

COMPETING CONCEPTIONS OF CONJUGAL VIOLENCE: Insights form an Intersectional Framework

RESEARCH REPORT

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ABSTRACT

This research project explores the question of an over-representation of ethnoracial minorities in the criminal justice system in relation to conjugal violence. Based on focus groups with CLSC social work professionals, law enforcement agents and Crown attorneys and interviews with staff and residents at a local shelter for battered women, the project examines constructions of and responses to conjugal violence. While efforts are made to understand and incorporate issues of race/racism, culture, ethnicity, and religion in addressing conjugal violence, the belief that “abuse is abuse” permeated the accounts offered by the participants. The thematic contradiction that appeared through the insights offered by a selection of battered women and professionals directly implicated in the problem of conjugal violence was, on the one hand recognizing facets of one’s social location, and on the other hand, downplaying facets of one’s social location. The preliminary findings of this exploration point to policy recommendations that aim to enhance individual and institutional responses to instances of conjugal violence.

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COMPETING CONCEPTIONS OF CONJUGAL VIOLENCE: INSIGHTS FROM AN INTERSECTIONAL FRAMEWORK

1. INTRODUCTION

Conjugal violence is a pervasive social issue affecting the lives of many women and their children. Though increasing numbers of women disclose and seek aid from shelter, police, and health care professionals, too many others remain marginalized and disenfranchised from these very front-line services. Often vulnerable, and yet least explored in the Canadian context, are women from diverse ethnoracial groups. Through an intersectional framework, this project explores competing conceptions of conjugal violence as articulated by a selection of residents of a local shelter for battered women, and criminal justice, law enforcement, and social service professionals involved in this social problem. We examine how the problem of conjugal violence and effective responses to it are constructed vis-a-vis ethnoracial minority women and a selection of front-line professionals who regularly interact with battered women. With more complex understandings of conjugal violence from a diversity of social locations, we seek to better understand the workings of gender, class and race in detection, prevention and intervention.

2. THE PROBLEM AND RESEARCH QUESTION

Conjugal violence has, without question, received ample scholarly attention throughout the past two decades. Sorely lacking, however, has been an understanding of conjugal violence from the perspectives of ethnoracial minority women and an appreciation of competing understandings depending upon social location. Broadly stated, our project is concerned with competing constructions of conjugal violence. We are particularly interested in examining how mainstream front-line professionals construct the problem of conjugal violence and effective responses to it. We compare this snapshot of the problem to the conceptions of conjugal violence and its resolution as offered by a diversity of ethnoracial women. It is our position that discrepancies – frequently the product of intersecting patterns of class, gender and race – exist, and that such discrepancies may unwittingly subordinate and marginalize ethnoracial minority women who experience conjugal violence. These discrepancies affect women's relations to helping professionals in times of crisis, and, can't help but limit their more full integration.

Insights from ethnoracial women and helping professionals on the front-lines are intended to: expose the complementary and competing constructions of conjugal violence; assess the extent to which mainstream front-line interventions are based on a dominant cultural construction of help (eurocentric and middle-class); assess the extent to which the components of mainstream intervention are culturally determined; compel us to reexamine front-line practice responses in social service, police, and court settings and the policy context within which such practices occur; and ultimately, develop more effective detection, prevention and intervention responses.

3. LITERATURE REVIEW

3.1 Conjugal Violence: An Overview

Broadly speaking, conjugal violence includes “any act of verbal or physical force, coercion or life threatening deprivation, directed at an individual woman...that causes physical or psychological harm, humiliation or arbitrary deprivation of liberty and that perpetuates female subordination” (1, p. 435). Its forms include not only the physical and psychological but also sexual and economic. A review of research across the globe suggests that the women most at risk are generally young and poor, and the abuse appears within the first five years of marriage (1, 2). Disabled, lesbian, ‘visible minority’ and immigrant women are also at risk (1, 2). Beyond this generic understanding, a universally accepted definition of what constitutes conjugal violence has been called into question, as have notions of typical batterers and victims. Recent writings that have documented violence in lesbian relationships, violence perpetrated by mother-in-laws towards their daughter-in-laws, and mothers as instigators of their sons’ violence towards their wives are challenging universal views of conjugal violence as only male perpetrated (3, 4). In their presentation of differing constructions of conjugal violence, Rankin and Vickers noted that, while mainstream shelter workers in Canada tend to view violence as a masculine natural trait, Native women and women of color identify poverty, racism and colonialism as affecting men’s violent behavior (5). Sorenson’s review of commonalities and differences between women vis-à-vis violence suggested that “broad social factors and institutions, including immigration history, definitions of male and female roles, as well as kin and friendship networks, influence what behaviors are acceptable within the context of an intimate relationship” (6). She concluded that ethnicity and race are important factors to include in identifying conjugal violence and addressing it.

Clearly, as Boehm et al. comment, “women do not speak with one voice. There are as many differences within each culture and religion as there are between them” (7). Research examining wife abuse in Muslim communities in Toronto confirms this position, revealing significant differences of opinion about the nature and causes of wife abuse not only between dominant Canadian culture and Muslim communities but also amongst or within religious Muslims who interpret their scriptures in different ways (8). In her examination of violence against women with a focus on community organizations serving Asian, African, and Caribbean women and their families, Agnew (9) identified a wide range of definitions of

wife abuse within feminist circles, between 'official' definitions derived from the legal system, the Canadian Panel on Violence Against Women and Statistics Canada, and between communities and women themselves. Given this lack of consensus, the incidence and prevalence of wife abuse in Canada is difficult to document in mainstream society, let alone in minority groups. Agnew further observed that counsellors of the same community but of a different socioeconomic class often fail to acknowledge the asymmetry between them and their clients. Her research suggests that to identify women as victims of abuse "is at odds with their own perception of their situation" (9, p. 50). Finally she remarks that "there is no typical victim of wife abuse" (9, p. 78).

This is not to suggest that incidence and prevalence rates have been ignored. Depending on the definitions used to measure conjugal violence, prevalence rates vary dramatically (1). In Canada, it is estimated that one in ten women is a victim of physical forms of conjugal violence (10). The 1993 Canadian nation-wide survey on conjugal violence against women revealed that 50% of the women had experienced a one-time event of physical or sexual assault since the age of 16, and 25% had endured one episode of physical or sexual abuse from a spouse, past or present (11). From her 1993 study, cited in Statistics Canada (1998), Larouche reported that out of 221,600 who had been aggressed, 66% of the cases were minor and 34% were serious (12). Specifics on the composition of victim subjects in either group (serious versus minor acts of violence) were unidentified. In Montréal, with a population of over 3,500,000 [of which approximately 18% are immigrants (13)], in 2000 the police received 9,000 calls which represents 25 interventions and nearly 10 arrests per day (14). At the municipal court and in the "Palais de Justice" combined, between 3,500 and 4,000 cases of conjugal violence are heard each year, nearly half of which might be described in terms of ethnocultural communities (15). Since Zorbas mentions that the majority of cases are not of the 'old wave of immigration', the average number of years in Canada being eight (16), these figures indicate an overrepresentation of newly arrived families appearing in court on charges of conjugal violence. One explanation for this phenomenon might be found in the findings produced by Moreau et al., suggesting that long awaited family reunification, particularly among refugees, contributes to tensions, conflicts and eruptions of violence in couples and families (17).

The costs of conjugal violence are astounding. Krane's review of scholarship found that conjugal violence results in physical injuries from bruising to death, it frequently leads to

multiple medical and psychological sequelae, and it increases the likelihood that women from violent environments will exhibit severe anxiety, depression, confusion or memory loss (1, 18). Anger, shame, fear, isolation, diminished self-esteem and self-confidence, damaged or destroyed trust (19) as well as trauma syndrome are commonly cited effects (20). Stark and Flitcraft found that battered women are nearly five times more likely to require psychiatric treatment and to attempt suicide than women who have not been battered (21). Studies of economic costs are few and far between. The most recent one we have found, published in 2000, was done in Finland, a country of about 5 million inhabitants. It calculates the equivalent of 24 million US\$ a year in legal costs, 13 million in social sector costs, 6 million in health costs and 2 million in other direct costs for a total of 45 million US\$, plus 55 to 100 million in indirect costs per year (22). In Canada, such costs are estimated at approximately one billion dollars per year (23).

As to the reasons for the existence of such phenomena across cultures, from his extensive anthropological research on family violence in 90 preliterate and peasant societies around the world, (many of which are economically disadvantaged in the context of the Canadian mosaic), Levinson found that “wife beating is likely to occur more frequently in societies in which men control the fruits of family labor, men have the final say in domestic decision making, divorce is more difficult for women than for men, women do not band together in exclusively female work groups, the husband’s kin group controls his widow’s right to remarry and polygamous marriage is permitted” (24, p. 71).

Research is sparse on prevalence, frequency and severity of conjugal violence and difficult to document especially in immigrant and ethnic minority populations. Linguistic and social barriers, attitudes of denial and control as well as multiple fears and isolation can prevail in such families (1). Abraham, Agnew and Das Gupta concur that violence in the South Asian community in the United States and Canada, albeit widely denied in the community, is of high magnitude (25, 26, 27). For their part, Kim and Sung reveal a rate of conjugal violence in the Korean community to be higher than in other Asian American families (28). In an exploration of how migration projects and intergenerational pressures generate chronic tensions and violence in immigrant families, the empirical evidence in Noivo’s research shows that the middle-aged women are the most victimized, enduring nearly constant physical and psychological violence (29).

3.2 Front-line Response Network

In 1979, the United Nations established the Committee on the Elimination of Discrimination Against Women (CEDAW). Following recommendations from that committee, it adopted in 1993 a declaration recognizing the unacceptability of gender-based violence in all its manifestations and the need to work towards its eradication (1). Across the globe, investigations have established the extent of the problem and its effects on women, and devised local, national, and international responses (2). As observed by Krane (2), achievements have been made in establishing shelters, raising public awareness, developing educational materials, designing programs for witnesses, victims and batterers, and heightening institutional responsiveness in social service, medical, criminal justice and law enforcement systems. The effects of the economic globalization, the development of communication technologies and of armed conflicts on women's vulnerability have yet to be fully researched, understood and addressed (3).

According to the Canadian Advisory Council on the Status of Women, women seeking to address the violence in their lives want confirmation, protection, information, just treatment and empowerment (4). During the last two decades, the plight of battered women has been met by solutions that favour responses from shelters, police, courts, and health care systems.

In 1995, the Québec government established nine principles as foundation for intervention at all levels: society must refuse and denounce all types of violence; it must promote respect of persons and differences; conjugal violence is rooted in gender inequality; it is criminal; it is a chosen means of control, domination and power; front-line intervention must prioritize security and protection of victims; front-line intervention must empower victims and respect their autonomy; it must attempt to buffer the effects of violence on children, and; aggressors must be held accountable for their violent behaviors and be exhorted to amend their ways (5).

As noted by Krane (2), shelters are a primary support for women. They provide immediate safety, temporary security, ongoing information, referrals, protection from continued violence, badgering and force or threats to return to the abuser, and an environment conducive to developing a sense of independence for battered women. There are over 265 shel-

ters across Canada; more than 80 have been established in Québec (6). Though shelters are central to the front-line response system, it has been suggested that few battered women ever seek refuge at a shelter (7).

CLSCs, parapublic community health centers, provide front-line health and social services to the population in their catchments area. Since 1986, the CLSC Du Plateau Mont Royal holds the specific mandate of providing psychosocial and judiciary services in court for victims and witnesses of conjugal violence, channeling all referrals to court from the CLSCs across Montréal through the service called "*Côté cour*". Its specialized staff, working mainly in the courts, facilitates access to information for victims and families, supports victims and families through the judiciary process, helps women and children better understand the violence in their lives, offers continuous professional help to victims and children, and makes referrals to resources such as shelters and employment centers (8).

Three protocols relative to conjugal violence have been established and put in force by the Police services of the Montréal Urban Community. First, in 1990 the Protocole de collaboration en matière de violence conjugale was established in Montréal whereby police agents are instructed to render support to the victims of conjugal violence and provide them with information about the CLSCs as a further support resource. CLSC's on the island of Montréal have adhered to it in stages and today all of them collaborate (9). CLSC professionals have the mandate to provide social work and health services to women and their children, as well as refer batterers to programs where available. However, according to Courville, out of 100 cases presented to the police, perhaps 10 are taken up by the CLSC and lead to effective changes (10). A second protocol, the "Protocole de protection en matière de récupération des effets personnels dont le besoin est urgent" in force since May 1st 1997 and adopted by all 49 neighborhood Montréal police stations, gives agents the mandate to accompany victims of conjugal violence to their family homes to recuperate their personal and essential belongings. A third protocol entitled Protocole de collaboration en matière de disparition was put in force in November 1997. This document, signed with S.O.S. violence conjugale, permits collaboration between police agents and the latter organization in instances when a man reports his wife missing; here, the police check with S.O.S. violence conjugale to determine whether or not the woman is in a shelter and will keep the information confidential. These initiatives aim to increase reporting, protect women, and reinforce the criminality of conjugal violence (11).

To date, contradictory findings have been identified with respect to the effects of police investigation and criminal justice intervention (12, 13). Evaluation studies of measures taken by the Canadian government since the early 1980s, asking all police forces to lay charges in cases of domestic assault where reasonable and probable grounds exist, yield mitigated results. Research undertaken by the Canadian Ministry of Justice indicates that 80% of victims questioned approve the policy of pressing charges. Most mention some satisfaction with how the police treated them, but expressed frustration and a sense of paralysis with the loss of control over their own lives in the process. As for court processes, victims complained about: the absence of a meeting before appearing in court; insufficient information about court procedures; not being taken seriously, and; having to tell their stories to many prosecutors (14). On their part, police agents noted fewer reports by women given that pressing charges was perceived in a negative light. The crown prosecutors expressed frustrations about the rigidity of the policy, the lack of time to work properly and successfully with victims, the one-dimensional approach of the policy, and the possible revictimization of women (15). In an evaluation study conducted in the United States, where mandatory charges were similar, arrests were found to contribute to more violence in cases where the aggressor was unemployed, unmarried and belonged to an ethnic minority (16).

According to Zorbas, the service called “*Côté cour*” yields some measure of positive results in terms of laying charges in conjugal violence cases in the city of Montréal. Zorbas indicated that social workers’ explanations of court and police procedures to the victims of conjugal violence allowed the women to “cease to affirm that everything is fine” (17). Zorbas also noted that the antagonistic nature of the justice and police systems generated more damage than help in situations of conjugal violence. She identified three challenges in addressing conjugal violence with ethnoracial minorities: linguistic barriers and the use of interpreters create fears of breach of confidentiality in the victims; male members of the woman’s family often accompany her to court, wish to speak in her stead, and pressure her to drop the charges and return to her husband, and; many minority women’s lack of knowledge of their rights and resources complicates matters (18).

3.3 Help-seeking: Experiences of Ethno-racial Women

Scholars and activists alike have devoted much attention to identifying and responding to the needs of battered women in terms of addressing the conjugal violence in their

lives. It has been suggested that isolated (rural), racial and ethnic minority, Aboriginal, disabled, immigrant, and refugee women tend to face greater hurdles in attempting to deal with violence in their intimate relations. A snapshot of Krane's (1) synthesis of this scholarship frames this discussion.

Immigrant and refugee women are less likely to access a shelter or transition house, primarily related to linguistic isolation (2). As Torres (3) described in relation to battered Hispanic-American women, immigrant status - with its accompanying loss of traditional sources of psychological and financial support from family and friends, and varying levels of proficiency with the English language - affects help seeking. Linguistic isolation applies not only to recent immigrants and refugees but to women who have long been citizens, who do not speak the mainstream language, and who have been abused (4, 5). Linguistic isolation affects women's relations with the labour force, their children, and their mates, and may amplify the isolation, dependency, shame and fear associated with experiences of abuse. As MacLeod and Shin noted (5), women's responsibilities for teaching their children the history, values, traditions and cultural practices of the home country tended to contribute to concealing abuse. While some women did disclose, and these disclosures gave rise to a range of reactions from family and friends, some women found support through their own spirituality.

Spirituality, expressed in a range of forms from individual prayer to religious institutional affiliation and practice, has been identified as a feature of help-seeking by Hispanic American women (6) as well. Others (7) have found that spirituality is often missing in helping and healing relationships. Boehm et al. (7) debate whether or not the helping process ought to allow for the recognition of clients' cultural and spiritual needs, and if so, whether or not a victim's spirituality should be introduced at the initiative of the service provider or by the woman herself. Like Boehm et al., Ayyub observed that spirituality is a missing ingredient in the helping process (8).

Regarding help-seeking from mainstream and ethnospecific community services, in general, MacLeod and Shin (5) found that it is only in the most dangerous of situations that linguistically isolated women seek help in relation to abuse. Insufficient information about resources, and cultural insensitivity and incompatibility are significant problems in this regard (5, 9). These problems are manifested by sharing information through written materials versus word of mouth, the use of a secular versus spiritual approach (5), and a focus on

individual versus family and community (10, 11). As Jang put it, (10, p. 4), "indeed, the decision to leave not only means defying one's spouse, but also challenging strict ethical codes regarding family upbringing and culture".

Help-seeking by immigrant and refugee women may also be blocked by fear or mistrust of the police and court system and fear of deportation for herself and/or her family (12). Agnew also points to racism in the mainstream services as well as family and community embarrassment as barriers to help-seeking. The under-representation of immigrant and minority women in the judicial system regarding conjugal violence has been documented by Landau (11). Although accused visible minority and immigrant groups account for 8% of court cases, they represent 14% of the total population in the region studied by Landau. Language problems, lack of information, extreme control from the spouses as well as social and economic dependence exacerbate this situation in general, and the isolation of these women in particular. They fear expulsion, family break-up, discrimination and maltreatment by the police and the courts; they do not wish to dishonor their families by pressing charges against their husbands and they express a preference for interventions that are focused on a collective good (11).

4. THEORETICAL FRAMEWORK: INTERSECTIONALITY

In her analysis of domestic violence, Bograd states that “we exist in social contexts created by the intersections of systems of power... and oppression” (1, p. 277). As such, domestic violence cannot be understood as a monolithic phenomenon. Rather, “intersectionalities color the meaning and nature of domestic violence, how it is experienced by self and responded to by others, how personal and social consequences are represented and how and whether escape and safety can be obtained”. Bograd is speaking of an understanding of conjugal violence, and responses to it, that are informed by intersectionality.

As summarized elsewhere (2), intersectionality is a theoretical framework for articulating the relationship between different aspects of one's social identity, e.g. “race”, sex, and class, and their interaction(s) with systems of oppression, e.g. capitalism, patriarchy, and white supremacy (3). It was generated predominantly by women of colour who were marginalized and subordinated in both feminist and anti-racist discourses. The intersectional framework recognizes that women of colour stand at the intersection of categories of “race” and gender and as such their experiences cannot be captured only by theories of racial oppression or gender oppression, or an amalgamation of these or other forms of oppression. Intersectionality identifies single axis analyses of oppression as inadequate and asks us to consider how an aggregate of oppressions gives rise to a unique, and more complex, understanding of inequality, penalty, power and privilege in contemporary society (4). Intersectionality offers a framework for fundamentally altering the ways in which social problems are identified, experienced, and understood so as to reflect the multiplicity of lived realities.

As put forth by Krane et al. (5), intersectionality is characterized by a number of related tenets. For one, categories such as gender, ethnicity and “race” are not considered as individual characteristics. Rather, these constructs are seen as fluid and flexible; they are shaped at the intersections of various elements of social location which are continuously being negotiated within everyday relationships. It is on this basis that intersectionality contests the essentialist assumption that all women are the same or oppressed in the same way (6). Second, such characteristics are inextricably interconnected meaning race/racism, class/classism, and gender/ sexism cannot be subtracted from each other or added onto each other. Third, social locations reflect and reinforce the operation of power in broader social relations (7, 8). Power operates in such a way as to strengthen dominant relations of

oppression and privilege on many levels: individual, systemic, and structural including institutions and their policies.

In the last decade, an intersectional framework has been called upon to explore a broad range of topics. These span from violence against women of colour in various forms (9) and sexual harassment (10) to multiculturalism in Canada (11). In examining the plight of Canadian Aboriginal women in cases of sexual violence, Razack points out that “when the terrain is sexual violence, racism and sexism intersect in particularly nasty ways to produce profound marginalization” and comments that what these women ‘run to’ is as bad as what they ‘run from’ (12). Das Gupta explains that personal, institutional and cultural barriers, based on race, class and residency status, “co-mingle to form roadblocks for battered South Asian women who attempt to escape family violence” (13). Concerned with the same community, Abraham suggests that “stereotyping by mainstream society, combined with cultural assumptions, immigration status and lack of knowledge about [...] legal/social resources, makes these women particularly vulnerable to abuse” (14).

Working with South-east Asian refugee women, Baczynskyj reminds us how fleeing for life in chaos and confusion can both pull men and women together as well as tear them apart through sexual abuse perpetrated on the latter by their male comrades in exile. Once in America, the plight of the wives of traumatized refugee men may not end, since some of these men continue to display violent outbursts. Remembering the brutalities heaped upon their husbands, these wives tend to forgive their behavior and stay (15). In another sphere of abuse, in two separate studies, one undertaken in Atlantic Canada, the other in B.C. and Ontario, Ralston and Das Gupta, have examined the work situation of South-Asian immigrant women. Both explain how immigration, race/ethnicity, gender and class within the Canadian political economy, combined in inextricable and confusing links, produce and reproduce oppressive ghettos of sweat shops that benefit the privileged class and race (16, 17). From an international study on women working in the clothing industry, the extent to which discrimination founded on sex, race and place of origin serve to lock poor women of underprivileged race and ethnic backgrounds in vulnerable living conditions is well documented (18). Finally, Oxman-Martinez et al. explored the interconnection between gender and perilous immigration experiences in a study on human trafficking. Preliminary evidence suggests that Canadian measures for border control and immigration restrictions threaten the rights of

refugees, women in particular, and do little to prevent human trafficking of which mainly women are victims (19).

The intersectional framework has come under scrutiny as being overly relativistic and difficult to operationalize. Some critics fear that attention to difference has become so particular that there is no unifying claim against oppression. Crenshaw's work is helpful in this regard. She states (20, p. 375) "to say that a category such as race or gender is socially constructed is not to say that that category has no significance in our world. On the contrary, a large and continuing project for subordinated people - and indeed, one of the projects for which postmodern theories have been very helpful - is thinking about the way in which power has clustered around certain categories and is exercised against others. This project attempts to unveil the processes of subordination and the various ways in which those processes are experienced by people who are subordinated and people who are privileged by them". Crenshaw further urges us to recognize that our identity groups are "at least potential coalitions waiting to be formed" (21, p. 377). In this way, women of color can address various forms of oppression faced without compromising relations with the Black community. In relation to the challenge of operationalizing the intersections of race, class, gender and the like, we have asked "what might be our options?" (22). To ignore the shared effects of race, gender, class etc., upon the construction of social problems and upon the requisite solutions to them seems inadequate, as does maintaining a position that violence against women affects all "women" in the same way. This project examines, through the intersectional lens, competing conceptions of conjugal violence as derived from front-line service providers, the police, the judiciary system and a selection of battered women living in a shelter.

5. METHODOLOGY

5.1 Sources of Data

This project is exploratory in nature. It is based upon the collection and analysis of data from four sources, spanning the period of April 2001 to May 2002.

- Three **focus group sessions** were organized with three professional groups being CLSC social workers, police and crown attorneys. A semi-structured interview guide composed of seven questions was used to direct the focus group discussions with each set of professionals. These sessions were facilitated in French by J. Oxman-Martinez, with the assistance of two note-takers. One note taker transcribed in French; the other in English. All sessions were audio taped, transcribed verbatim, and translated into English to allow discussion between the researchers.
- **Face-to-face interviews** were conducted with staff and residents at a local battered woman's shelter. A semi-structured interview guide was used to trace each woman's understanding of conjugal violence, her journey to the shelter, and her experiences of help seeking from her own perspective and that of the "intervenantes" at that site. A total of 37 interviews were conducted by J. Krane in English; they were audio taped and transcribed verbatim.
- **Documentary sources** of data were also used. The main documentary source consisted of the Proceedings of a seminar held in Montréal (March 2002) entitled "Precarious Immigration Status, Dependency and Women's Vulnerability to Violence: Impacts on their Health". This seminar involved experts from Citizenship and Immigration Canada (CIC), the Vice-President of the new Québec Commission des droits de la personne et des droits de la jeunesse, as well as of researchers and practitioners in the domains of health, ethnopsychiatry, social services, psychology, law and public security. Complementing the proceedings is a brochure, produced in French and English, by the CLSC Du Plateau Mont-Royal "*Côté cour*".
- **Descriptive information** (country of origin, first language, knowledge of Canada's official languages, immigration status, number of years in Canada, and the date of entry into the legal system) on all ethnic minority conjugal violence cases appearing before the court in the Palais de Justice de Montréal and in the Montréal Municipal Court of Justice over a seven month period.

5.2 Target Populations

This project documents and explores conceptions of conjugal violence as articulated by identified victims, helping professionals, law enforcement and criminal justice professionals, with a particular interest in exploring the representation of ethnoracial minorities in the criminal justice system. As such, the following participants were targeted:

- A CLSC nurse
- CLSC social workers and shelters practitioners helping women of diverse ethnorracial backgrounds
- Crown prosecutors specializing in conjugal violence
- Police agents of both sexes serving in multiethnic areas
- Current or former residents of a battered woman's shelter who identified issues of culture, race, ethnicity or religion as meaningful facets of their social location.

5.3 Recruitment of Participants

Given the exploratory purpose of the study, a selection of service providers and recipients was made according to a range of non-probability techniques: availability, snow-ball and purposive sampling were used. With the aim of investigating conceptions of conjugal violence and responses to this issue in order to track developing themes, probability sampling of respondents was considered unsuitable.

- **CLSC Service Providers:** The CLSC Du Plateau Mont-Royal was purposefully targeted because of its mandate with the Montréal Court Outreach Program, hence its particular expertise as a social service provider for cases of conjugal violence that appear before the criminal justice system. Given its mandate, six service providers from the CLSC Du Plateau Mont-Royal were selected through availability and purposive sampling measures. Their work experience ranged from five to 20 years. Five out of the six service providers are involved with the "*Côté cour*" program, located directly on site at the Montréal municipal court of justice and at the Palais de Justice. The sixth participant, a nurse, operates out of the CLSC.
- **Shelter workers:** A local shelter that offers refuge to battered women and their children from a diverse range of social locations was solicited to participate. Five front-line "intervenant(e)s" took part in a series of in depth interviews. They represented the full-time staff at the time of interviewing.
- **Crown Prosecutors:** A search was done for crown prosecutors specialized in conjugal violence at the Montréal municipal court and the Palais de Justice de Montréal. Through availability and snow-ball sampling, seven lawyers, all self-defined as aware of cultural issues, agreed to participate. Their experience in the field ranged from six months to 13 years.
- **Law Enforcement Agents:** Four police agents entitled "agents de concertation" from the Prevention and Community Relations department of the Montréal Urban Community Police Force participated in the study. These agents have been in service for eight to 14 years and are working in multiethnic sectors of Montréal.
- **Current or former residents of a local shelter for battered women:** Twelve current or former residents from diverse ethnic, racial and religious communities, including of mixed ancestries, and from various countries and regions of origin (Fiji, India,

West Indies, Europe, Africa and China) accepted to participate. Each woman identified issues of race, culture, ethnicity, or religion as features of their identities and were thus selected according to both availability and purposeful sampling methods. Their ages ranged from 19 to 49 years. Ten women were mothers. Their 22 children ranged in age from 18 months to 26 years. Of these women, only three were employed at the time of the interview.

5.4 Analysis of Qualitative Data

The data from the focus groups and individual interviews were analyzed according to qualitative research techniques. This approach entailed not only using semi-structured interview guides to explore conceptions of conjugal violence, pathways and barriers to help-seeking, and experiences of service responses, but allowing for flexibility within and between each group/interview to raise questions, track emerging themes, or query inconsistencies. Thus data collection and analysis ran concurrently, wherein the data were examined for themes as derived from groups of recurrent responses. Both the focus group and interview forms of data collection allowed for free expression by the participants. Framing data analyses were descriptive explorations of how conjugal violence is understood and addressed as well as theoretical explorations into the intersecting workings of gender, race, socioeconomic status and the like. An analogous frame of reference was used in the analyses of documents.

6. QUALITATIVE RESEARCH FINDINGS

6.1 Insights from Crown Prosecutors

In focus group format, Crown prosecutors were asked about their insights into conjugal violence as experienced by ethnoracial minorities. The lawyers expressed an “impression” that “Canadian-born members of ethnic communities have very different experiences of conjugal violence and of the legal system [in comparison to] new immigrant members of the same ethnic group”. They did not elucidate this view. They also held the “impression” that there is an over-representation of ethnoracial minorities that come to the attention of the justice system in relation to conjugal violence, but had no statistical backup to confirm this impression. They considered “working with them is more challenging” without specifying in what ways. They identified Arabs, Muslims, Haitians, Latinas, South-Asians and Russians as overrepresented in their institution and connected this overrepresentation with immigration patterns, that is, “ethno-cultural groups seem to be more present in the system when they are new immigrants”. The group does not specify what “new immigrants” mean in terms of months or years.

Crown prosecutors offered definitions of conjugal violence that were consistent with dominant discourse in the field. “Conjugal violence is the exercise of control by a man over a woman. Sometimes a woman commits it against a man but that is quite rare”. It was also described in terms of “power relations” wherein one person exercises power over another. Conjugal violence was described as physical, verbal, threats, sexual, financial and social isolation. When asked to offer an example of power and control that might speak to the experiences of ethnoracial minorities, the Crown prosecutors suggested that language barriers may facilitate the exercise of a husband’s control over his wife since, without knowledge of French or English, the woman may not know her rights, the available resources and the formal help seeking processes.

The lawyers identified financial control as an important factor in conjugal violence among ethnoracial minorities. They suggested that “often, the man will work outside the home and the woman is unlikely to do so... the man is therefore able to control all of the family’s resources”. They also suggested that problems occasionally arise in instances when

the woman finds work but the man remains unemployed or unable to find work that fits with his qualifications.

The lawyers explored how these cases end up in court. They recognized that police, neighbors, acquaintances, and the women themselves make the violence known to authorities. They suggested that neighbors or acquaintances make reports of conjugal violence when they perceive the situation to be unacceptably dangerous, “especially in cultures where some degree of violence is viewed as acceptable”. Once a charge has been laid, the Crown Prosecutors could not comment on the extent to which the charges are dropped but held the general impression that “judicial intervention is to be avoided at all costs”. Given that plea-bargaining for treatment or other alternatives to jail is difficult because of language barriers, the punitive system remains the one to alleviate domestic violence. Nonetheless, the lawyers identified three reasons for ethnoracial minority women to want to have conditions changed or charges dropped: 1) guilt for having involved their partners in the legal system, albeit without indicating how and why the lawyers viewed this as a fact; pressures from the extended families and even from their husband’s lawyer, the latter being often chosen by their husband within their own community while she only has access to court-appointed prosecutors; and, a perception that “women from recent immigrant communities may have more respect for the law and feel more obliged to respect any conditions set” as opposed to an impression that Québécois women who simply ignore conditions with which they do not agree.

From their perspectives, police responses to conjugal violence have improved. They commented that, for ethnoracial minority women, police reaction to the case and court experience can be very discouraging, and commented again on language barriers, the difficulties associated with the use of translators, and the expenses entailed in these measures. The lawyers viewed social work presence in the courts as helpful and acknowledged that they, themselves, do not have time to support the women.

When asked about the challenges they face in working with women from ethnocultural minorities, Crown prosecutors were articulate. They considered that their perceptions of conjugal violence differed from those expressed by ethnic minority women. They spoke of difficulties in gaining women’s trust. They suggested that “Muslim women who cannot leave their homes unless accompanied by a male member of their family” pose problems, as does

the situation wherein a woman finds herself “trapped” in her home if her husband is incarcerated or if she separates from him. Working with families where “honor” is extremely important, the women being responsible for it, is complicated by the blame heaped on her for sully family honor. They identified recently arrived immigrant women as unaware of their rights and thus unable to achieve independence; they suggested that these women enter the criminal justice system many times and over years before any change occurs for them and their circumstances of conjugal violence.

In exploring how race, culture and religion influence conjugal violence, the lawyers were very reluctant to take an explicit stand. They held firm to the notion that conjugal violence is found in all segments of society, regardless of culture, race, class or religion. They recognized that women who enjoy financial and emotional independence may find it easier to escape the violence and that knowledge of the language and of rights are helpful.

In ending the focus group session, it was felt by all present that their attitude toward their work with ethno-cultural minority group women was widely held among their colleagues. They stated that “being a good conjugal violence lawyer with women from ethno-cultural communities takes openness and respect for the women as adults who can and should make decisions about their lives. We shouldn’t judge. It’s a totally different type of legal case because of the social approach. We sometimes feel powerless when faced with such a difficult situation but we also meet exceptional, strong and noble women”.

6.2 Insights from Social Workers

The social workers who participated in our focus group addressed the issue of overrepresentation in terms of specific ethnoracial minority groups. They noted that Chinese women are particularly underrepresented in court whereas women from India (which might mean South Asia), Central and South America, Haïti, Maghreb, and the Middle-East seemed to be overrepresented. They attributed these differences to knowledge of one of the official languages, knowledge of resources and degree of isolation. The workers offered an example of how a woman’s knowledge of a resource such as “911” may be partial. While “new wave” immigrant women (1990 to the present) might call “911” in a crisis, some are unaware of the resulting consequences such as the imprisonment of their husbands, prohibited contact with them, and possible “revictimization” by their own communities.

Like Crown Prosecutors, the social workers defined conjugal violence in terms of power and control via physical, verbal or psychological means. They included “harassment, threats, isolation [and] possessiveness” in their definition. They suggested that gender inequality is the common thread running through conjugal violence across ethnoracial minority groups. “Women from certain [unspecified] communities don’t face worse violence than [women] in other [communities]. The same scenarios can be found in Québécois society”. The workers agreed that “no religion accepts that women be beaten... It is not fundamentally a question of race or of culture but more a game of power”.

Having said this, the social workers identified features of violence in “some cultures” that entail broader family relations, i.e., mother-in-laws exercising power over their daughter-in-laws, and conjugal violence supported by husbands’ mothers, sisters and other family members. They also spoke of “polygamy” as a source of conflict and violence between husbands and wives in the Canadian context. They suggested that some men, from traditionally polygamous societies, take advantage of extramarital relations in the name of polygamy. While the workers believed that polygamy might have provided women with a supportive network in Africa, they suggested that, once in Canada, these wives “don’t like not to be exclusive”. They do counsel women on this subject matter and questions of conjugal violence emerge. The social workers also spoke of dramatic changes in men’s and women’s roles vis-à-vis the paid labour force in particular and the public sphere in general as a precursor to violence. “This was very hard for the man who considered himself the family breadwinner... His wife, with less social pressure, adapted better... In the end she became the family breadwinner...and violence exploded”. “Immigrant husbands know that their wives have rights here. They have the impression that everything is allowed in North America and that women are free. At the same time, women are more isolated, have a harder time leaving the house and are dependent on their husbands for money”.

Precarious immigration status, such as refugee claimant, was associated with vulnerability to conjugal violence. The social workers expressed concern for women from Pakistan and Sri Lanka in this situation and suggested that they had encountered women who feared the husband, the legal system, deportation, and feared that their husbands might have a criminal record after disclosure of conjugal violence. While the workers recognized some forms of psychological violence as common to all women, they did suggest that a sponsored woman is more vulnerable due to her social and economic dependency on her

husband. Reference to a connection between ethnicity, immigration status, and socioeconomic status was made on a number of occasions. “Social workers work in great poverty... it is difficult to separate the economic aspect from the ethnic”.

When asked about ethnoracial minority women’s involvement with the criminal justice system, the workers suggested that women vary according to their willingness to follow through with the charges. “Nine women out of ten start the interview at the court by saying that they don’t want to testify and want to withdraw their complaint”. After lengthy consultations with social workers, “they remain ambivalent and want to get back together with their partners, [regardless] of their origin and culture”. They also described how some women, across the globe, have few rights and freedoms: “the right to vote, freedom of speech, the right to separate and get a divorce, the right to child custody, the right to work”. The social workers spoke of Muslim and Jewish women who could not secure a religious divorce from their husbands as instances not only of conjugal violence but of the limitations of the criminal justice system in addressing the violence in their lives.

According to the social workers, law enforcement agents do not always meet the needs of ethnoracial minority women. Problems arise when the woman speaks neither French nor English. When she is wearing a chador, she will likely be believed. The workers identified police “prejudice towards Haitian in particular and towards blacks in general”, as well as the poor and welfare recipients. The social workers identified areas for improvement in their own practice. Establishing trust when there are language barriers was seen to be difficult, especially when the interpreter is a man or acquaintance of both husband and wife. They spoke of having to be open to women’s accounts and experiences and refrain from imposing their own values.

6.3 Insights from Police officers

Thematic in the focus group and interview data was the position that conjugal violence is a social problem that cuts across all segments of society. The police held this same view, but nonetheless perceived differences in representation before the criminal justice system, follow-up with charges and challenges in responding to allegations of conjugal violence across ethnoracial minority groups. In response to concerns about the overrepresentation of ethnoracial minorities in instances of conjugal violence, police officers sug-

gested that newly arrived immigrants are less likely to call in a complaint whereas immigrants who have “been here longer” know of police services in response to conjugal violence. The police observed that second generation immigrants, who are more likely to be integrated, are also more inclined to call them for emergency help. They suggested that their services were not seen as “repressive” by this latter group.

The law enforcement agents indicated that certain sections of the city were known for more frequent calls to the police than others. In Park Extension, a multiethnic community, the police receive many more calls for conflicts between landlord and tenant or between friends or family members than for conjugal violence. They “never receive” calls from Muslims. They do believe that conjugal violence is “more prevalent” with “veiled women”. They also mentioned Hasidic Jewish women whom, they imagined, would not seek the services of the police because they have their own helping system and because the police uniform bring with it memories of nazi Germany. The officers said that they “often” receive calls from the Portuguese, Italians, Russians and Polish. They attributed this “fact” to their “greater integration into our mentality” and specified that “those for whom religion rules, they are ‘anti-police calling’ even for conjugal violence”. When neighbors call in a complaint of conjugal violence, the police “must intervene according to the law”. In many cases, the involved couple or family becomes angry because police intervention into family affairs is “badly perceived in the religion”. They indicated that “everything will fall on the woman’s back who will be rejected if the police intervene. It is the “religion” they affirm “that does not accept such a thing”. In cases of conjugal violence that appear before the court, the police have observed that “the woman will deny everything and drop the charges”.

The police had much to say about ethnoracial minorities vis-à-vis the resolution of problems, particularly conjugal violence. Chinese, Thai, Cambodians and Vietnamese were said to resolve all their problems among themselves; the police never intervene. Persons from India, Pakistan, Bangladesh, and Sri Lanka “are more open”. “They have kept certain rituals of their religion, but they try hard to integrate themselves in the receiving society”. When asked what was meant by “integrate in the receiving society” and “integration into our mentality”, the focus group participants spoke of accepting the Canadian view that violence is unacceptable and criminal, and that men and women are “equal here”. To paraphrase, integration thus meant that the man no longer rules and the woman no longer submits; they are equals. With integration, they believed, comes easier service utilization.

One member of the focus group expressed dislike of the term integration. “Even Québécoises de souche do not call us [the police]”. She held the position that calls to the police are related to conceptions of the law, i.e., respect for the law, knowledge of the laws and services, experiences with police systems and the like. Some focus group members also suggested that, in the ‘québécois’ culture, the belief that a battered woman “must like it since she stays, or if the woman doesn’t know why she is beaten, her husband knows... she looked for it” still prevails and shapes contact with the police. In terms of prejudices related to ethnocultural diversity, the police indicated that “it is very difficult to penetrate these cultures especially due to language... Many people simply stop trying and feel that it’s not their problem... they have always known that if the man beats his wife, she will simply take it.

The focus group members were divided on the topic of follow through with criminal charges by ethnoracial minorities. The discussion centred on comparing ethnoracial minorities to Québécoises women, the latter group said to “play with [the judicial system] because they know the system will always be there for them when in need”. Minority group women were described as disempowered in relation to the criminal justice system; they were said to fear police authority and to have little say in the laying of charges or in proceeding with those charges. “It is perhaps for these reasons that we see them in greater numbers in the judiciary system”. The group also connected follow up with the criminal justice system to a woman’s education: “the more educated they are, the more likely they will maintain the charges”. The police noted, however, that the judicial system is rife with lengthy and complicated procedures and delays that influence the dropping of charges in these cases. They noted that delays often result from the accused failing to show up for court. At the same time, they see how social location is at times advantageous for the accused and disadvantageous for the victim. In instances when the accused can pay for legal services and/or has a particular social standing, justice seems to err on his side. They commented that the criminal justice system does not always accommodate what they know in terms of conjugal violence. They said that they encounter and witness far more than what they could ever transcribe for the purposes of court.

The police suggested that “trust” is difficult to establish when investigating and presenting allegations of conjugal violence. Trust “is a non-verbal attitude”. It is established by bringing security to the victim, taking away the source of danger and giving comfort... Even québécois women will... declare that everything is all right. But if we stay long enough and

win her [sic] confidence, it is possible that she will eventually admit the aggression". Trust, however, is compounded by language in two ways: language barriers and communicating through a male interpreter. When a call to 911 comes from someone who speaks neither French nor English, the police are occasionally able to dispatch an agent who speaks the language. The police indicated that ethnoracial minorities speak much less than "Québécoises" women, but they use their observations of the condition of the apartment and the children to assess severity of the situation. "Sometimes", the police agents reported, "notwithstanding appearances, we find out that the woman is the violent one between the two". This position was taken regardless of race, religion, culture or ethnicity according to focus group members. On the matters of culture and race, they said that "in some countries, the police are corrupt and exclusively masculine" and that "it [police force] does not have the same degree of independence as in Canada". They also noted that men from ethnocultural communities react "negatively" to female police agents, and that even some women victims do not perceive female police agents as credible.

The police had much to say about the challenges they face in dealing with conjugal violence with ethnoracial minorities. Sponsored women, they say, often have few, if any, resources, possibilities to escape, and little knowledge of their choices. Added to this situation are threats, blackmail, a fear of deportation and feared loss of their children. The police believe that a lack of information is the greatest problem faced by women seeking to escape abusive relationships. They also mentioned that in certain cultures women are seen as objects and for men, in cultures where the family takes precedence over the individual, the fear of losing one's wife is accompanied by the fear of being ostracized from the group. Religion also has an "undeniable" impact on conjugal violence, "even in Québec, until not so long ago, in the 50s, and still to this day in some families, the values of the religion governs home life". For a long time "the catholic religion in Québec permitted husbands to beat their wives with a stick no bigger than a finger". The group also mentioned that notions of obedience and respect were present in the Québec society. "It is impossible to penetrate such milieus", they add "whatever the culture".

6.4 Insights from Shelter Workers

Daily, front-line workers in a battered woman's shelter face women who are currently, or have in the past, experienced conjugal violence. In the context of providing safe refuge,

these workers are skilled, experienced, and well positioned to present battered women with an understanding of the prevalence of violence, the cycle of violence, and the workings of power and control in these regards. They expressed the desire to “empower” them “in their choices”, to enhance their self-esteem and sense of worthiness, to support them in the paths they set out, and to assist them in meeting such needs as securing legal aid, a divorce lawyer, employment insurance, social welfare, an apartment and appearing in court. These goals coincided with the workers’ conceptions of conjugal violence which were brimming with notions of abuses of power and control by men over women, and at times, their children as well. “We recognize that women are part of a patriarchal society that enables men to be violent toward them”. “There are certain universal [truths]... women are taught to care for others before themselves...and to believe that their needs come last. This is for women from different cultures.”

According to the shelter workers, “every single woman is at risk” regardless of social location. “I never see race or colour when I work with women. Never, never, never. When a woman is abused, it’s the woman in the abusive relationship that I am dealing with.” “Abuse is abuse. Hitting her is the same as hitting me. Culture has nothing to do with it”. “There are universal values like ‘you really don’t deserve to be treated like that’. This makes sense to women, intuitively, no matter what her [sic] cultural perspective is.” One worker discussed the situation of a woman from Ghana whose case was illustrative of the belief in women’s shared oppression as the most critical feature of addressing conjugal violence. During the intake telephone call to the shelter, the woman asked “is this place made for black women?” Her concern was met with assurance that she would be welcomed. According to the worker, “after being in the house and being in discussion groups, I think she began to see the commonalities, to see how similar all [women’s] experiences were”.

Alongside universal assumptions of the unacceptability of abuse and women’s shared oppression, shelter workers spoke of women’s individual experiences of abuse and help-seeking in ways that reflected assumptions about culture, race, ethnicity or religion. In certain instances, they grappled with identifying the source of vulnerability for particular women, i.e., lack of familiarity with their rights, the laws, fears that “they can be sent back to their country”, language barriers, and poverty. Despite a certain recognition of a given battered woman’s social location, workers tended to view ethnoracial minority women “putting

up” with abuse or experiencing difficulty in leaving an abusive mate for a host of reasons that all speak to workers’ assumptions about culture and/or religion:

- “Sometimes in certain cultures the severity [of abuse] is natural. One woman from Jamaica put up with a lot of abuse...She couldn’t say ‘I can’t be treated like this’ because it is everywhere. And when she went to seek help, there was no help in her society because society condones abuse.”
- “Women from Bangladesh don’t leave their partners [because] the church is a large part of every day life. If she is there alone without her family, they are going to cast her out, throw stones at her! You just don’t do that in her culture!”
- “South Asian women...find the idea of a woman living on her own almost unimaginable.”
- “A Sri Lankan woman...will be shunned from her community if she comes to the shelter.”
- “She was from the Punjab region and she was ignorant of the system, not able to conceptualize living on her own, did not speak the language, not able to understand, [and there were] a lot of pressures from her own community to resolve the issues with her husband.”
- “Greek women keep it [conjugal violence] secret.”
- “For Muslim women, divorce is not acceptable, and so for them to separate is really big. When they come [to the shelter] and want welfare, they can only get welfare when they file for divorce or separation, but Muslim women tell me ‘no, no, no. I want nothing to do with this’.”

On the flip side, assumptions were also made about particular women’s strengths, i.e. “African and Caribbean have no problem acting as single mothers... [and] have less difficulty leaving their partners... I can’t tell you statistically... Whereas it is a big deal to get a divorce for South Asian women ... and this is related to the community”. “Muslim women, because they live in a segregated society, don’t have so much trouble opening up to women because they are used to it. It’s the same with Indian Hindu women”. Caribbean and Latina women are said to take the position: “Okay, I left him, now let’s get on with it. I don’t need to discuss this or that, I need shelter, I need a lawyer... let’s get down to work. No tears. They are pretty determined to take care of themselves and their children”.

Assumptions were also made regarding the effects of living in the dominant culture. One worker spoke of a Vietnamese woman who lived with an abusive husband until she

came to Canada. “In her culture, no one called the cops, but here, the cops were called, so I’d say culture has something to do with it.” Another talked about her intervention with a Chinese Canadian woman: “she is recognizing that the advantage of Canadian culture is that she doesn’t have to be a maid... [We say] ‘you can do it on your own, you can make it, you don’t have to tolerate violence’ [but] other people are telling her to go back and not to listen to Canadians who are immoral.”

Leaving one’s husband as an effective response to conjugal violence was a theme that permeated the workers’ thoughts on their interventions with battered women. Leaving one’s husband was related to bringing “shame” upon the family or losing “support from the church”; it was seen to present a conflict for religious women, ie. “we say you can leave him, you can do it on your own... [but] the woman is sort of torn between [our message] and... the damned priest and the mother-in-law”.

“Contradiction” describes the shelter workers’ insights into the issue of conjugal violence as experienced by a diversity of women. As noted previously, they held firm to the notion that matters of race/racism, culture, ethnicity or religion have nothing to do with violence against women, i.e. abuse is abuse. At the same time, however, they presented facets of social location as having much to do with it. “The violence that the white woman undergoes is no less important or no less painful than that of a black woman... But the black woman will have more barriers to confront simply because she is black”. “Women from different cultures, their expectations of marriage, motherhood, living independently, working, studying, are all influenced by cultural background.” “Sometimes we expect women to connect because they are victims of violence, but... you’re not always talking about violence when you’re here... you [residents] all heal from their experiences, coming from different cultural backgrounds, economic backgrounds, life experiences.”

Some workers struggled with how to make sense of complex social locations. “One of the main issues in their lives is racism and can that be a more important issue [than abuse]?” Another worker wondered, “Being a female, or a woman of colour or from a religion that’s not respected - which plays the larger role? It is really difficult to say. Or if she’s a lesbian or of the Jewish faith or disabled, I mean, if you had to put all those elements into one person, which one of those elements would play a larger role?” Similarly, this sentiment was expressed in the context of work with a particular woman from Sri Lanka: “My under-

standing of her religion is so minimal that it is very difficult for me to try and imagine how it's going to impact on her experience... I think there is just a lot of common experience amongst women. But there are differences. Cultural differences certainly. And it's really hard to differentiate.”

While the workers had much to say about battered women that reflected attempts to understand their social locations, they also claimed to know little about matters of race, culture, religion and ethnicity. Some workers attributed their understandings to “learning from the women themselves”, “asking women to share their cultures”, “trial and error [because] there is no handbook on the ‘do’s and don’ts’ for people from different countries”, and “pick[ing] it up instinctively”. They expressed the need for training to “[learn] about cultural sensitivity and religious sensitivity”. As one worker noted, “I’m sure there are cultural norms that influence how she perceives the hit, or even religious beliefs, but I don’t know them all. Do you? Maybe we should start a study group because there is a lot to learn about this all.”

6.5 Insights from Current or Former Shelter Residents

Conceptions of conjugal violence as garnered from interviews with current or former residents at a battered women’s shelter were no different from those circulating in mainstream discourse and practice. They spoke of abuses of power and control that ranged from physical assaults on the women and/or their children, to insults, threats, harassment, and control of possessions (house keys, car, finances etc.) to forced miscarriages and forced sexual relations.

What did stand out, however, is that on occasion these conceptions of conjugal violence emerged as a result of shelter residency. One woman, for example, was brought to the shelter by the police following a “beating” by her husband. He also threatened to rape one of their daughters, held a knife to her, and attempted to strangle another daughter. “Not until I came into the shelter did I realize that I was in an abusive situation... In Fiji, we take abuse as only when someone is killing you but here I see [abuse] in a lot of ways”. Her conception of violence later included an understanding of her husband’s forceful insistence that she conform to his religious practices that differed from her own. Other women spoke of learning the breadth of violence they encountered: name calling, “mind games”, control of finances, manner of dress, social isolation and the like. Generally speaking, the women

spoke of a shared experience of abuse. “Violence is all the same. I don’t think there is any difference” regardless of culture, ethnicity, race or religion.

The women found their ways to the shelter through CLSC referrals, the hospitals, police, child welfare, phone calls from a third party and through their own help-seeking processes, including calls to 911. Their accounts of leaving often reflected their assumptions about their relationships to their husbands, their countries of origin, and the communities in which they currently identified themselves. “In our family, no matter what happens, it’s the husband and wife’s problem... It is more respectful if you solve the problems yourself. That’s how I was brought up.” “In our culture, a relationship between a husband and wife is very, very honoured... [and] once a woman is married, she sticks to her husband forever no matter what happens. Race and religion were interwoven in different ways in terms of contemplating leaving an abusive mate and/or seeking refuge at the shelter. Some found support and comfort; others expressed sentiments of oppression either for themselves or their ethnoracial minority husbands:

- “My sister said “well get out of it, go for [another guy]...[but] people from the church said don’t divorce him.”
- “I got the message [from my minister] that if I left [my husband], I wouldn’t be kicked out of the church or looked down upon. That was important. I don’t have a family, this is my family.”
- “My religion doesn’t allow me to divorce but I feel that if I stay [with my husband], I will go “mad”.
- “It is against my religion to talk about abuse. [I am expected to] forgive and forget. [My] religion gives courage and strength to work through the difficult marriage and I feel that if my husband is saved, he would change.”
- “If people from my island knew I get help from a shelter, they would say you are getting away from your culture.”
- “You always try [to stay together], never mind black or white. But...by leaving, I feel I was giving up on him...and when you give up on one [black man], it’s like maybe you are giving up on them all.”
- “In the West Indies, Black people are very proud [and] private. If they tell people what is happening, people will say “oh you are adopting the North American way”. You don’t take it outside your home. You may call a friend and talk... but you don’t to tell the white people, for instance, by going to the shelter. ”

The women not only spoke about their own cultures, religions, race/ism, but about others' as well: "White men kill their partners", "Muslim women don't share", Caribbean women are "direct", or Greek women are "traditional". They made numerous statements about the dominant Canadian culture, which was seen to provide them with protective laws, legal rights, welfare, and the possibility of "find[ing] their own partners... [unlike a] culture that has a lot of arranged marriages". Language barriers, precarious immigrant status and the absence of familial support systems were presented as barriers to help-seeking. As the excerpts above show, experiences of racism were also featured in their accounts of seeking assistance in response to conjugal violence.

When asked about their experiences with shelter services, the women noted appreciation for the counselling, support, guidance, and accompaniment to court or welfare, for having the opportunity to talk and be heard, for having a vision of starting a new life and belief in that process, and for receiving concrete material help. In fact, a pervasive theme throughout the women's stories was that of economic vulnerability. The shelter offered food, clothing, free bus passes, « free » access to doctors, a Christmas party and Christmas gifts for the children. Upon leaving the shelter, all the women expressed fears of economic insecurities and the daunting task of establishing households for themselves and their children; these intersected with various facets of their social locations:

- "Money, taking care of my children, learning French, learning the computer to get a job. These are important to me right now."
- "In Singapore I didn't call the police [to report abuse] because... I was working, I had my own job, my own money. I ran the house... When we came to Canada he had a job, he was a Canadian citizen... I don't have the papers, I am not working, I don't have money or family or friends. I don't claim welfare. Who will pay the rent?"
- "I had no furniture and hardly any food. We had no choice. I had no income. And I was thankful that he [abusive husband] let me stay there [back at the house]."
- A woman who is dependent financially on her husband and has young children. Or if they are living in a comfortable home she... might lose all this [by leaving]."

In fact, dealing with the conjugal violence rarely appeared in a way that stood on its own. The various facets of the women's being came into their discussions of help-seeking and efforts to address the violence in their lives. Nonetheless, there seemed to be an impression that, despite individual differences, conceptions of and responses to conjugal vio-

lence were relatively fixed. As one woman put it, “I felt like maybe this was the same package deal for everybody and there was no flexibility. I just felt boxed in.”

7. QUANTITATIVE RESEARCH FINDINGS

The basic quantitative findings of this research tend to support the qualitative findings. Conjugal violence exists across continents, countries and cultures. The seven month quantitative data-gathering period shows that women from 89 countries have had access to the Montréal court services during that time. Data indicate slight over-representation of ethnic minority groups. In 2001, approximately 20% of the Montréal population was formed by ethnic minority groups (1) while they represent 25% of court cases of such violence. Data also reveal that cases represented in court appear with greater frequency within the first five years and particularly during the first two.

Among the represented populations we find Latin Americans, North-Africans, Sub-Saharan Africans, Middle-Eastern groups, Caribbean groups, South Asian communities, the Philippines as well as Far-East and South-East Asians.

Finally these data demonstrate that in 77% (535 out of 697) of court cases the victim knows at least one of the two official languages, even if very little.

Information related to countries of origin, language spoken and years in Canada among others is found in the annex section.

8. DISCUSSION

As has been seen, definitions of conjugal violence were shared amongst the participants in this project. Most identified issues of power and control as central to abusive relations. This conception of conjugal violence coincides with dominant scholarly discourse. As well, participants in the focus groups and shelter staff and residents struggled with understanding this issue and responses to it in ways that simultaneously rendered ethnicity, religion, or culture central and insignificant. This struggle was thematic.

With an interest in how victims of conjugal violence seek assistance and engage in services from the police, shelter, judicial system and social workers, and with questions of representation and over-representation, a number of findings emerged. For one, there was an impression that 911 calls originated mostly from a third party in relation to conjugal violence experienced by ethnoracial minorities. There was also a perception that ethnoracial minorities tend to drop charges and this trend might have been related to a varied spectrum of pressures exercised on the victims according to their ethnic origins, and the nature, extent, frequency and intensity of the violence against themselves or their children. Precarious relations with the police and criminal justice system might also relate to the symbolism represented by police authority and their mandate as law enforcement agents. These symbols can remind women of the institutional violence and corruption experienced in their countries of origin.

In general, it was difficult to ascertain whether or not over-representation was at play in these institutional settings: refuge, law enforcement, criminal justice and social service. This is related to the participants' efforts to make room for ethnicity, culture and religion while downplaying notions of difference. They did reflect some efforts to be flexible in their views and approaches to the problem of conjugal violence in a multiethnic milieu. They did express respect for differences, and empathy and understanding of the vulnerable circumstances in which immigrant women may find themselves. But the extent to which their daily practices were altered, or their institutional rules and regulations revised was left unknown. What also emerged were stereotypical views of conjugal violence as experienced by ethnoracial minorities.

Challenges identified by all groups included assumed cultural factors related to family honor and constructs of women's submission and dependency. In some cases cultural and religious constructs were misunderstood and misinterpreted. Precariousness of immigration status had an impact on women's attitudes towards law enforcement and the justice system, forcing women to perceive violence as less important than their global security. All participants noted the need for culturally sensitive interpreters, emphasizing the distance between the interpreters, usually a man, and the women's plight.

A clear critique emerged from the security and justice systems' respondents. Mutual blame was expressed and certain communication and collaboration gaps between the two systems were strongly stated. Crown prosecutors and police officers criticized the existence of a parallel justice system which tends to endanger the victims' case. The length and complexities of the legal procedures have also been denounced. No systemic approach has yet to be implemented to deal with the family as a whole once in court. The mainstream homogeneity within the judicial system has been highlighted. Despite the dearth of resources, some improvements in both systems have been noted.

9. POLICY RECOMMENDATIONS

The findings of this research confirm: the lack of an unequivocal and universal view of conjugal violence; the mitigated results of the policy of laying charges in conjugal violence by a third party; the complexity of oppression for ethnic minority women. It emphasizes that help-seeking behavior depends on the women's complex set of identities and lives. Finally, this research adds a speck of knowledge in a domain that requires to be further investigated. The following policy recommendations result:

- Include compulsory courses at university level in curricula pertaining to social work, health and law, on intervention in conjugal violence with ethnic minority groups.
- Include compulsory courses at the Cegep level on intervention in conjugal violence with ethnic minority groups.
- Create an awareness campaign within the care-giving professions about the cultural differences of ethnic minority groups and the necessity to approach conjugal violence from different perspectives, from competing conceptions.
- Include knowledge and understanding of conjugal violence within ethnic minority groups as part of the training programs of police officers.
- Prepare an intervention kit (including some culturally sensitive vignettes) dealing with cases of conjugal violence in ethnic minority groups for police officers training.
- Offer, on a regular basis, training sessions on conjugal violence with ethnic groups to practitioners working in shelters.
- Organize a systematic follow-up as well as impact evaluations of the training sessions.
- Adjust the training programs according to the evaluation results.
- Look towards a training that will have a multiplying effect in order to diminish costs and to permit a better integration of the knowledge.
- Build up a sense of respect for women police officers.
- Organize sensitizing campaigns in the ethnic media (newspapers, radio, television) regarding the rights of sponsored wives from ethnic minority groups, including information about the available services and how to access such services in cases of conjugal violence.

- Organize sensitizing campaigns and outreaching programs oriented towards knowledge on rights and obligations of immigrants and all other categories of future Canadian citizens.
- Provide shelter workers with adequate and simple written information on the variety of ethno-cultural differences prevailing in their potential clients and the need to respect them in their intervention.
- Emphasize, through simple information brochures, the importance of eliminating stereotyped constructions regarding conjugal violence and the issue of prejudices in shelters.
- Create necessary partnerships between the Metropolis centres, Status of Women Canada, the Women's Health Bureau, Multiculturalism and the shelters to facilitate the integration of the notions of diversity and intersectionality across Canada.
- Organize promotional campaigns oriented towards men from ethnic minority groups, informing them of the dangers involved in conjugal violence, the rights of men, women and children, the respect due to every human being and the need to better understand the possible consequences of violent behavior towards women in Canada.
- Ensure greater communication and collaboration between the court system and the public security system.
- Ensure that brochures such as "*Côté cour*" and others are made available to women in different languages.

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ANNEX

