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Violence Against Women 2012 18: 1108
DOI: 10.1177/1077801212461431

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>> Version of Record - Oct 28, 2012

What is This?
South Asian Battered Women’s Use of Force Against Intimate Male Partners: A Practice Note

Debjani Roy

Abstract
The purpose of this practice note is to explore issues that arise in Manavi’s work with South Asian women who use nonfatal force in heterosexual intimate relationships. It provides a nuanced understanding of the contexts within which a South Asian woman uses physical force. It addresses the many barriers a South Asian woman faces in an abusive relationship that ultimately may lead her to use of force. The goal of the practice note is to act as a tool to strengthen advocacy and service provision made available to South Asian female survivors of violence and abuse.

Keywords
domestic violence, immigrant, South Asian battered women, use of force

My experience in women’s rights and social justice advocacy includes international work on issues that affect South Asian women and girls such as forced marriage, “honor”-based violence, widows’ rights, and domestic violence. Since February 2009, I have been advocating for survivors of domestic violence with Manavi, the New Jersey–based South Asian women’s rights organization. Even though Manavi has been advocating for South Asian women living in the United States since 1985, it is only recently that we have noticed a substantial rise in battered women facing legal charges of domestic violence for using force against their male partners. Given the image of South Asian women as timid, docile, and peaceable, this increase calls for a critical look at the contexts in which survivors of violence use force against intimate partners. The purpose of this practice note is to explore the issues that arise in Manavi’s work with South Asian women who have used nonfatal force in intimate heterosexual relationships.

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Studies indicate that the use of force by a survivor differs from that of an abuser in several ways: (a) she may be acting in self defense (Dasgupta, 2007a; Dasgupta & Pence, 2006; Hamberger & Guse, 2002; Larance, 2006, 2007; Miller, 2001; Miller & Meloy, 2006; Saunders, 2002); (b) she may be attempting to escape and/or stop her partner’s violence toward her (Bachman & Carmody, 1994; Dasgupta, 1999, 2007a; Dasgupta & Pence, 2006; Dobash, Dobash, Wilson, & Daly, 1992; Larance, 2006, 2007); and (c) she may be retaliating for prior victimization (Bachman & Carmody, 1994; Dasgupta, 1999, 2002, 2007a; Dasgupta & Pence, 2006; Larance, 2006, 2007). That is, women use force as a resistive strategy against all forms of intimate violence and abuse including humiliation and entrapment, rather than utilizing it as a tool to assert power and control over male partners (Dasgupta, 2007a). These research findings correspond to the situation of many survivors of violence, who have been criminalized for striking back at their abusers, and for whom my colleagues at Manavi and I have advocated.

Although most South Asian antidomestic violence organizations in the United States admit to experiences similar to those of Manavi—that is, of witnessing higher numbers of battered women charged with domestic violence–related crimes—they are generally unprepared to intervene efficaciously in such cases. In her Occasional Paper, Exploring South Asian Battered Women’s Use of Force in Intimate Relationships, Shamita Dasgupta (2007b) wrote,

Much of the anti-domestic violence work in the South Asian community is focused on providing needed services to victims. All other related work such as research, re-education of batterers, services for children, community organizing, and intervention with women who have used force has taken a back seat. . . . Although most agencies and advocates are aware of issues surrounding women’s violence, they have to make choices about how to best utilize their meager resources, which puts services to victims above all other initiatives. (p. 9)

The limited resources with which many South Asian women’s rights organizations function do not allow for the time to develop knowledge and expertise on certain issues, including working with women who have used force against their partners. However, in the past few years, Manavi advocates have come to recognize this gap and have attempted to better understand the problems involved in South Asian women’s use of force. This practice note elaborates some of those insights. The concerns and examples that follow have been extracted from the experiences of Manavi advocates who are working with South Asian battered women charged with domestic violence. It is important to note here that although a number of South Asian battered wives in the United States have killed their abusive spouses, I will focus only on women who have used nonfatal force against abusive intimate partners. I hope this discussion will help practitioners and service providers better understand South Asian survivors’ experiences and needs, and lead to appropriate and effective intervention.

To advocate competently for South Asian battered women who are charged with domestic violence, it is important to understand the cultural, social, and real-life barriers
they face in ameliorating the intimate abuse they experience. I will first highlight the chief organizing principles in South Asian socialization patterns and its effect on women suffering intimate violence.

A major theme in South Asian society is to value marriage and family above all else. Although both men and women are taught to cherish these two mainstays of South Asian cultures, the main responsibility of saving both institutions is placed squarely on women. Thus women are adamant about keeping their marriages intact at all costs lest they face kin and community pressures. Their failures to do so are sanctioned emotionally as well as materially. In addition, a key concept in maintaining the sanctity of family is to make clear distinctions between insiders and outsiders. To that end, problems that arise within conjugal and familial contexts are firmly and closely guarded and inviting outside intervention or mediation, even in dire circumstances, is rarely approved or welcomed. Women who transgress the rule of safeguarding family secrets are viewed as not only disappointments but also as disloyal rebels who ought to be banished from the familial fold. These cultural ethics regulate women’s interactions within the family and dominate their conduct when facing violence from intimate partners.

The following discussion, based on the experiences of Manavi advocates, illustrates the contexts in which South Asian battered women have used force against intimate partners and the factors that have affected their decisions to do so.

Factors in South Asian Women’s Violence Against Partners

Cultural Issues

Keeping It in the Family

Sonia married her husband in Bangladesh and moved to the United States ten years ago. When she moved to the U.S., she not only joined her husband but also his parents and siblings who lived with him in the same apartment. Soon, Sonia began to experience abuse by all members of her marital family. Her brother- and sister-in-law harshly criticized her and her mother- and father-in-law openly complained that their son should never have married someone as outspoken as her. Instead of supporting her, Sonia’s husband forced her to submit to his family’s whims and demands. If she ever responded to her in-laws’ criticisms of her cooking, clothing, or behavior, Sonia’s husband beat her brutally. Sonia felt that if she and her husband were to move out of the family home, their marriage could be saved. However, her husband was not amiable to such requests. At times when he beat her, Sonia would fight back. In these instances, her mother-in-law would get involved physically to help her son. Sonia has been reluctant to seek outside help, as that is not done in her community. She sees no other alternative but to resist her husband’s abuse physically until she can make arrangements to leave him and take her children along.
Traditionally in South Asian families, private family matters are not divulged to outsiders. If and when intervention becomes absolutely essential, elders in a family are expected to counsel and resolve conflicts. Due to the high worth attributed to maintaining family integrity, within-family advisers pressure women toward reconciliation, as divorce and/or separation are generally unacceptable choices and considered only the very last resort in the grimmest of circumstances. Sharing family problems with the community, advocacy organizations, women’s shelters, or counseling services is viewed as a breach of sacrosanct family privacy and the woman who draws such outside attention to the family is marked as a traitor.

Inviting law enforcement into the home is deemed especially shameful. South Asian women who have sought help from the police assert that they are blamed harshly by family members for bringing detrimental attention to their home and family. With any law enforcement intervention, family members become worried about spiteful social repercussions demonstrated in statements such as “What will the neighbors think of us now?” “What will the community members think when they hear that there were police at our home?” “How could you shame our family by bringing police to our home?” Consequently, many South Asian women are reluctant to call the police for help even when being abused repeatedly, leaving them little choice in protecting themselves but to rely on their own resources.

**Being a Good Wife and Mother.** As in many cultures, a woman in a traditional South Asian marriage has many expectations placed on her as a wife and a mother. If marriage defines a South Asian woman, motherhood is her raison d’être. Among women’s many “duties” are expectations to act as the primary caretakers of children and elders in the family. The expectations of the woman’s role as a “good wife and mother” can be coercive and stiflingly demanding. Although a woman may have a full-time job and career, the burdens placed on her in terms of domestic responsibilities are vigorous.

Even after they have accepted the prospects of separation and divorce, many battered women who have sought Manavi’s assistance over the years have been deeply distressed by the idea that they would be stigmatized for life as bad wives and mothers because they have sought assistance from outside sources. Thus, to preserve their roles as good wives and mothers, many South Asian women would much rather suffer abuse and/or respond with personal violence to the abuse than attempt to ameliorate the situation with outside intervention.

In addition, valorization of suffering is deeply embedded in South Asian cultures. Women are expected to suffer without protest and are even revered for their capacity to endure. In conjunction with the prohibitions against sharing conjugal problems outside the family, this premium paid to unconditional tolerance frequently prevents women from seeking help from outside sources when being abused. South Asian mothers frequently admonish their daughters at marriage to uncomplainingly tolerate the mistreatment their husbands and in-laws mete out or lay down their lives in the process. As a result, when a woman is no longer able to withstand her intimate partner’s violence, she has almost no choice to save herself except through the use of force to stop him.
Real-life Issues

Immigration Status. The South Asian community in the United States is primarily an immigrant community. Thus South Asian women’s residency status in the United States affects many aspects of their lives, including the decisions they make when in abusive relationships. Additionally, many of the women with whom Manavi advocates work possess derivative visas such as F-2 or H-4 that require them to be economically dependent on the primary visa-holding (e.g., F-1, H-1B, K1) spouses. Derivative visas such as the H-4 carry many limitations including the lack of a work permit in the United States. For instance, H-4 visa holders are not allowed to open a bank account, get a driver’s license, or access social services without the sponsoring H-1B visa holder’s consent. With such restrictions, an H-4 visa holder is virtually fully dependent on her spouse, even for basic necessities such as money, food, shelter, and transportation. Although she may be included in a joint bank account, this remains contingent on her spouse’s benevolence, a situation that is highly unlikely if the relationship is abusive. The requirements of a derivative visa would leave a battered woman with little access to financial and assistive resources.

Such dependent residency statuses place battered women in highly vulnerable situations, especially if their children are American citizens by birth. If a woman has U.S.-born children, she could potentially be separated from them forever. For example, if a woman’s husband decides not to sponsor her visa, she becomes deportable, while her minor children, as American citizens, may be legally forced to stay in this country with their father. Men on nonimmigrant temporary work visas such as H-1B, F1, and L1 may also be vulnerable to deportation if they are arrested and charged with domestic violence. Unsurprisingly then, women on risky visa statuses are extremely reluctant to seek outside help, due to the fear that calling the police would jeopardize not only their own visas and child custody but also their husbands’ residency status.

If a woman and/or her spouse are out of status or undocumented, she might again hesitate to seek help from law enforcement for fear of being deported. If the husband is the one out of status and she is financially dependent on him, it is unlikely that she would want to jeopardize his future in the United States by calling the police. This situation was exacerbated by passage of Section 287(g), which gives the Federal Government authorization to enter agreements with state and local law enforcement agencies, allowing them to perform various immigration law enforcement functions including deportation-related arrests (Seton Hall University School of Law, 2009). In such an immigrant unfriendly social environment, a South Asian woman might have few choices but to depend on her own personal resources, such as the use of force to protect herself and her children from her spouse’s abuse.

Language Barrier. Due to the lack of fluency in English, many South Asian women face language barriers in the United States. Even if the women have some grasp of spoken English, they may not have the confidence to articulate and explain the problems. Often abusers have convinced them that nobody will understand them and they will be ridiculed for their lack of language skills. Many women proficient in English may also revert back to
their vernaculars in moments of crisis. South Asian women are often reluctant to access services and seek assistance during crisis if they have to express themselves in English. This difficulty with spoken English creates substantial barriers even when women are otherwise willing to seek help.

In contrast, several South Asian women have reported to us that after they gathered courage to call 911, the responding police officers ignored them and collected information from the abusers due to their husband’s fluency in English and poise when speaking the language. Abusive men have taken full advantage of this situation and given their versions of the violence, while the women have been unable to convey their perspectives and/or verbally defend their actions. At times, this has led to arrests and/or the issuance of temporary restraining orders against the battered women. It is critical to recognize that language becomes an added barrier for immigrant battered women in the United States that leaves their actions of self-preservation more susceptible to criminalization.

**Mistrust of the Police and Legal System**

Her husband abused Fatima for many years. She married in Pakistan and then migrated with her husband to the United States where she gave birth to three children. On one particular occasion, when her husband was beating her, Fatima scratched him and broke the skin. He promptly called the police. When the police arrived, Fatima was so upset from the struggle that she was unable to talk to the police or show them her injuries under her clothing. She also felt restrained to speak to male police officers about such intimate matters. In contrast, her husband calmly told the police his story and accused Fatima of being violent without cause. After seeing the scratch on his body, the police arrested Fatima. Her husband got a Temporary Restraining Order (TRO) against her. Eventually, Fatima was able to speak about her experience of abuse in court and also received a TRO against her husband. At the criminal hearing, the judge ordered both of them to attend a Batterers Intervention Program (BIP) for 26 weeks. As Fatima could not drive, it took her four hours to commute back and forth from the BIP location. She had no money and now had no income. Nonetheless, she had to pay for the public transport that soon became a prohibitive expense for her. Fatima felt that the BIP had little sympathy for her situation and that no one paid any attention to her experience of being a victim of battering. Fatima lamented, “I didn’t commit any crime. I was not out of control. I was not shouting. It’s just who called the police first [that mattered].”

South Asians tend to carry strong distrust of the police and the legal system. To a great degree, this suspicion is the result of the colonial past when the police carried out brutalities against citizens at the request of the colonizers and the legal system was implemented at the will of the foreign rulers (Dasgupta, 2007b). Even after gaining independence, the police in most South Asian nations have remained vicious and venal, while the judicial
systems have gained infamy as corrupt and serving the interests of the rich. In most South Asian countries, neither system inspires trust and faith among the people. Additionally, the negative encounters with the police and courts some South Asian immigrants experience in the United States reinforce the damaging images they bring with them from their home countries. Even when individuals have not directly suffered atrocities wreaked by the police or courts in the United States, stories circulating in the community alarm and bias women and men against seeking help from the police or courts.

Such misgivings are further enhanced by the harsh treatment some battered women have received at the hands of law enforcement and the legal system. Several South Asian women have remarked to Manavi advocates that when they have called the police, the responding officers have considered them uncooperative and not credible because they were wearing hijab, their English was halting, and/or they appeared disorganized due to the trauma of the violence that had just occurred. Often, the police have accepted the abusers’ accounts of reality because the women were perceived as hysterical and disoriented. At times, the officers have normalized the abusers’ behavior, assuming that such conduct was inherent in South Asian cultures and societies.

The biases of the law enforcement and judicial systems in these situations frequently give South Asian men power and control in intimate relationships. Manavi advocates regularly hear about instances in which South Asian men call the police and falsely accuse the victim of violence and abuse toward them. Men also obtain TROs against the victims to further instill a sense of fear and isolation. In these cases, bringing negative attention to the family is secondary to creating fear and establishing power and control in the marriage.

Societal Issues

Issues of Mental Health

Rupa married her husband in India and immigrated to the United States. A couple of years later, she gave birth to their daughter. Soon after, her husband began to abuse Rupa emotionally, mentally, verbally, and physically. In addition to the violence, Rupa’s husband declared her to be suffering from “bi-polar personality disorder” and “schizophrenia.” Although he was not a physician or psychologist, Rupa’s husband acquired various medications to treat her and forced her to take them. On several occasions, he would abuse her and videotape her responses. He then edited the video clips to strengthen his claim that she was mentally ill and, therefore, an incompetent and dangerous mother. One day while she was trying to sleep, he sat by her bed and repeatedly spat on her. The situation escalated and Rupa hit him with a frying pan. He immediately called the police and Rupa was arrested. Criminal charges were brought against her.

In South Asian societies, mental illness is culturally and socially stigmatized. The topic is so fraught with shame that people tend not to discuss it in public and individuals suffering from mental illness are hidden away by the family. If individuals are compelled to seek
therapy or counseling, the situation is kept private to avoid community members’ judgments and ensuing embarrassment to the family. Battered women showing even the slightest signs of emotional disorientation and mental illness are peremptorily dismissed as malingering and their veracity about the abuse is questioned skeptically. Given such prejudices, battered women with mental health problems are scarcely able to access the few resources that are available to them in the community. As a result, many women believe that their only option is to defend themselves against abusers with force.

Several women have reported to me that their abusive husbands have fabricated the circumstances of their mental illness to make others in the family and community believe their use of force has little to do with systematic experiences of abuse. The abuse is compounded when husbands justify their own violent behavior as a response to their wives’ erratic conduct, which is falsely attributed to a “preexisting” mental illness. At times, men have forced their battered wives to be assessed by mental health practitioners who have no knowledge of South Asian cultures and/or the dynamics of domestic violence and then coerce them to take medications. Some women have also been forcibly committed to psychiatric hospitals. Many abusers have systematically built spurious histories of their victims’ use of force to lessen their credibility in the community and to the legal authorities (Ballan & Freyer, 2012).

**Marital Rape and Sexual Assault.** The topics of sex and sexuality are considered taboo in most South Asian cultures. Although the proscription against speaking openly about sex applies to both genders, traditionally women are particularly targeted for this prohibition. For women, chastity and virginity are the crowning glories of character. To keep women sexually pure, the South Asian female socialization patterns emphasize naiveté about the subject (Dasgupta, 2007b). Sexual awakening and knowledge for women are allowed only after marriage and only by husbands. Thus women who are ignorant about sex and sexuality are considered good and virtuous. As a result, it is often difficult for women to recognize and talk about sexual assault and/or seek help after being violated (Hunjan & Towson, 2007).

Even when they might talk about physical abuse, South Asian women are often exceptionally hesitant to disclose marital rape or sexual assault. In my experience, when a South Asian woman speaks about sexual violence, the language she uses is not explicit. She may disclose in language that is open to (mis)interpretations such as “He took me to bed,” or “He entered my room.” Although a woman might recognize being coerced, she might not identify her spouse’s behavior as “rape” or “sexual assault,” as she may believe that women do not have the right to deny their husbands’ sexual demands.

A number of women who have dared to disclose sexual violence have informed us that their husbands have often bullied them to watch pornography and then imitate the degrading sexual acts viewed on screen. Given the cultural ban against disclosure and the inhibition regarding sexual assault, South Asian women may be too ashamed and humiliated to seek outside help in such situations and feel compelled to use force against their abusers. At times, the use of force may be the only recourse a South Asian woman has to prevent forced impregnation.
Lack of Resources and Recourses

The two important issues that surface from the analysis of cultural, societal, and real-life factors involved in South Asian women’s use of force in intimate relationships center on the awareness of resources and recourses available to them in society. Also, South Asian women may be kept unaware of the resources and recourses by their abusers to deliberately maintain dominance over them. The impact of the abusive tactic of isolation is significant in the lives of immigrant survivors of violence to such an extent that they may not be able to discover effective resources in U.S. society. This lack of knowledge prolongs a South Asian woman’s victimization, leaving her with fewer means of protection or escape from abuse. In situations when women may be aware of the availability of resources and recourses, they may assume that these cannot be safely accessed due to the potential for harmful consequences. They may view them as ineffective in changing their lives. In either case, battered South Asian women may believe that they have no other choice but to use force against intimate abusers to end the violence being perpetrated against them.

Conclusion

The issues and factors discussed above have emerged from the experiences of Manavi advocates working with South Asian women who have responded to their abusive husbands with violence. As advocates, we have recurrently witnessed male batterers’ systematic attempts to goad their victims to retaliate aggressively, providing them with the opportunity to call the police and lodge complaints against the women. Often the abusive husbands deliberately attempt to have their wives arrested as “primary aggressors” as a means to gaining power in divorce settlements, child custody disputes, and deportation cases. As addressed throughout this practice note, South Asian women survivors of violence already face several barriers that keep them trapped in an abusive marriage. To be falsely accused by her abusive husband and treated by the system as the “primary aggressor” further devastates the lives of a South Asian survivor and her children. South Asian battered women who have approached Manavi about such situations have expressed feelings of defeat at the possibility of being criminalized, many of them having had few or no options of receiving relief from the system. They frequently comment that they are expected to cope with much more than the abusers are in the systems that have been erected to protect victims of battering. To prevent such dire outcomes for South Asian women, it is crucial that advocates and practitioners better understand the cultural and practical barriers that pose particular challenges for diverse, and often marginalized, communities.

Acknowledgments

I would like to thank Shamita Das Dasgupta for her guidance and input in writing this practice note and for her continued encouragement and support.
Declaration of Conflicting Interests

The author declared no potential conflicts of interest with respect to the research, authorship, and/or publication of this article.

Funding

The author received no financial support for the research, authorship, and/or publication of this article.

Notes

1. Manavi’s working definition of South Asian people refers to the communities that trace their lineages to Bangladesh, India, Nepal, Pakistan, or Sri Lanka.
2. The case studies included here are examples of battered women who have used force against intimate partners and whom Manavi advocates have assisted. All names have been changed to protect individual identities.
3. A derivative visa is issued only through another visa applicant. The wife and children of primary visa holders in certain categories are eligible to receive derivative visas. The requirements of derivative visas generally keep recipients dependent on the primary visa holder. In most categories of derivative visas, the recipient is not permitted to work.
4. The rules regarding the issuance of a driver’s license to H-4 visa holders vary among U.S. states.
5. According to U.S. immigration laws, arrests and convictions on domestic violence charges make noncitizens vulnerable to deportation.
6. Personal conversation with Shamita Das Dasgupta, PhD, battered women’s advocate and cofounder of Manavi, March 15, 2011.

References


Bio

Debjani Roy is the program and development manager of Manavi. She has worked in London for several organizations, including the National Alliance of Women’s Organizations, Widows’ Rights International, Ashiana Network, and Women and Girls Network. She has edited books in the fields of gender and cultural studies for Pluto Press in London. Debjani holds a BS in marketing from the Stern School of Business, and a master’s in cultural studies from the University of London, Goldsmiths College.