

Intimate Partner Violence Meets Immigrant and Refugee Issues Fact Sheet



General Facts

Many women, not just immigrant and refugee women, desire to continue to communicate or maintain a relationship with their partner. Refusing this could be detrimental and may lead the women to resisting services or no longer reporting abuse.

Intimate partner violence is high during pregnancy, and recent immigrants were the least likely to leave violent relationships after giving birth.

Immigrant and refugee women who experience intimate partner violence often do not have social circles in place that will be supportive and are often not allowed to go to English classes or work. This limits their opportunities to leave or to gain skills and resources that they need in order to be independent or to leave. **It is important that staff members do not appear to be critical about the lack of options or language proficiency that the women present.**

When immigrant and refugee women do go out into the workforce, it upsets the family equilibrium because the men are unused to the family structure that is presented. An added frustration is that immigrant and refugee women are more likely to find work, since they are hired more for low skill, low wage jobs, and because the men are unwilling to accept lower positions. This is another situation that can put immigrant and refugee women at risk for abuse.

An added potential threat may be when children become more acclimated and adopt some of the cultural ways of this country, or when they become the interpreter for the family. The strict adherence to ultimate respect for the authority figure is undermined and creates a power imbalance that the men may have a hard time adjusting to.

There is a huge stigma towards sexual violation in many cultures, such as for Bosnian Muslim women, and one study found that immigrant and refugee women kept sexual abuse and rape from their family because of the humiliation and shame that would be a result of the disclosure.

Immigrant and refugee women may find this culture and methods of treatment difficult because of the importance placed on intrapersonal support as opposed to an emphasis on family or community.

One study found that the expected use of protective orders was determined by: high levels of acculturation, high levels of intimate partner violence, some type of permanence in legal status, intent to leave the relationship, and have children who have witnessed/currently witness the abuse.

Studies also found that the 7 main factors that affect their decision to leave or seek help include: fear of loneliness, childcare, monetary issues, social embarrassment, poor social support, fear of harm, and a hope that things will change.

One study found that women who are in crisis shelters have more concerns about these factors than women who are not in shelters.

When a woman seeks help, she is often encouraged to leave her partner when violence has occurred. For immigrant and refugee women, their family is the most important aspect of their lives and the only social network they may be tied to. Leaving is often not an option.

Women are often encouraged to get a protective order against their partner, which immigrant and refugee women are unlikely to do as this would place shame or humiliation upon the family. Immigrant and refugee women also may not know that legal options exist and are available to them.

Sometimes immigrant and refugee women must be proficient in English in order to be eligible for shelter and services.

Immigrant and refugee women who are placed into a shelter may find it difficult to adhere to the sometimes strict rules that they are required to follow. This makes them unlikely to accept shelter, or increases the likelihood that they will leave or be asked to leave, which makes them more vulnerable. Not seeing their partner, not telling family where they are, having a curfew at the shelter, and restrictions on their cooking or rituals are some examples of problematic rules.

Victims of intimate partner violence must feel comfortable with staff and must feel that what they are saying is believed and that the staff person is sympathetic and willing to help.

Studies show that the main factors that prohibit immigrant and refugee women from seeking help include: fear of deportation, severity of abuse, fear of losing custody of children, lack of access to services in their language, and fear of consequences to the abuser and family.

Immigrant and Refugee Issues

Immigrant and refugee women are more comfortable seeking informal help, and often go to an extended family member or a religious leader to disclose abuse. Often the first person that they told was not receptive or helpful after the disclosure and may have told them that it is their “lot in life”, and that the most important thing is to maintain family cohesion. They may also be asked what they did to deserve punishment.

They may feel like it is their fault or it is their burden to bear; this belief is coupled with cultural traditions and views that make it more acceptable for men to use authoritative methods. They may come from a strict patriarchal family structure that is juxtaposed with our particular cultural beliefs and systems.

Strong family cohesion and privacy is very important for many cultures, and in these cultures women would face shame and humiliation if they were to disclose abuse. Upholding family honor is of utmost importance. There is a Chinese proverb that states “Shameful family matters should not leak out of the family’s door”.

Many immigrant and refugee women do not seek help from formal sectors, such as medical or police assistance. Many women are unaware of the legal options that are available to them. Post-traumatic stress disorder (PTSD) is very high among immigrant and refugee women who experience intimate partner violence.

Immigrant and refugee women need advocates and attorneys that can help them through the process who are aware or sympathetic to cultural differences that may exist and who recognize that they may suffer from the after affects of trauma, including PTSD. Some of the issues the women may face include trouble remembering key parts of the abuse, resistance to thinking about the abuse, feeling upset when abuse is brought up, etc. Some words should be avoided. For instance, it may be helpful to ask about specific actions, such as “Did he slap or hit you?” instead of “Did he beat you?” or asking if there was “unwanted sex” instead of asking if she was raped.

Successful method may be to use phrase “family harmony” as domestic violence, in some cultures, is seen as only physical violence between all members of the family. Also, in many cultures women are responsible for creating and maintaining this harmony.

Some cultures believe that if a man does not beat his wife, then he does not love her.

It may be helpful to describe a hypothetical situation instead of asking personal, directive questions.

Gender roles are often seen as one of the areas that immigrants are able to control, and the roles of women are the representation of the “cultural continuity” that they want to maintain in as many areas of life as possible.

40% of immigrant children live with extended family members which makes it pertinent to include extended family in the process and services provided.

In many areas, domestic violence is a family issue and is not discussed outside of the family.

In some cultures, it is traditional for women talk to the men in her family and then have the men talk to her husband. Bringing someone from outside the family in is seen as becoming “Americanized”, and can be grounds for divorce. This makes it hard for her to know where to get help, especially when those family members are not in the US.

Parenting education curriculums that focus on open communication and non violence may be helpful because the root of this curriculum is respect and peaceful communication and resolution between family members.

Abuse may be accepted by extended family members, and they may participate in the abuse. For instance, this may happen when a woman enters a marriage with what is perceived to be a small dowry.

In many cultures, women’s sole responsibility is to make her husband and her family happy.

Men are responsible for maintaining the reputation of the family within the community and are allowed to discipline or control their wives. A common theme from both genders is that women should be disciplined, submissive, and respectful.

Research from many cultures shows that if a woman mentions condom use it is perceived as a sign of her infidelity or insubordination to her husband.

Women may see it as acceptable to physically discipline a wife who has been unfaithful or has done something that is considered unacceptable in their culture.

Many immigrant and refugee women may be uncomfortable with formal office settings and some research has shown that they are more comfortable with informal settings or home visits.

About Marriage

Some clients who are immigrants or refugees may come to the USA with existing marriage bonds. Some come from collectivist societies where intimate partner violence rates could be high. Their reaction to intimate partner violence in the USA is informed by these preexisting notions they have about domestic relationships.

Many countries recognize more than one form of marriage as legal. In India, even marriage must be registered to be legal; there are different rules and regulations for different religions. There the Hindu Marriage Act (1955), Muslim Marriage Act, and Christian Marriage Act (1889) and the Parsee Marriage and Divorce (Amendment) Act, 1988. There is also the Special Marriage Act 1954 which provides a special form of marriage for the people of India and all Indians residing in foreign countries irrespective of religion or faith followed either party. In effect some Indians living in the USA may choose to marry under the Special Marriage Act.

In Ghana, customary law marriages, consensual unions, marriages contracted under Islamic rules and those contracted under the ordinance (civil or church) are all recognized as legal. Of these four types of marriages,

marriage under customary or traditional law accounts for most marriage contracts in the country. Nigeria also recognizes all three: Christian, Customary and Islamic marriages are legal.

These different forms confer different rights to each other. In many countries, men enjoy rights that place them in a position of authority over their wife/wives and children. Both perpetrators and victims may assume that legal rights continue from their country of origin in the USA.

Divorce and separation and its procedures also differ in these countries. In Tunisia where marriage is performed under Islamic law, a divorced woman cannot re-marry until a period of three months has elapsed since her divorce; a widow until four months and 10 days after the death of her spouse. Marriage of a man younger than 20 or a woman under 17 is not allowed. A Moslem woman cannot marry a man who is not a Moslem.

In Ghana and other African countries, some traditional marriages hardly ever recognize divorce. A woman married under traditional customs remains the husband's wife even after separation. In some cultures, any child born by a separated woman and a new partner is still considered to be the child of the husband who paid the first dowry on her.

Death and rules of inheritance which can precipitate intimate partner violence also differ. Some cultures expect women to marry their husband's brother to keep the family resources and unit together. Some societies with matrilineal rules of inheritance bequeath the estate of a deceased husband to his nephews instead of children. And in some, the husband's brothers become heirs to the estate which in some cases include the wife.

In summary, immigrants and refugees and intimate partner violence providers should be aware of the different legal forms and rights of marriage in other countries. These differences may lead to outcomes which are unexpected and unpredictable to people who grew up in the USA. Violent responses to the violation of these private norms may occur. Individuals from other countries may be bewildered by the social and legal consequences of actions that for them are completely logical.