

Domestic violence, deportation, and women's resistance: notes on managing inter-sectionality

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Introduction

Southall Black Sisters (SBS) is a small women's organisation in London which combines campaigning, lobbying, activism, and casework. We have worked for over 15 years on issues of relevance to the (predominantly) Asian women who come to seek advice, support, and counselling, most commonly on domestic violence and the associated practical difficulties of ensuring housing, money, and safety. Of course, there are also issues relating to emotional distress, fear, and trauma with which abused women and their children have to deal. However, for many Asian women this constellation of problems is not the full story — the British state and the women's families (both in the UK and in the sub-continent) too often act in ways which restrict the choices available to abused women, continue to threaten their safety, or force the women out of the UK, back to their country of origin, against their will.

SBS is intolerant of domestic violence and the conditions in which it thrives. We challenge and seek to change the context and experience of abuse, including at the hands of the state which can, and does, deport women facing domestic violence. Our work cuts directly across a number of social cleavages — those of race, gender, and poverty — and we seek to increase the influence women can assert over their own lives, partly through changing the conditions which give rise to those deprivations. We now handle an average of about 1,000 enquiries per year — the majority of which concern domestic violence, sexual abuse, family problems (such as young girls being forced into marriage), and immigration difficulties. Our staff speak a number of south Asian

languages and are thereby accessible to women who do not speak English and who have been disenfranchised from other services. Our advice always prioritises safety for the women and children with whom we work, and this brings us into conflict with organisations with other priorities (discussed below).

We engage in deliberate actions for change in individual cases and in the contemporary UK policy context. Over the 19 years of SBS' existence, our casework has provided the anchor for our lobbying and campaigning work: the problems faced by the women who seek our help illustrate failings in mainstream services, policies, and legal provisions. Our work for social change includes challenges to:

- the cultural climate in which women are systematically denied control of their own lives, especially through the endemic practices of violence against women;
- the construction and delivery of services to abused women which are poorly geared to the needs of Asian women, particularly those with little or no English;
- the legal and policy context (at local and national levels) which undermines the ability of Asian women to resist violence and take control of their lives.

Many of our clients who leave their husbands find themselves plunged into poverty. Those who do leave home become economically responsible for themselves and their children, although they may have been dependent on their husbands, families, or in-laws. Employment opportunities are few, especially for women who speak little English and have childcare constraints. Many of our clients find paid work in a twilight zone, untouched by employment legislation and protection, similar to women in informal sector activity elsewhere in the world.

UK immigration rules contain a restriction (the 'one year rule') on incoming spouses whereby residency status is dependent upon the marriage lasting at least one year. It means that the incoming spouse is liable to deportation if the marriage does not last for the specified year and effectively ties women to husbands, no matter how good or bad the relationship. Further, during the 12-month period the incoming spouse is denied access to state welfare provisions — such as housing benefit, the means by which women fund their stay in safe houses (refuges) if fleeing domestic violence.

SBS works in many ways, including casework, lobbying, campaigning, policy work, publications, and public speaking. Our

casework includes giving advice, counselling, making clients aware of the possible consequences of certain decisions, arranging alternative safe accommodation, finding appropriate legal counsel, and supporting them through legal proceedings. Legal cases commonly relate to obtaining injunctions (for example, to prevent violent men from harassing their wives), child custody arrangements, and divorce. However, our casework can also take us into pioneering areas. For example, in March 1998 one of our clients won a case against her husband for marital rape (the first by an Asian woman). She also took her in-laws to court for false imprisonment and actual bodily harm and won her case. While this client's success is significant, she now has to fight the British state which seeks to deport her as she is caught by the one-year rule. We continue to support her in fighting this injustice by state agencies. This is an illustration of the way in which our casework is the basis for, and link to, our campaigning work.

The 'community' and the state

It is rarely easy for women to speak out about domestic violence, no matter who they are. Quite apart from their own (perhaps conflicting) emotions, they may face disbelief or even disapproval from those whom they tell about the violence. For black and ethnic minority communities in the West there are a number of particular pressures which may be brought to bear upon women — most commonly the potential for internal criticism to be used to strengthen racist stereotypes or actions against their communities (see, for example, Mama 1989; Bryan et al. 1988). These dangers have been constructed as constraints to action and discussion, both against individual women and against organisations — such as Southall Black Sisters. The construction of knowledge on racial oppression has been allowed to contest the construction of knowledge of gender oppression, and means that only those voices and issues which are not critical of the community are sanctioned for public discourse. This allows male 'community leaders' successfully to impose an agenda of race over one of gender (see Sahgal and Yuval-Davis 1992; Trivedi 1984); and some black women themselves have declined to expose 'their men' to further harassment from racist institutions such as the police (Mama 1989; Bryan et al. 1988). Isolated and abused women are denied the first step towards seeking help — speaking about abuse. The feminist imperative to 'break the silence' is at odds with the minority community imperative to maintain a silence.

SBS has refused to be silenced on issues of gender, male power, and violence within the Asian community and on discriminatory actions of the state. This has brought considerable antagonism from within the 'community'. We have been accused of wrecking the fabric of Asian culture, and our funding has been threatened because of the nature of our work (Southall Black Sisters 1994a; Sahgal and Yuval-Davis 1992). SBS is known in certain circles as 'home-wreckers', a nervous reading of our efforts to support abused women, including their decisions to leave home. Men escape censure for their actions: how sad and significant it is that the men (and their families) who abuse women are not named as home-wreckers — a title of which they are undoubtedly worthy. Nor are violent husbands commonly subjected to calls to protect the community image in the context of racism — if men were to stop using domestic violence, this would both strengthen their own relationships and be a step towards reducing racist-inspired criticisms of the community.

Our campaigning and lobbying work arises from the casework we do — both in terms of supporting individual clients, and in terms of seeking policy change. We have run a campaign against the one-year rule which has included commissioned research — it found 512 women caught in this situation in 1995–6 (Southall Black Sisters 1997) — and we have given evidence to parliamentary investigations and lobbied politicians. We have had to educate politicians about domestic violence and the particular impact on Asian women both in terms of cultural context and in the immigration legislation. The current government recently faced questioning in parliament on the need to review and change this law. In his reply the Immigration Minister acknowledged SBS' campaigning efforts:

I pay tribute to the work of SBS who brought this matter to the attention of Ministers and the House.... The evidence given by SBS was described by the then Minister — and I endorse the description — as moving and poignant...I have worked closely with SBS to see how we can change the law ... (O'Brien 1998).

We expect an announcement soon on changes to the legislation, but we anticipate that these will not include the abolition for which we have pressed. We intend to encourage a range of organisations to monitor the impact of any changes; we will make shortcomings known to the government; and, we shall continue to press the government for abolition.

Zoora Shah

Campaigns may also be built around the need to gain support for an individual client. A current case involves Zoora Shah who is currently serving a life sentence for the murder of a man who exploited her sexually and economically for over twelve years, while he was married to and living with another woman. Having been brought to England to marry, Zoora suffered domestic violence from her husband and was later abandoned by him, along with three young children; another two children had died. She was illiterate, spoke no English, and found herself homeless and extremely poor. At this time of heightened vulnerability she was befriended by Azam, a man from the criminal underworld, who provided her shelter in return for sexual services. Destitute, Zoora felt she had no alternative and began to live in a house bought by Azam, for which she made the mortgage payments. Azam's sexual demands were relentless — sometimes he would demand sex four or five times in a day, sometimes he would take her to the cemetery where Zoora's children were buried and demand sex there. Zoora was not free of Azam's influence even when he was imprisoned for drugs offences — he sent former prisoners to her in the expectation of getting sex. As Zoora's children grew older Azam began to express his sexual interest in her daughters.

Zoora did try to get help during her years of abuse, including turning to Sher Azam — Azam's brother and then head of the Bradford Council of Mosques — but her appeal was unproductive and her ordeal continued. On one visit to Pakistan, Zoora obtained *neela thotha* (arsenic), which she was told would render Azam impotent, and brought it back to the UK. She used the poison in Azam's food and found relief from his sexual demands for a short period. Azam's interest in her daughters continued to distress Zoora and eventually she gave him a second dose of poison, which killed him. At her trial she said nothing of her history of abuse or of Azam's sexual interest in her daughters. She was sentenced to life imprisonment for murder, with a tariff (minimum period to be served) of 20 years. Zoora made contact with SBS from prison; we appointed a new legal team and over five years we pieced together her history of abuse and exploitation. In July 1997 Zoora won leave to appeal against her conviction for murder. Her appeal — that she was wrongly convicted for murder and her offence should be reduced to the lesser charge of manslaughter (which does not carry a mandatory life sentence) was heard, and dismissed, in April 1998: the judges did not believe Zoora's history of abuse.

Zoora's case exemplifies some of the difficulties discussed above. The nature of community dynamics and power relations severely limit the degree to which Pakistani women in Bradford are able to raise their voices, particularly in relation to the thorny issue of domestic violence. Discourses of shame and honour denied Zoora support within the community and severely limited her access to support elsewhere. The sexual nature of much of the abuse was deeply embarrassing for Zoora to discuss, but sexual matters are, anyway, beyond the limits of respectable discussion in her social milieu. This shows how effective is male power and control over what enjoys legitimacy as public discourse and what is denied that recognition. Failure to give public space to abuse serves to silence women's voices and to deny abused women recognition of their experiences and support to enable them to change their situation. The Appeal Court decision turned Zoora's reality upside-down by claiming that her relationships with men showed that she was not behaving as Asian women should, and that she thus had no shame left to salvage by remaining silent about domestic violence.

Intersections: challenging many fronts at once

SBS recognises that state and patriarchal systems interlock; and this makes our work difficult, as we have to unravel these without becoming simplistic or reinforcing gender/cultural stereotypes. We sometimes strike alliances in our work — with women's groups on gender issues and with anti-racist groups, for example, against deportations. However, alliances are not always straightforward, as a recent example in Zoora's case illustrates.

Leaflets about this case were sent to various groups for distribution and in all but one instance this was unproblematic. However, one group (a well known anti-racist organisation) refused to distribute any leaflets as they thought the literature fuelled racist stereotypes of Asian/Muslim/Pakistani communities. They wanted SBS to re-write some of the leaflet and remove the references to patriarchal forces within Zoora's community. This (predominantly white) organisation told Southall Black Sisters (a black group) that our leaflet strengthened racist understandings by saying that Zoora's culture is patriarchal. Their argument displays a lack of understanding both of the nature of minority women's oppression (especially in the intersection of race and gender inequality) and of the need strategically *to take on* multiplicity, rather than dealing with only one issue at a time. Their response subscribes to

the silencing of women which patriarchal dynamics in all cultures seek to impose, and highlights the discomfort of strands of anti-racist thinking in dealing with oppression within minority communities as opposed to oppression from external sources.

The changes they asked for would have decontextualised Zoora's experiences and left us referring only to the inter-personal dynamics of a single relationship. SBS understands the nature of male violence — that it is institutionalised in community and social practices — and we seek legal recognition of the context in which Asian women experience and respond to domestic violence. Like women across the world, we strive to keep gender on the agenda alongside other forms of oppression (e.g. Jayawardena 1986) and do not subscribe to a linear approach. Parallels can be found with the 'poverty-first-gender-later' argument and the cultural relativism which de-legitimises challenges to gender oppression. In the UK context, the struggle is to maintain challenges to gender oppression alongside anti-racist struggles. Our history of, and commitment to, challenging both forms of oppression strengthens our work and brings tensions into partnerships with other organisations. SBS is not afraid to take on difficult cases (although we do so with care) and we work with both Muslim and Hindu women (as well as others); we take a clear stand against communalism and against abuses of male power in all communities. There is enough evidence on the widespread prevalence of domestic violence to put any community (not only Muslim or south Asian) to shame for institutionalised abuse of women.

Concluding thoughts

Unlike many other groups in the UK, SBS works against gender and racial oppression (including religious fundamentalism and communalism) and we operate at the level of the family, the community, and the state. There is the possibility and need for work with other groups on various aspects of this work, or on specific campaigns. However, our commitment to challenging the simultaneity of oppressions has brought tension (even conflict) into those alliances and partnerships, and ours is a constant struggle to raise and keep a focus on gender in the face of pressure to privilege cultural /religious identity.

I have sought to highlight three key strategies in our work. Firstly, maintaining a strong and dynamic link between our casework and the macro view of policy and social practices which impinge upon women's options in dealing with violence. This grounding facilitates informed and

relevant work at the level of the individual, the family, the 'community', and the state, and shows a clear relationship from the individual to the macro level. Secondly, we maintain a view on the simultaneity of various forms of oppression, including gender or race/ethnicity relations, communalism, and state practices. Thirdly, working across these areas means that we can, and do, link up with a range of other organisations as appropriate to the specific work we are doing. However, both cooperation and tension can mark these relationships.

We continue to campaign and lobby for individual women and for policy changes which would benefit women. Sometimes we find our voices isolated, but we remain determined in our pursuit of justice for women in the UK. Perhaps our greatest strength is our knowledge that our work is both productive and necessary. The constant flow of cases with which we deal reminds us of the need to continue seeking the best possible conditions for south Asian women to be free from both racial and gendered oppression: it is our grounding in the daily lives of women from which our vision, strategies, and determination derive.

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