%) of the women stated that they did not report the abuse because of their culture or religion. Nearly half the women did end up dealing with the criminal justice system as a result of the abuse (46%); however, in one third of these cases (35%), it was because someone other than the victim called the police (neighbor, family member, friend, or hospital staff).

Given the public pressure to keep domestic violence private, women struggled to maintain their social identity and status within their immigrant communities as they struggled to obtain safety for their children and themselves. “I will be ostracized and then where will I go?” Women reflected on distinctions between “home” and “here” attitudes toward criminal justice and other public interventions into domestic violence: “Here the police will help you. In El Salvador, they won’t.” Unaccustomed to involving outsiders or reporting domestic violence to the police at home (“I’m from Haiti; there is no such law to protect women against domestic violence”), women discussed the tension here in immigrant communities about disclosing abuse to family members and law enforcement.

Female interviewees “became aware of domestic violence in this country, because we know that many people can help us with our problem,” including law enforcement, who “are very responsive here and very helpful.” Immigrant women “now . . . think [domestic violence] is a crime here,” and “Americans treat it like a crime, because that’s what it is.” Moreover, “here in U.S., a woman demands her rights. The Arab woman does not have a say in Arab countries.” As a whole, women identified that “in the U.S. there is more support and protection for the victims, more services” and that “a woman in U.S. has her say, can make her own decisions. The

government helps her to have the kids. In our country, no welfare benefits.” One woman was impressed that “the clergy here in U.S. encourage you to report [domestic violence] to authorities.”

Overall, women felt empowered by having at least the option to mobilize the justice system for help. It provided them a “big relief,” or they found it “positive” or “helpful.” In some cases, individual women’s growing awareness was matched by communal acceptance of domestic violence as a behavior that deserves intervention, in particular when abuse resulted in serious injury. Women distinguished between those who shared ethnic or national identities in the home country and those in the United States.

The Armenians from Armenia think police intervention is bad but Armenians in the U.S. generally do not think police intervention is a bad thing.

In Mexico, they do not interfere until the woman is sent to the hospital; in the U.S. they interfere at an early stage, before there is need to send women to hospital.

Women also distinguished between known cases of domestic violence and those that remain hidden from sight, due to either literally or figuratively closed doors:

It depends. When cases are really bad, like publicly seen abuse, the community 100% supports. When cases happen behind closed doors, the community is hesitant.

It depends from case to case. If you or your family has a social standing.

However, they were well aware that their communities, or segments thereof, did not view favorably intervention by outsiders, in particular law enforcement.

The community is accepting the outside intervention, except the religious leaders. Still even if the spouse is very abusive, they do not give religious divorce to victims. The batterer immediately remarries while the victim is helpless. Also, the community is not very supportive to a divorced woman.

In light of these mixed messages, “it makes you hesitate. Even if you know it is the right thing to do, you postpone the outside intervention.”

Some immigrant women had negative experiences (either in the home country or here) with the justice system. Ambiguous messages about and ambivalent attitudes toward law enforcement when coupled with a persistent lack of material resources made many battered women reluctant to seek such intervention. These immigrant community views affected women’s responses to the abuse, prolonged their marriages, or prevented them from seeking outside help. Still, individual women prevailed with assistance from immigrant community organizations to secure a semblance of physical security, social standing, and legal stability: “My children and the family unit is what keeps me in the relationship. However, he has promised to stop hitting me. I used to fear deportation, not anymore—I filed my own papers. I also wanted to protect my children.”

Conclusion

Battered women in general face a number of interrelated and intricate barriers that complicate their pursuit of safety. Women struggle with, among other factors, embarrassment and shame about disclosing abuse and seeking help from social service or criminal justice agencies; emotional connection to and economic dependency on batterers; reluctance to break up families; and fear of myriad forms of violence, control, and retaliation by abusers and their communities. Although heterosexual men who batter are found in all social groups and at all economic levels, regardless of ethnicity, religion, national origin, cultural affiliation, or immigration status (Volpp, 2001), we have demonstrated that men who batter immigrant women, the majority of whom are immigrants themselves, have access to unique forms of domination and control, some of which are facilitated or even sanctioned by federal immigration law.

In our analysis of 137 battered women who had immigrated to the United States from 35 countries across the globe, we found that the general difficulties that battered women face coexist with challenges they experience as immigrants. Battered immigrant women face a range of legal, economic, and social challenges to safety. Legal challenges include lack of familiarity with or access to social service or criminal justice systems that possess limited immigrant-related cultural and linguistic competencies; legal dependency on batterers; and lack of legal knowledge. In terms of economic barriers, immigrant battered women report that their communities' economic marginalization combined with the continued responsibility for sending remittances home figures large in batterers' justification for abuse. The social implications of battering are no less central to immigrant battered women than legal and economic barriers. Internal to the community, individual women are limited by a deep fear of losing social status in and the support of their immigrant communities—often the only communities they know—and a fear of various forms of violence, control, and retaliation by the husband and his family, often the only kin they have in the new country. Among other social complications external to the community, immigrant battered women face racist anti-immigrant public sentiment that exacerbates their desire to keep violence private in order to transmit an untarnished and positive image of immigrant community. These patterns persist, despite any differences among the sample.

The interaction of domestic violence and immigration informs not only the level and type of abuse men perpetrate but also individual and community-based responses to the abuse. We found that, over time, immigration shaped the meaning that battered women gave to the controlling behaviors and violence perpetrated against them by their intimate partners. For the most part, women distinguished between attitudes and practices related to domestic violence “here” and “there.” That is, they labeled their home countries as abuse tolerant and their adopted country as abuse intolerant. Moreover, despite existing antiracist critiques of the institutionalization of the criminalization of domestic violence, and mixed messages from their

own communities as to the appropriateness of reporting domestic violence to the authorities, immigrant battered women seemed to appreciate that domestic violence was considered a crime in the United States and perceived that law enforcement officers were willing to assist as they sought safety for themselves and their children.

However, although at least some immigrant battered women feel empowered to mobilize the criminal justice system, few seem to be familiar with new policies promulgated to protect battered immigrant woman, such as the VAWA self-petition option. And even for those who obtain relevant information and meet legal criteria, pursuit of such remedies may be limited by lack of access to legal assistance or fear of turning to legal authorities, including the criminal justice system. Undocumented immigrants, as well as those in the midst of applying for legal status, or even legal immigrants may avoid engagement with the criminal justice system, in particular if they are part of a “mixed-status” immigrant family or in order to prevent law enforcement from entering an immigrant-majority neighborhood.

The commonalities among immigrants from across such a wide range of countries of origin raise two additional concerns related to immigrant battered women and the criminal justice system. First, over the past decade, the criminalization of immigrants has escalated in the United States, where immigrants are perceived of as criminals-in-the-making who make “real” Americans vulnerable to uninsured drivers, lower wages, unemployment, and property crimes as well as drug, gang, and trafficking-related violent crime. It is “immigrant” or “American” visible forms of crime that populate public discourse. Rarely mentioned is the less visible crime of intimate partner violence. When referenced, intimate partner violence among immigrants is either naturalized (i.e., that’s just the way they are) or culturalized (i.e., that’s how they treat their women). Naturalization and culturalization of immigrant domestic violence blame intimate partner violence on membership within the group, minimize the effect of intimate partner violence on its victims, and dismiss victims’ claims for justice. Moreover, it erases intimate partner violence among so-called “assimilated” and/or native-born members of U.S. society. As such, although we acknowledge that meanings and patterns of domestic violence vary across cultures, we write against the tendency to stereotype domestic violence as an inherent part of “other” cultures (Razack, 1998; Volpp, 1996, 2001). Such views reinforce the notion that gender-based violence does not warrant state intervention because it is part of the “way of life” (Ferraro, 1989), is the “mentality,” or is “part of the culture” (Adelman, Erez, & Shalhoub-Kevorkian, 2003) of certain religious, ethnic, or national groups. This perception also precludes examinations of how structural inequalities and systemic responses (e.g., criminal justice system) may sometimes diminish the material conditions and safety options for individual immigrant women and their families. Dismissing domestic violence as an immigrant or cultural problem also precludes serious considerations of how to ameliorate commonly experienced structural inequalities or how to work with battered immigrant women to identify helpful systemic responses.

Second, in the post-9/11 era, the trend in cities, counties, and states is to enter “287(g) agreements” with the federal government to enforce immigration law as proxies for ICE (Versanyi, 2008). This means that local law enforcement officers, those charged with protecting battered women, are now responsible for enforcing the civil matters of federal immigration law as well. Undocumented immigrants, as well as legal immigrants who face criminal charges, are at risk for deportation, with or without their children. As a result, immigrants, in general, and immigrant women, in particular, regardless of legal status, may go further underground with their need for domestic violence services, thereby rejecting the investment made into the criminal justice system for victims of domestic violence. Further complicating immigrant battered women’s pursuit of safety is the recent move by local governments to bar undocumented immigrants from education and social services. These developments make ambiguous which government agencies, including the criminal justice system and members of law enforcement, immigrants and their families have the right to approach—and whom to trust. Individual immigrant women, who commonly shoulder the responsibility for their children’s welfare, face the structurally produced hardship of choosing between their safety and a stable, brighter future for their children. Designing social and legal policies that do not further entrap battered immigrant women will continue to challenge feminist criminologists.

Notes

1. Collaborative efforts among battered immigrant women, activists, and researchers also have resulted in the identification of strategies productively used by immigrant women. For examples of barriers and safety strategies, see online materials available at www.immigrantwomensnetwork.org, produced by the National Network to End Violence Against Immigrant Women. Many of these issues shaped the legislation addressing the plight of battered immigrant women in the Violence Against Women Act of 1994 and its subsequent revisions.

2. Due to confidentiality requirements, it was not possible to conduct quality control of the translation. However, agencies did not report translation of the questions as a problem.

3. Primary languages included Arabic, Armenian, Bengali, Farsi, French, Haitian, Hindi, Japanese, Malaysian, Portuguese, Russian, Spanish, and Turkish.

4. Most questions invalidated due to translation pertained to criminal justice procedural issues associated with the events described during the interviews.

5. These countries are Armenia, Bahrain, Bangladesh, Brazil, Colombia, Costa Rica, Egypt, El Salvador, Former Yugoslavia, Albania, Germany, Great Britain, Guatemala, Guyana, Haiti, Honduras, India, Iran, Iraq, Israel, Palestine, Japan, Latvia, Lebanon, Mexico, Morocco, New Zealand, Nicaragua, Peru, Syria, Trinidad, Turkey, Venezuela, Vietnam (South), and Yemen.

6. Christians described themselves as Adventist, Armenian Apostolic, Assyrian Christian, Baptist, Jehovah’s Witness, Lutheran, Mormon, Pentecostal, Protestant, or Roman Catholic.

7. This applied to the marriages they reported, whether in their countries of origin or in the United States.

8. The circumstances and experiences of these “military brides” are described in Erez and Bach (2003).

9. This clear-cut division of labor was also the case in the home country. We focus on the U.S. responses to examine whether division of labor changed as a result of immigration to the United States.

10. Those who have family members in the United States can immigrate due to family unification laws. Thus, men who immigrate have family members in the United States whereas women who follow their husbands leave their own families behind.

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