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To cite this article: Roberta Villalon (2015) Violence against immigrants in a context of crisis: A critical migration feminist of color analysis, *Journal of Social Distress and the Homeless*, 24:3, 116-139

To link to this article: <http://dx.doi.org/10.1179/1053078915Z.00000000017>



Published online: 07 May 2015.



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Violence against immigrants in a context of crisis: A critical migration feminist of color analysis

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The anti-immigration measures and xenophobic sentiments that have spread since the eruption of the financial crisis in 2008 have been significantly detrimental for immigrant survivors of intimate partner violence in the U.S. given that employment opportunities have declined, exploitative work conditions have worsened, immigration controls have increased, and nonprofit service provision have been under stress. Based on interviews with service providers across the nation, participant observation of networks of advocates of immigrant survivors, and an analysis of debates around the reauthorization of the Violence Against Women Act, I present how these dire circumstances have been disadvantageous for immigrants and the movement to end violence against women. In theoretical terms, my research contributes to the body of literature of critical migration studies by linking such perspective with a feminist of color analysis of gender violence and pointing to the persistent strength of interrelated systems and practices of oppression and marginalization of Latin American immigrants and Latino/as in the U.S.

Introduction

The anti-immigration measures and xenophobic sentiments that have spread since the eruption of the financial crisis in 2008 have been significantly detrimental for immigrant survivors of intimate partner violence (IPV). This group is particularly vulnerable to abuse because of the intersection of their members' gender, sexuality, nationality, race, ethnicity, language, religion, immigration status, isolation, cross-national frames of cultural and legal reference, and socioeconomic standing. All of these factors influence the way in which aggression is inflicted and endured and affect the availability of resources for immigrants to escape and overcome abusive relationships (Abraham, 2000; Bograd, 2006; Crenshaw, 1995; Menjívar & Salcido,

2002, 2013; Sokoloff & Dupont, 2006). The economic recession, anti-immigration policies, and a rising xenophobic environment have all created additional hurdles for immigrant survivors of IPV given that employment opportunities have declined, exploitative work conditions have worsened, and immigration controls have increased.

Based on interviews with 33 service providers and advocates for this population across the nation,¹ three years of participant observation in online networks of advocates to end gender violence against immigrants,² and the study of debates around the reauthorization of the Violence Against Women Act (VAWA) by following policy positions and media reports, I study how these dire circumstances affected immigrant survivors of IPV. The data collected not only presents a clear picture of the various ways in which immigrant survivors have been pushed into an even more challenging condition, but also illustrates the pervasiveness of systems and practices of marginalization. On the one hand, findings show that immigrant survivors of IPV have been faced with empowered abusers whose threats of deportation became real; ambivalent law enforcement officers who instead of protecting immigrant survivors may be forced to collaborate with immigration officers; nonprofit organizations with limited resources and shrinking services; and a spreading sense of fear with its paralyzing and isolating effects. On the other hand, the research illustrates that even if the crisis generated collective mobilization to push for policies and funding to moderate the negative effects felt by immigrant survivors, social hierarchies underlying political action became more prevalent than securing protection for all victims of gender violence. In the end, the needs and demands of immigrant survivors of IPV were sacrificed, and concomitantly, immigrants were further marginalized and re-victimized.

My study ties the theoretical perspective of critical migration studies (Chang, 1999; Haney Lopez, 1996; Hing, 1997; Romero, 2008) with feminist of color research on IPV (Crenshaw, 1995; Garfield, 2005; Richie, 2000; Sokoloff & Dupont, 2006). Critical migration researchers apply Critical Race Theory (Crenshaw, Gotanda, Peller, & Thomas, 1995) to the study of migration. As articulated by Romero (2008), such a perspective allows sociologists to move away from mainstream narratives of migration into counter-hegemonic narratives of migration. The former emphasizes cultural assimilation processes and points to immigrants' ability to succeed by molding into hegemonic Americanness, which is built along exclusionary ideals of Whiteness, heteronormativity and wealth. The latter, on the contrary, underlines the problematic manipulation of immigrants, as they have been utilized for the

¹In order to set the interviews, I communicated (via email or phone) with a national network of advocates of immigrant survivors of IPV to ask for their voluntary collaboration in the project. Also, I asked them to share my call for interviews with colleagues in order to get further interviewees – that is, I used a snowball sampling strategy. The interviews were semi-structured and took place first, in June–August 2010, and then, for updates in June–August 2011 and a year later, in July–August 2012. All interviewees, about whom I referred to by pseudonyms here, provided me with their informed consent. The Institutional Review Board of my institution approved this research project.

²The networks in which I did participant observation included ALAS (Alianza Latina en contra la Agresión Sexual), ASISTA, Casa Esperanza, National Task Force to End Sexual and Domestic Violence against Women, National Immigration Project of the National Lawyers Guild, and Legal Momentum.

maintenance of the racialized, gendered, and classed political economy of U.S. capitalism, and studies how immigrants have experienced their marginalization.

Feminists of color pay attention to the various ways in which gender intersects with other systems of oppression, like sexual orientation, race, ethnicity, nationality, social class, and body abilities, and highlight how domestic and transnational politics of domination have played a central role in shaping living conditions and life chances of minority groups. Like critical migration researchers, feminists of color oppose mainstream rationalizations of inequality and oppose “the deficient and exclusionary tenets of white middle-class Western feminisms” (Acosta-Belén & Bose, 2000, p. 1114).

Both positions of inquiry build counter-narratives by acknowledging how various interlocking structural systems of oppression mold the range of individual and collective agency, and identifying the embeddedness of such divisive schemes in people’s thoughts, practices, interactions, and material and symbolic creations. In addition, both perspectives emphasize the relevance of critical thinking, collective action, and social change: in recognizing the complexities of structural oppression lays a heightened potential to challenging those systems through conscious individual and collective efforts. In other words, critical migration researchers and feminists of color turn their critiques into action, as they believe that despite difficulties, such pervasive systems and practices can be dismantled.

Accordingly, these researchers insist on the value of bridging academia and community and theorize on the intrinsic link between scholarship and politics (Hale, 2008; Naples, 2003; Shayne, 2014). By explaining how marginalization processes in society have been mirrored in academic theories and methodologies (Connell, 2007; Jaggar, 2008; Zuberi & Bonilla-Silva, 2008), both perspectives underline the relevance of bringing the experiences of oppressed individuals and groups to the center of the narrative by including their voices and thoughts into the analysis, with the goal of disrupting hegemonic discourses and practices.

I developed the research for this article from such a theoretical and methodological standpoint, thus the inclusion of large portions of qualitative raw data in the text. As it is understood that the experiences and voices of those who are in a marginalized position – like immigrant survivors of IPV – usually fall within the cracks, here I bring in the thoughts of advocates and activists in regard to immigrants’ experiences, and document their collective actions (which also tend to remain as part of an unknown background of what later on is interpreted as more or less successful political measures). I also follow politicians’ speeches, media responses, and activists opinions on the matter as a means to deconstruct the political processes underneath law- and policy-making. By collecting these kind of data and in such a manner, I hope to contribute with the understanding of these complex processes of inclusion/exclusion, and specifically in this case, of how these shape the chances that an immigrant survivor of IPV may have of breaking free from a relationship of intimate abuse and confronting structural inequality. As I build on my previous, larger, activist research project on violence against Latina immigrants

(Villalón, 2010), I hope for this study to further community efforts for social justice by fostering social movements against gender violence and for immigrants' rights, particularly those relevant to Latin American migrants and Latina/os in the U.S.

In what follows, I first present background information about VAWA, the legal frame protecting immigrant survivors of IPV. Second, I explain how the economic crisis and anti-immigration policies are related and were expected to affect survivors of IPV. Third, I focus on the experiences of immigrant survivors and service providers as they traversed economic recession and xenophobic contexts. Fourth, I document how advocates and activists against gender violence and for immigrants' rights organized collectively to moderate the negative consequences of the economic crisis. Fifth, I analyze the politics underneath the contested reauthorization of VAWA. To end, I offer some reflections on how the case study of immigrant survivors of IPV from a critical migration feminist of color perspective helps in understanding the pervasive ways in which inequality is maintained at the interpersonal, institutional, and structural levels.

Background

The so-called battered women's movement formed in the mid-1970s. Since then, feminist activists, advocates, and survivors have been central in redefining IPV: first as a crime and a social problem grounded in patriarchal ideologies and institutions, and later as a human rights violation from which all people should be protected (Bunch & Fried, 1996; Schechter, 1982; Schneider, 2000).³ Simultaneously, the movement's ideological and practical debates have been critical in shaping policies, programs, and public discourse on how to better address the needs of diverse survivors while struggling to end gender violence as a whole. The position of feminists of color within the movement has been particularly significant to tackle with the specific vulnerabilities and needs of immigrant survivors of IPV.

Feminists of color activists and advocates have recognized the value of universal conceptualizations of gender violence. However, they have stressed the importance of keeping in mind how gender violence interacts with sexual identities, race, ethnicity, national and immigration backgrounds, socioeconomic status, and bodily capacities. They have shown how the intersection of all of these structures of oppression influences the kinds of violence perpetrated and the resources available to overcome abusive conditions. Accordingly, they have worked to elaborate strategies and laws that better address the needs of minority, underserved populations (Crenshaw, 1995; Garfield, 2005; Richie, 2000; Sokoloff & Dupont, 2006).

Indeed, VAWA, which is the main piece of legislation protecting survivors of gender violence in the U.S. since 1994, was designed to protect all victims and included regulations for special groups, such as indigenous survivors, women in

³Previous to the so-called battered women's movement, other movements (such as the temperance movement, the women's campaign for divorce, the civil-rights, feminist, and anti-rape movements) influenced the understanding of and policies on what later on became to be conceptualized as family violence (Gordon, 2002).

rural areas, and immigrant survivors of IPV. The latter have been given the opportunity to access social services and legal protections conducive to separating from violent relationships, stabilizing their immigration status, and obtaining legal permanent residency without the active sponsorship of the abusive spouse. Regularly, an immigrant who marries a U.S. citizen or a legal permanent resident is allowed to apply for residency on the basis of her/his union. The citizen or resident is the one person who has to sponsor, that is, file the application and provide economic support for the immigrant spouse in front of the United States Citizenship and Immigration Services (USCIS). When the citizens or residents are abusive partners, they tend to take advantage of their power to sponsor or not sponsor the immigrant spouse's USCIS application as a means of control.⁴

Scholars and activists alike have considered VAWA a successful achievement for both women's and immigrants' rights movements (Abraham, 2000; Bunch & Fried, 1996; National Task Force to End Sexual and Domestic Violence Against Women, 2005; Menjivar & Salcido, 2002). This law legitimizes immigrants in their particular victimization and provides them with the opportunity to exercise their agency in order to break free from abusive relationships and become legally and economically autonomous in the U.S. The number of VAWA self-petitions and U visa applications have tended to increase since they became available in 1994 and 2000, respectively.

Nonetheless, the application process before the USCIS is lengthy (it can take from 1 to more than 8 years to change immigration status), expensive (application fees and costs of supporting documentation may add up to 2,000 dollars, not including lawyers' fees), and complicated (enough that immigrants are strongly encouraged to seek assistance from social workers and representation by certified legal assistants or attorneys in their application process). Moreover, as my previous research shows (Villalón, 2010), formal and informal barriers have continued to stand in the way of immigrant survivors' access to the rights that, in principle, they are entitled to.

Formally, immigrant survivors of IPV are bound by the immigration provisions of VAWA, which by mirroring the broader family-based immigration law system, prioritize heterosexual, economically self-sufficient, married U.S. citizens as arbiters of citizenship for immigrant spouses. Therefore, even if immigrant survivors of IPV can self-petition for citizenship through VAWA without the sponsorship of their abusive spouses, their ability to do so depends on their marital status and sexual identity, their abuser's nationality and immigration status, their own country of origin, and their socioeconomic capacities. Informally, immigrant survivors (particularly those of low socioeconomic status who rely on nonprofit organizations) find barriers that emerge in their relations with service providers. Oftentimes, advocates have tacit parameters that guide their dealings with immigrant survivors of IPV seeking

⁴For information on the requirements and procedures to follow to apply for relief through VAWA see <http://www.uscis.gov/sites/default/files/USCIS/Humanitarian/T-U-VAWA-relief.pdf> and <http://www.uscis.gov/humanitarian/battered-spouse-children-parents>.

services. They expect immigrant survivors of IPV to present themselves and behave in particular ways in their frequent interactions with them, and in their potential meetings with immigration officers and/or law enforcement authorities. Immigrants who fit these informal expectations tend to be prioritized as clients by nonprofit advocates, regardless of their traumatic past and eligibility under VAWA.

These informal barriers, coupled with the formal ones, affect all immigrant survivors of IPV. However, it is the least privileged immigrants who encounter the most hurdles along the way. In my research, I found that Latina immigrants of color who were native to Mexico, unauthorized, in abusive relationships with legal permanent residents or other unauthorized immigrants, and/or lesbian, gay, bisexual, transgender, and queer (LGBTQ) found greater disadvantages. Furthermore, immigrant survivors of IPV were significantly delayed or even prevented to access citizenship if they were extremely poor, had few, if any, years of formal education, had complicated migration or criminal backgrounds, and/or were unable to fit within the nonprofit organization's "good client" profile (Villalón, 2010, p. 90).

Then, while immigrant survivors of IPV have the opportunity of finding relief through VAWA, the path to reach such benefits is not at all even or certain. To make matters worse, the financial crisis of 2008 and the anti-immigration measures that emerged since then create additional obstacles for this group of survivors. In response to all of these drawbacks, activists in immigrant and gender violence movements have kept a critical stance. Groups concerned with immigrant survivors of IPV have been attentive to their experiences, accordingly revising and trying to improve programs and services (by refining knowledge, developing trainings, tool kits, and organizational networks), while pushing for enhanced regulations and policies. In particular, activists were successful in advancing immigration provisions in the 2000 and 2005 rounds of reauthorization of the original VAWA of 1994 to make the process more inclusive and accessible to all immigrant survivors of IPV. More recently, in the last round of VAWA reauthorization (2011–2013), they fiercely resisted curtailing benefits for immigrant and other minority survivors of IPV. Part of their heightened activism can be explained by the fact that the economic crisis and anti-immigration policies mobilized immigrants' advocates, particularly those from or interested in the Latin American and Latino/a population, as I will share below.

Economic crisis, anti-immigration policies, and intimate partner violence

For both scholars and field experts in gender violence, it was expected that the eruption of the financial crisis in 2008 would bring about an increase of relational abuse. Studies have shown that there are more chances for IPV to occur (and to occur more often) when couples are going through financial hardships and that survivors may remain in violent relationships because of their augmented economic needs (National Institute of Justice, 2009). Moreover, unemployment and unstable employment increase the risk of IPV because perpetrators become more prone to

the use of force to assert control. Survivors' ability to remain employed is also affected by the abuse, which in turn increases their inability to leave, isolation, and the financial stressors of the couple/family (Renzetti, 2009). Given limited resources and protections, individuals living in lower socioeconomic conditions are in general more vulnerable not only to "internal" crises, like relational abuse, but also to "external" crises, like the financial downturn referred here. In other words, the economic recession of 2008-2012, not surprisingly, hit the lower classes the hardest.

Accordingly, as soon as the downturn began, advocates of survivors of IPV became alert. By 2009, most coalitions to end gender violence had voiced their concerns through various media (Moore, 2009; Sharma, 2009). The National Online Resource Center on Violence Against Women (VAWNet) published a study on economic stress and domestic violence, that explained:

Given the severe economic recession in which the United States is currently immersed, we should expect the problems of unemployment, economic stress, poverty, and DV [domestic violence] to continue and perhaps worsen for a time. The economic downturn is also having a negative impact on already reduced municipal, state, and federal budgets for social programs when the need for funding and services is increasing (Renzetti, 2009, pp. 6-7).

Indeed, a survey of domestic violence shelters across the country found that "three out of four domestic violence shelters report an increase in women seeking assistance from about since September 2008, a major turning point in the U.S. economy" (Mary Kay, 2009).

Furthermore, the executive director of UNIFEM, in her speech about how the world economic and financial crises would curtail efforts in promoting gender equality, explained that the rate of job losses for women was expected to continue to rise, as well as the rapid push of women into the informal sector's insecure jobs, which would become even more scarce and exploitative. Migrant women workers would become "more vulnerable to exploitation and abuse," the personal security of women and girls in general would be increasingly threatened, and violence against women would rise (Alberdi, 2009).

Advocates of immigrant survivors of IPV were also vocal about their concerns given the particular vulnerabilities of this population. To begin with, it is well known that historically, economic crises have triggered anti-immigration (nativist) reactions, which often translated into policies, first at the local and state levels, and then, federally (Hing, 2004; Johnson, 2007). In effect, the 2008 economic downturn, with its consequential labor shrinkage, strengthened anti-immigration discourses against (unauthorized) immigrants, promoted restrictive immigration regulations at all levels of government, and awakened debates and judicial action to control xenophobic measures including the Supreme Court addressing the constitutional legality of this kind of policy.

While Arizona's SB 1070 became known as the most draconian policy that codified and legitimized racial profiling, thirty-six other state legislatures debated the passing of similar measures. Utah, Indiana, Georgia, Alabama and South Carolina succeeded in following Arizona's example at the state level (Lacayo, 2012). In states where anti-immigration measures were not passed, localities implemented their own restrictive policies targeting immigrants by for example, preventing them from renting apartments or other housing – like in the cases of Farmers Branch, Texas, and Hazleton, Pennsylvania (Winograd, 2012). At the federal level, the enactment of Secure Communities since 2008 and its 287(g) program established restrictive means to remove “criminal aliens, those who pose a threat to public safety, and repeat immigration violators” particularly by articulating procedural links and information sharing between the Department of Homeland Security, Immigration and Customs Enforcement (ICE), the Federal Bureau of Investigation, and state and local law enforcement agencies (ICE, 2014a). The latter are allowed to partner with ICE to receive “delegated authority for immigration enforcement within their jurisdictions” (ICE, 2014b).⁵

In reaction to all of these measures, immigrants' advocates mobilized to spread awareness and organized to train providers in dealing with survivors in such hostile conditions. For example, Hurtado (2010) explained:

Arizona's Anti-Immigration Law Hits Women the Hardest (...) Rosa B. was raped at work today. Arizona's anti-immigrant law would also send her to jail if she reports it ... The debate over SB 1070 ... has centered on the race-based anti-immigrant sentiment it will foster. An equally important, and gender-based dynamic, is that the law will disproportionately impact Latinas in Arizona due to their comparatively vulnerable economic status [which] makes them more prone to suffer workplace sexual harassment and violence ... SB 1070 flies in the face of the efforts by the federal government to protect this vulnerable population.

Legal Momentum, a key organization in the original creation of VAWA and the promotion of laws protecting victims of gender violence, filed an Amicus Curiae Brief in Effort to Block Arizona's SB 1070, which in their words:

undermines federal civil rights protections for immigrant women and their families, including those who are victim of violent crime. The law is an evisceration of decades of humanitarian incentives by Congress to protect the health and safety of all people living in the United States, regardless of legal status ... SB 1070 puts immigrant women and their children at risk of being detained or arrested any time they leave their homes. Those in need of aid and federal services will no longer seek help because of fear ... SB 1070 devastates the

⁵Even if these measures do not openly target Latin American but immigrants of all origins, statistically the group of immigrants most hit is that coming from Latin America, and consequently, the Latino/a population in the U.S.

right of a mother to safely care for their children, regardless of legal status (Legal Momentum, 2010).

Another example of activists' labor to resist anti-immigration measures was the statement put forth by the Alianza Latina en contra la Agresion Sexual:

Sexual assault victim advocates in Arizona and along the U.S./Mexico border are already seeing the toxic impact of fear. Some survivors are not willing to report the sexual assault under this threatening environment, and without this necessary step victims are trapped in silence and anonymity ... Police officers who are already overextended will now need to assume immigration enforcement duties in AZ and will have less time to assist victims of crimes such as rape and sexual assault – regardless of their residency status ... Immigrant communities are saddened, hurting and scared ... No to bystander silence!" (Zarate, Rafi, Espinoza & Walter, 2010).

Members of various collectives, such as ASISTA, Casa Esperanza and the National Immigration Project, organized webinars, and similar trainings to address the risks brought by the implementation of Secure Communities and the 287(g) program. Moreover, advocates crafted several strategies to challenge these negative outcomes, mostly emphasizing the importance of (a) spreading information to the community, politicians, and media about the detrimental results of such policies, (b) communicating directly with law enforcement officers who may have been forced to obey ICE even if they disagreed with the implementation of this kind of discriminatory measures (given that, in some cases, police had been working in unison with advocates to assist immigrant survivors of violence), and (c) creating a "political space, a campaign to find allies" at the local, state, and federal levels in order to present a strong front opposing the groups that are mobilizing against immigrants (Ellen Kemp, Participant Observation Notes, Casa de Esperanza Webinar: Comunidades Inseguras. November 30, 2011).

Experiences of service providers & immigrant survivors of intimate partner violence

In order to further understand how the economic crisis, anti-immigration policies, and xenophobic environment have affected immigrants in practice, I interviewed service providers working in nonprofit organizations across the U.S. Since the 1980s, these organizations have become increasingly important in the provision of social services and implementation of community development programs as a result of policies intended to reduce the size of the state and its welfare capacities (Trudeau, 2008). An essential piece of the so-called "shadow state" (Wolch, 1990), nonprofit organizations have grown in their function as institutions providing "the arena, the mechanisms, and the point of institutional access through which the offer of citizenship is extended and social integration can be accomplished"

(Lake & Newman, 2002, p. 110). In this context, nonprofit organizations devoted to immigration matters have been located at the crux of citizenship access, particularly when they serve poor immigrants who are in compromised situations due to precarious labor conditions, unstable immigration status and other taxing circumstances.

At the same time, gender violence legislation like VAWA has underscored the importance of the role of nonprofits as intermediary organizations between immigrant survivors of violence and official immigration authorities. Indeed, immigrant survivors of IPV have been strongly encouraged to obtain the formal assistance of advocates, social workers, counselors and legal representatives in order to seek relief through VAWA (Family Violence Prevention Fund, 2005; WomensLaw, 2009). While these services can be obtained through the private sector, deprived immigrant survivors of IPV have to rely on community and nonprofit organizations offering services at low or no cost. Consequently, these organizations have become the one (and usually last) resort for immigrant survivors of IPV trying to break away from abuse. The power that nonprofit workers have to facilitate or impede immigrant survivors of IPV access to citizenship has concomitantly grown in its significance.

Given the pivotal role of service providers, the information they shared with me in the interviews helps in understanding how the changes in the economic and political environments affected immigrants in practice.⁶ Overall, advocates agreed that the economic downturn, anti-immigration policies and xenophobic context had brought clear negative consequences to immigrants. They observed how the recession was indirectly reflected on the conditions in which immigrant survivors found themselves, such as “having more difficulties finding jobs or being exposed to higher risks, exploitation and more sexual violence at work” (Marta, personal communication, 28 July 2010). Most advocates mentioned that they noticed the effects of the shrinking economy in terms of the stress that immigrants had because they (or their abusers) had lost their job, their income had decreased, and they were living under more unstable conditions. Survivors had less financial capacity to leave their abusers, and at the same time they found fewer resources available in the community to help them (given budget cuts to programs like public housing, and reduced funding of nonprofit organizations, including shelters for battered women). An advocate explained, “The economic crisis has generated a lot of fear. People are willing to take whatever jobs they can take ... They are fearful of complaining or leaving their job because of deportation threats and the fact that there are not so many jobs available” (Leah, personal communication, 28 July 2010).

⁶While interviewing actual immigrant survivors would have been ideal, I found the option of interviewing advocates serving this population to be a good approximation in order to get a widespread and instant check on the status quo. I hope this work inspires other researchers to develop studies that include immigrants' experiences directly in their own voices.

Additionally, most service providers interviewed noticed that immigrants' needs worsened: "The kind of requests have changed: before, people did not ask for basic things like toothpaste, shampoo. Now they are asking for those things. Not only food and clothes" (Mariana, personal communication, 15 August 2010). At the same time, an increasing number of immigrants were inquiring about how to "secure their immigration status" (Marta, personal communication, 28 July 2010), and/or "obtain employment authorizations" (Beth, personal communication, 18 August 2010), while immigrants who had submitted their immigration paperwork to USCIS began to check more often on the status of their applications expressing their fear of losing what they had accomplished so far: "People are more anxious. Clients call repeatedly to find out the status of their various applications for benefits" (Beatriz, personal communication, 10 August 2010).

Another indirect effect of the economic crisis on the experiences of immigrant survivors of IPV was how it had challenged the resources available in nonprofit organizations. Some organizations reported surviving the crisis by successfully implementing "aggressive fundraising strategies" (Kelly, personal communication, 23 July 2010), securing federal and state funding for nonprofit services for immigrant survivors of IPV, which "increased given the shortage of private funding, but became more competitive" (Monica, personal communication, 30 July 2010), "relying more on pro-bono lawyers" as opposed to hiring legal assistants or lawyers (Cecil, personal communication, 3 August 2010), and cutting "funding for advocates' training and travel" (Kelly, personal communication, 23 July 2010). However, most organizations reported serious financial restrictions, which translated to the loss of significant programs for immigrant survivors of IPV, such as "a lack of bilingual advocates and counselors, and translators, and a significant reduction of financial assistance for clients" (Roxanne, personal communication, 30 July 2010). Besides, several organizations had to "lay-off staff" (Nil, personal communication, 23 July 2010) and/or "freeze hiring, even if demands for services rose" (Roxanne, personal communication, 30 July 2010). Overall, the effects of the economic downturn meant longer waits for immigrant clients, more refusals to provide immigrants with services, and an increased sense of "job insecurity" for advocates working in the field (Pedro, personal communication, 29 July 2010).

In regard to the consequences of anti-immigration policies and xenophobic contexts, advocates' responses in the interviews were unanimous: the direct and indirect effects had been extremely negative and alarming. Immigrants were fearful because of the concrete punitive measures being put in practice in various localities and states, and the overarching chauvinistic environment affecting the country. As one of the leading policy activists of the movement explained,

The biggest issue is that in a variety of ways the Department of Homeland Security has been putting more and more money into immigration enforcement. As this happens, the chances of immigrant survivors of IPV to be in touch with

enforcement go up. Even if they are trying to get help, they are at risk to be deported” (Chelsea, personal communication, 22 August 2010).

Additionally, immigrants were afraid because their (already fragile) trust in law enforcement authorities was shattered as police were now required to contact immigration authorities, regardless of the crime being reported. This was particularly damaging for immigrant survivors of IPV, who would not dare call the authorities and also began to be suspect of all governmental or nongovernmental officers, including nonprofit workers.

Part of this increased mistrust was the result of abusers profiting from the anti-immigration policies and context: “Abusers use this anti-immigration atmosphere to use more of their deportation threatening tactic” (Kelly, personal communication, 23 July 2010). Before Secure Communities and 287(g), abusers’ threats to call the police or immigration authorities were spurious, so part of the strategy of advocates was to explain to survivors that these threats were unrealistic. However, under the new legislation, this kind of intimidation became true: it is indeed possible for abusers to simply call the police (or immigration authorities) to report the unauthorized status of their partners. Then, the threat has become more powerful and successful and is used more often by perpetrators who are U.S. citizens or legal permanent residents. This has been detrimental for survivors because not only can they be literally deported, but they also become more isolated and dependent on their abusers.

In this milieu, silence became a seemingly more rational or safe behavior for immigrant survivors of IPV: “Immigrants are not talking about it so much. But when they talk, they are horrified. A lot of fear. They are fearful to be identified as immigrants, of being deported, of racial profiling. They don’t talk about it so openly because of these fears” (Monica, personal communication, 30 July 2010). Moreover, as another advocate explained, “Immigrants are also scared of airing their dirty laundry now that their communities are under attack” (Ruth, personal communication, 3 August 2010). Logically, these fears have psychological consequences as well, as expressed by one experienced counselor: “I see most people being less hopeful, suffering from depression and anxiety at higher levels” (Laura, personal communication, 26 July 2010).

The effects of the economic crisis and the anti-immigration environment also challenged the efforts of the movements against gender violence and for immigrants’ rights:

Immigrants are very anxious about contacting anybody related with the government. People are not even claiming public benefits they are entitled to because of fear of deportation. It is very sad to see this; not only because of the immigrants, but also because all these years of community and activist work to overcome these fears are being minimized (Celest, personal communication, 9 August 2010).

Advocates found themselves having to revise their messages to immigrants and their tactics

Some cities are ordering their police to check the immigration status of people. Many people who are detained by the police end up in the hands of ICE and deported. Victims cannot call the police anymore. Advocates cannot tell them to call the police anymore. It is necessary to change the way in which we advise immigrants (Rachel, personal communication, 3 August 2010).

Advocates and activists who for years had been working to train the police on IPV against immigrants and build alliances found themselves back to square one. As one advocate claimed: “Ties that were once built are now broken” (Lulu, personal communication, 16 August 2010).

As a whole, it is evident that the economic crisis and the resulting anti-immigration policies and xenophobic reactions had harmful effects on immigrants, particularly on women survivors of gender violence. However, there was something positive emerging from the crisis: The revitalization of the movement protecting these populations. I was able to notice this change in follow-up interviews with advocates and through participant observation in activists’ networks.

A revamped movement

When, in the summer of 2010, I asked advocates about their thoughts on challenging the nativist measures that were affecting immigrant survivors of IPV, I found a reaction that reflected on the one hand, disappointment with the promise of having a comprehensive immigration reform enacted during the Obama administration, and on the other hand, the activist/service provider divide that had been characteristically problematic in the movement. Members of nonprofits devoted to political mobilization, policy and social change had already started to organize activities to raise public awareness, train advocates on strategies to adapt services to the detrimental context, and coordinate political actions to push for policy changes. Conversely, members of nonprofits devoted to service provision were concerned about the situation, focused on how they had and would have to change their advocacy and funding tactics to better serve immigrant survivors of IPV, and showed a potentially collaborative attitude toward the action proposals that movement leaders would bring up (such as signing petitions, calling senators, drafting public statements, etc.).

It was not surprising to find responses lined up in such way given that in the last thirty years the battered women’s movement went through a process of institutionalization, bureaucratization, and marketization, which generated organizational dynamics that moved advocates away from counter-hegemonic politics into a more compliant (and sometimes apolitical) attitude (Hawk, 2007; Kivel, 2007; Pérez, 2007). Such a shift had contradictory results: grassroots movements incorporated as nonprofit organizations began to be able to provide services to a higher

number of survivors. However, by losing their political edge and becoming more selective in regard to their “clienteles,” these groups risked becoming subservient recipients of private and public funding, and nongovernmental arms of official policies – two roles that would lead them to uncritically reproduce structures of inequality (Villalón, 2010).

However, the actions of most advocates throughout the country (regardless of whether their organizations were located in places where anti-immigrations laws had been put in place), and their support of political initiatives of the movement during the rest of 2010 and forward showed a promising move that indicated a revamping of the activist edge of the collective as a whole. I corroborated this change in the follow-up interviews that I performed in the summers of 2011 and 2012, when members of both activist and service provider organizations presented a more politicized attitude. Their politicization had been fed by the continuous recession and xenophobia, but it sharpened with the process of reauthorization of VAWA. As I will explain later on, the reauthorization of VAWA became a field of Democratic/Republican partisan struggle that brought regressive proposals against immigrant, Native American, and LGBTQ survivors of IPV, and thus threatened major achievements of the movement.

A nonprofit legal advocate expressed:

One thing that we have seen generally in our city is that more and more people have joined the conversation. More people are becoming politically active; clients and immigrants approaching the organization are asking what they can do to change the situation, even people who are not eligible for services. This mobilization is good. It brings hopes up!” (Marge, personal communication, 24 June 2011).

Likewise, one of the advocates from a leading activist organization said, “There has been much more grassroots organizing. More political activism. Lots of survivors of IPV and sexual assault becoming activists themselves! These bad times had a positive result: to bring together different groups and grassroots organizations” (Ruth, personal communication, 1 July 2011). One year after, she commented “There has been more activism, and it was all grassroots: We didn’t have to tell them what to do, they knew what to do and they were active” (Ruth, personal communication, 13 August 2012). Another leading activist thought that the risen mobilization reflected “how much the movement has matured and strengthened ... There has been no ambivalence or apathy” (Chelsea, personal communication, 29 August 2012).

A large span of supporters emerged both from within the movement and beyond, mostly from civil, women’s and immigrants’ rights groups, all of whom presented strong claims in print, online and social media (Asbed & Sellers, 2011; Bettinger-Lopez *et al.*, 2012; Cruz, 2011; De la Vega, 2012; Lacayo, 2012; Ortiz, 2012; Sen, 2012). The contentious process of reauthorization of VAWA sparked activism as well. Naturally, the organizations typically involved in shaping gender

violence-related policies spoke up, like Legal Momentum, National Task Force to End Sexual and Domestic Violence against Women, National Organization for Women, National Immigration Project of the National Lawyers Guild, ASISTA, and Casa de Esperanza. Furthermore, numerous groups across the country organized local and state level campaigns to influence representatives' decisions to support a progressive version of VAWA that would take into account the detrimental effects of anti-immigration legislation, like California Immigrant Policy Center, Mexican American Legal Defense and Education Fund, National Immigration Law Center, the National Domestic Workers Alliance, and more than eighty other groups ranging from the American Psychiatric Association to the Japanese American Citizens League.

Politically maneuvering VAWA

Despite heightened mobilization, the Violence Against Women Reauthorization Act of 2011 (S. 1925) that was introduced in 30 November 2011 was under review for more than a full year “and became prey of partisan struggles” (Chelsea, personal communication, 29 August 2012). In the Senate, the proposal was introduced by Senators Leahy (Democrat) and Crapo (Republican), and supported by a majority of Democrats. Even if the bill passed the Senate Judiciary Committee with the support of a few Republican Senators who emphasized the need to prioritize women's safety over partisanship, the overall composition of followers and debates reflected party lines. In the House of Representatives, the contention became vigorously politicized, particularly after Republican Representatives opposed S. 1925. Thus, while VAWA's original enactment in 1994 and its reauthorizations in 2000 and 2005 obtained broad bipartisan support, this time around debates on proposed modifications were utilized as a means to obtain political leverage for the 2011 presidential campaign by both main parties.

S. 1925 as passed by the Senate Judiciary Committee represented “the VAWA reauthorization legislation endorsed by over 300 national organizations. Supporters included law enforcement, religious, education, legal, and service professionals across the nation” (National Task Force to End Sexual and Domestic Violence Against Women, 2012). Like in other rounds of reauthorization, this bill amended the previous version of VAWA, with the intention of improving failing sections and expanding coverage on the basis of research and reports done by experts and practitioners in the field. In particular, S. 1925 included new regulations and definitions to (a) increase availability, accountability and transparency of funding anti-violence efforts, while cutting the cost of the legislation by more than one hundred million dollars, (b) devote more support for coordinated, community-based responses and direct services for victims of domestic violence, dating violence, sexual assault, and stalking, (c) enhance judicial and law enforcement tools to combat gender violence, (d) strengthen housing protections, economic security, and healthcare system's responses for victims, (e) provide services and prevention

programs for young victims of violence, including those on college campuses, and (f) improve the response to violence against *underserved populations*, i.e. people of advanced ages, victims with disabilities, members of religious groups, and Native American, *immigrant*, and LGBTQ survivors.⁷

Republican Senator Grassley, who led the opposition to S. 1925, expressed that the bill “failed to address some fundamental problems, including significant waste, ineligible expenditures, immigration fraud and possible unconstitutional provisions” (Grassley, 2012b). In general, Republicans claimed that “under the cloak of battered women,” S. 1925 “unnecessarily expands immigration avenues by creating new definitions for immigrant victims to claim battery ... It also dilutes the focus on domestic violence by expanding protections to new groups, like same-sex couples” (Weisman, 2012). This opposition was taken as an opportunity by Democrats to profit politically as they accused Republicans to be pursuing a “radical, anti-women agenda” (Jiang, 2012; Weisman, 2012; Milbank, 2012). Republicans, in turn, denied Democrats’ portrayal of their opposition to VAWA as anti-women, and accused Democrats of utilizing VAWA’s reauthorization as a tool to gain electoral support (Grassley, 2012a, 2012b; Weisman, 2012).

Independently from the veracity of the claims made by each side, the debate around VAWA prioritized partisan politics over the issue of gender violence. Like an experienced advocate expressed, “Currently, Democrats are as much of a problem as the Republicans to get the bill passed” (Ruth, personal communication, 13 August 2012). Moreover, it is noteworthy that Democrats did not capitalize on the fact that the Republican opposition to VAWA focused on provisions regarding underserved populations, which could be easily tied to a selective understanding of who deserves to be protected by law. Was it more convenient for Democrats to confront Republicans on women’s rights matters while dismissing the highly divisive issues affecting marginalized populations, like LGBTQ, Native American populations, and immigrants, for example?

While both political analysts and leading movement activists believed that “Whatever their objections, Republicans [were] virtually certain to fold” (Milbank, 2012), it was evident that the utilization of the bill for such politicized rivalry was problematic. On the one hand, despite their revamped and relentless activism, advocates sounded “exasperated that their years of effort [had] been ensnared in political maneuvering” (Carmon, 2012). On the other hand, survivors of gender violence learned that their rights and protections were fragile while being at the service of partisan politics – all conditions that arguably re-victimized them as unworthy of fair and equal treatment, and certainly empowered perpetrators.

With the end of the 112th Congress, the possibilities of reauthorizing VAWA in 2012 perished (Kapur, 2013). Here, it is important to clarify that while negotiations around the reauthorization of VAWA were being held, the previous law (even if the

⁷You may access S.1925 Violence Against Women Reauthorization Act of 2012 (112th Congress) at the Library of Congress website, <https://www.congress.gov/bill/112th-congress/senate-bill/1925>.

date for its reauthorization was long passed) continued to be in rule. However, and besides the negative psychological and moral consequences of extensive political maneuvering discussed before, funding for grants and programs providing services for survivors were at risk and in some cases indeed came to an end. It was only the reauthorization of VAWA that would assure the continuation of funding for services for immigrant survivors of IPV, the concretion of needed improvements to better serve victims, and last but not least, the public legitimization of gender violence as a public issue deserving political attention and resources.

A new round of negotiations opened with the new Congress in 2013, and with the aim of achieving a more successful end, a slightly tamed version of VAWA was introduced by Democratic Senator Leahy and Republican Senator Crapo (S. 47), which indeed *removed the controversial increase in U visas for immigrant survivors of violence*. While Democrats argued that they made such concession “for procedural reasons: The visas raise a small amount of revenue, and revenue-generating bills must originate in the House,” immigrants’ advocates admitted it was “a setback” as nobody believed the House would include such visa increment in the end (Khim, 2013). Immigrants’ advocates, however, supported such version of VAWA given that it was overall a good bill with certain improvements for immigrant survivors as well (such as the strengthening of the International Marriage Broker Regulation Act and provisions for minors) (NOW, 2013), and together with “more than 1,300 women’s and human rights groups” endorsed the Senate legislation (Parker, 2013).

After the previous gridlock, and in a different (post-electoral) context, the negotiations to reauthorize VAWA in 2013 were much shorter. Resistance by House Republicans who proposed an alternative which did not include protections for LGBTQ victims, “eliminated ‘sexual orientation’ and ‘gender identity’ from a list of ‘populations’ that face barriers to receiving victim services – and also stripped certain provisions regarding American Indian women on reservations,” was quickly and effectively dismissed by Democrats, women’s and human rights organizations (Parker, 2013). Given the GOP poor performance among women voters in the previous election, Republican opposition to VAWA weakened, and soon they “allowed a vote on an almost identical version of the bill, which passed 286-138” (Lederman, 2013).

The long-awaited reauthorization of VAWA was signed into law by President Obama on 7 March 2013 (Helderman, 2013). It was celebrated as an achievement to “close critical gaps” in the provision of services and justice to all survivors of gender violence (National Network to End Domestic Violence, 2013; National Task Force to End Sexual and Domestic Violence against Women, 2013) and was marked as “an important win for gay rights advocates and Native Americans, who will see new protections under the law, and for Obama, whose attempts to push for a renewal failed last year after they became entangled in gender politics and the presidential election” (Lederman, 2013).

Immigrants, comparatively, took a loss: the number of U visas was not increased (NOW, 2013) and media attention veered away from gender violence against immigrants. Advocates and activists of immigrant survivors of IPV were well aware of their relative defeat and conscious of the particular marginalization of immigrants within the battered women's movement as well as the broader political and social realm. Nevertheless, they adopted a longer-term perspective and betted on joining the momentum that the broader issue of comprehensive immigration reform was gaining (National Latin@ Network Casa de Esperanza, 2013). Indeed, the experiences learned by advocates and activists of the movement for immigrant survivors of IPV could become useful in larger campaigns to push for immigration policy reforms: The particular vulnerabilities of immigrant survivors of IPV are indicative of more general issues affecting immigrants in the U.S., such as them being prone to exploitation at work, discrimination, and racial profiling. In any case, the long contentious process around the reauthorization of VAWA brought three clear lessons for activists: the prioritization of political gains over social justice, the embeddedness of systems and practices of inequality, and the resilience of marginalized individuals and communities, who despite all odds, continue to uphold a struggle.

Concluding remarks

The economic crisis that erupted in 2008 and the anti-immigration environment that followed have brought very concrete negative consequences for immigrants involved in abusive relationships. A group that is particularly vulnerable to gender violence because of the intersection of their race, ethnicity, nationality, immigration status and social class, among other factors, have found additional problems in such a critical context. Given that employment opportunities have declined, exploitative work conditions have worsened, and immigration controls have increased, immigrant survivors of IPV have been faced with empowered abusers whose threats of deportation became real; ambivalent law enforcement officers who instead of protecting survivors may be forced to collaborate with immigration officers; and nonprofit organizations with limited availability of low-cost or free resources. This study documents how immigrant survivors of IPV experienced these exceptional difficulties as well as how service providers, advocates and activists reacted and mobilized collectively. A close look at the processes which immigrants and advocates went through reveals a deep embeddedness of systems of inequality and insidious practices of marginalization at the interpersonal, institutional, and structural levels.

The present research points to the usefulness of developing a Critical Migration Feminist of Color analysis, given that a politically conscious intersectional perspective is "crucial in theorizing about the immigrant experience in a nation that has a history of social exclusion by race, class, gender and citizenship" (Romero, 2008, p. 33), as well as "vital to conceptualizing a framework for the analysis of domestic violence" (Abraham, 2000, p. 5). The experiences of immigrant survivors of IPV embody the layering of multiple levels of oppression as expressed in the most

intimate and the most estranged spheres simultaneously. In interpersonal relationships, immigrants become particularly susceptible to abusive partners who take advantage of their relative conditions of deprivation (language, cultural difference, unstable immigration status, precarious employment, transnational family demands, etc.). These vulnerabilities are further heightened by their location within broader social structures where lower income immigrants lacking proper documentation (who are mostly immigrants of color, and women – if IPV survivors) are systemically depressed. Such combination of interpersonal and structural oppression marginalize immigrant survivors of IPV, while also making them more at risk during times of economic crisis.

In the case of the last U.S. recession, immigrants became (once again) political and social scapegoats of employment problems and political quarrels. This context took quite a toll on immigrant survivors of IPV despite the prompt efforts of advocates and activists for immigrants' rights and against gender violence. While the revitalizing of collective action was a very good sign for the movement as whole, and indeed proved that the so-called stalled gender revolution (Garfield, 2005; INCITE! Women of Color Against Violence, 2007; Lehrner and Allen, 2009; Richie, 2000; Stark, 2007) had gotten new impetus, the end results backfired. The fact that the contentious process of the reauthorization of VAWA was solved by sacrificing the demands for immigrant survivors – who were the ones that had been the most harmed by the economic crisis – reaffirmed their marginalization both within and beyond the movement. Political calculations on the part of activists who trusted a future comprehensive immigration reform (and thus a more auspicious context to push for the needs of immigrant survivors of IPV) combined with the profound embeddedness of stratification. In a milieu where immigrants of color and women are systematically pushed to the bottom of the social hierarchy in economic, political, and cultural terms, immigrant victims of gender violence became expendable.

Far from ranking disadvantages (which would be not only contradictory to the tenets of critical migration studies and feminism of color, but also counterproductive to the forming of coalitions to advance the rights of oppressed populations), it is still relevant to identify which and analyze how groups remain marginalized (Crenshaw, 1995; Romero, 2008). The study of the case of immigrant survivors of IPV exposes how processes of exclusion concurrently work at the personal, institutional, and structural levels in multiple intersections of ideological and practical expressions of gender, sexual, racial, ethnic, class, and other kinds of socially constructed differences. At the personal level, exclusion is played out through abusive behaviors where immigrants are belittled, easily threatened and isolated because of their gender, national origin, unstable legal status, low socioeconomic grounding, and language and cultural disparities – all of which generate psychological damage and high levels of relational fear and dependency. Abusers embody and enact social hierarchies – that usually are oppressive on them in some other way (for example, if the abusers are disadvantaged as males of color or as lower income head of household) – and abused immigrants internalize marginalization.

At the institutional level, exclusion is inscribed in gender violence-based and immigration related legislation. Specifically, immigrant survivors of IPV are protected in limited ways through special clauses of VAWA, and at the same time, constrained by broader immigration laws like the Immigration and Nationality Act, its 287(g) program and Secure Communities. In all cases, they are considered a special category and their fates regulated in a distinct manner from the “general public” – distinctions that ultimately reinstate their exclusion as “other.” These institutional parameters are enforced by police and immigration officers in the various administrative offices and spaces where the law is upheld and immigrants are either included as deserving subjects of law and potential citizens or excluded as violators of the U.S. legal system.

At the structural level, exclusion is framed within the persistence of hegemonic ideologies and practices built on social hierarchies that privilege Whites over any other groups; Americanness – proxy for Anglo/Western/Christian – over any other ethnicity, culture, and religion; masculinity over femininity; heterosexuality over homosexuality; and wealth over dearth (Collins, 1998). The “intersection of multiple structures of domination” (Collins, 1986, p. 519) generates a seemingly inescapable realm where the implementation of reforms usually fall short, and thus radical change remains to be the only way out. The case of immigrant survivors of IPV show the incidence of structural inequalities as filtering their daily lives when they interact with abusive partners, law enforcement and immigration officers, service providers, advocates, and activists for immigrants’ rights and anti-gender violence groups.

The re-marginalization of immigrant survivors of IPV is indicative of what can be thought of as “inequality traps”; traps that because of their deep institutional, ideological and cultural embeddedness systematically push those in subordinated positions further down, and make any attempt of resistance and change extremely demanding. Given the long-standing history of oppression, it would be naïve to imagine that a few years of revamped activism by advocates of immigrant survivors of IPV would be the key to successful radical change. Apathy would be as futile. A critical analysis of the intricacies and contradictions of processes of oppression and mobilization, however, could be fruitful to identify weaknesses and vigor, advance strategies, and contribute with community efforts for social justice. In line with critical migration and feminist of color studies, I believe that there is a great value for scholars to engage in participatory action research and contribute with the documentation and elaboration of counter-hegemonic projects together with community members and activists. While there is a mismatch between the pace in which knowledge can be generated, the opening of political opportunities to introduce change, and the possibility of dismantling resilient structures of inequality, the belief in the power of ideas and collective action remains central for advancing the struggle for justice. Echoing the spirit of a leading activist of the anti-gender violence movement, who affirmed “I am always hopeful. I have to be” (Chelsea, Personal Interview, 29 August 2012), I end by voicing the popular Latin American expression that has

symbolized very many mobilizations, including the latest one for immigration policy reform in this country: “*La lucha sigue* (The struggle continues).”

Acknowledgements

I would like to thank advocates and activists who devoted time to participate in interviews for this study; as well as the meticulous work by my research assistant, Christina Sneed, the kind editing by Tauno Biltsted, and the constructive feedback by anonymous reviewers.

Disclaimer statements

Contributors None.

Funding None.

Conflicts of interest None.

Ethics approval This research was approved by the Institutional Review Board of St. John’s University.

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