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Feminist Strategies to End Violence Against Women

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Abstract and Keywords

Feminist struggles since the 1970s have made important gains in how state and interstate organizations respond to gender-based violence, challenging structural inequalities that increase vulnerability to gendered, racialized, geographic, and socioeconomic violence. The struggles have been varied and sometimes contradictory, from calls for greater state action against violence to organizing against state action that perpetuates gender-based violence. These contradictions have been amplified at the international level. Alongside the important gains achieved by feminist organizing are increasingly reactionary efforts to privatize violence as requiring individualized judicial responses rather than social change. This chapter outlines three feminist antiviolence frameworks, exploring their intersections, contradictions, gains, and shortcomings. It then discusses current challenges in the antiviolence landscape, assessing the potential of those frameworks for transformative change. Canada is used as a case study, drawing on comparisons with countries from both the global North and South. The chapter also discusses feminist action through international forums.

Keywords: gender-based violence, structural inequalities

Introduction

Feminist efforts to end male violence against women must be expanded into a movement to end all forms of violence. Broadly based, such a movement could potentially radicalize consciousness and intensify awareness of the need to end male domination of women.

(hooks 1984, 130–131)

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IN 1984 bell hooks challenged feminists to think bigger and better in their struggles against male violence. She called for activism and analysis to expand from addressing physical manifestations of male violence into a movement to end all structures of violence. She presented this challenge at an important moment; she was writing on a wave of successful demands for state action against domestic violence, particularly in the global North. In the preceding decade feminists had called for an end to impunity for acts of violence in the home and had made important gains, both in building grassroots community support and in demanding state funding and legislation to increase women's safety. Further, in the early 1980s feminists had successfully brought violence against women to the agenda of international organizations. Indeed, it was just one year after hooks wrote this that the UN General Assembly adopted a resolution on domestic violence, the first in a series of feminist gains in a struggle to put violence against women at the forefront of the international human rights agenda. However, in calling attention to structural violence and inequality, hooks was not simply advocating an unproblematized extension of existing feminist movements. Rather, she was critiquing assumptions and exclusions that lay at their core. (p. 395)

In the global North, feminist movements' advocacy for battered women in the 1970s and 1980s was dominated by white middle- and upper-class women and tended to focus on patriarchy as the root—and often the sole—cause of violence against women. These dominant trends were criticized from both inside and outside the movements as exclusionary in their analytical and organizing omissions. Black feminists and feminists of color from the global North and South called for engagement with global structures of economic and social inequality—racism, imperialism, and capitalism—arguing that only through attention to these complex, interlocking structures of oppression could a movement to end violence against women truly be transformational.

Implicit in hooks's formulation are some of the key epistemological and political challenges for feminist organizing to end violence against women. First, what is violence against women? What counts as violence, and through what material and ideological architecture is violence/nonviolence determined? How are the parameters of violence contested, extended, contracted, and redrawn? Second, what does a feminist strategy to end violence look like? What level of intervention (transnational, state, community) is most effective? How should feminists engage with governments, the judiciary, and international organizations? Finally, what makes a feminist antiviolence movement transformational? At a time when organizations established in the 1970s, 1980s, and early 1990s are under attack by the intensifying austerity of neoliberalism, and at both national and international levels responses to violence against women are increasingly being shaped through either a medical or a juridical lens²—resulting in individual punitive “solutions” or medicalized explanations for social deviance, rather than contributing to struggles for social change—this question carries no small dose of urgency.

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In this chapter I approach the trends of feminist antiviolence movements from the 1970s to the present through the prism of these three questions. First, I explore conceptual approaches to violence against women that have informed contemporary feminist movements. Second, I examine various feminist approaches to ending violence against women. And finally, I highlight transformational feminist antiviolence action, both its challenges and its successes. The aim of this chapter is to trace transnational trends without collapsing into overgeneralizations that would inevitably privilege certain positions and silence others. As such, while the scope remains global, I ground my analysis in Canadian case studies, the primary location of my praxis, and also seek to make space for the global experiences shaped through distinct geographic, political, socioeconomic, and cultural locations.³

Conceptualizing Gendered Violence

A number of terms have been employed by feminists to articulate gendered violence, including *battered women*, *violence against women*, *domestic violence*, *intimate partner violence*, *family violence*, and *gender-based violence*. In some cases these are overlapping or complementary terminologies; in others, charting language, and the ideological (p. 396) framework from which it emanates, illuminates conceptual divergences that have had important political implications. In this section I replicate language used at different moments, with an eye to the political tensions embedded in definitional divergences and slippages.

The predominant approach to violence against women in North America⁴ in the 1970s and 1980s focused on acts of physical and sexual violence as a manifestation of patriarchy. This focus on patriarchy challenged long-standing conservative apologies for violence against women as personal, arbitrary, or the result of poor conflict resolution. However, as Gillian Walker argued, the focus on patriarchal violence divorced from an understanding of race, sexuality, and relations of production created a rift in the contemporary women's movement and helped contribute to the depoliticization of responses to violence against women (2003, 262), to which I now turn.⁵

The North American "battered women's movement," a second wave feminist response to violence against women in the home, may be contextualized within the feminist principle that "the personal is political" and calls to make the "private public."⁶ Although there were important divergences in both analysis and action within this broad alliance, which I discuss below, the general aim was to challenge the liberal notion of a divide between the public sphere (which encompasses political and economic activities) and the private sphere (which encompasses the family and relationships, beliefs, and activities in which a person engages in her private capacity).

For second wave feminists, the liberal reification of a divide between the public and private was deeply pernicious, because it assumed a perfect equality between men and women in the private sphere and insulated the supposedly apolitical private sphere from political critique. In particular, feminists were concerned that this doctrine protected the

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family—specifically, the heteronormative nuclear family—from “public” intervention of any kind. Indeed, Catharine MacKinnon wrote that “[t]o complain in public of inequality within the private contradicts the liberal definition of the private. ... In this scheme, intimacy is implicitly thought to guarantee symmetry of power. Injuries arise through violation of the private sphere, not within, by and because of it” (1989, 190). According to MacKinnon, the liberal public/private paradigm offers no recourse to women for whom the private sphere is not a haven of freedom, but is instead a space wherein they are beaten, raped, and oppressed. Thus, the feminist response must be to explode this erroneous binary and demand public (state) responses to what was previously deemed private (and therefore unpunishable) violence.

However, theorizing the public/private divide—even if it seeks to abolish that divide—implicitly includes only those people whose lives have been allowed to exist within that framework. For many people, this is a privilege not afforded them by the liberal capitalist state. Antiracist and anti-imperialist feminists from the global South and North have argued that the public/private divide does not represent their experience of the world in general or of violence in particular. Anannya Bhattacharjee’s work in South Asian communities in New York (1997) demonstrates that the experiences of family, community, and culture go beyond any simple binaries between what is public and private. Andrea Smith (2005) argues that MacKinnon’s formulation, calling for (p. 397) greater state action, obscures the centuries of state violence perpetrated against indigenous women in the Americas. Similarly, Cyndi Baskin’s (2003) discussion of violence in Aboriginal communities in Canada advocates a holistic conception of “family violence” that transcends public/private borders, encompassing a cognizance of the ways in which individuals are tied to communities, spaces, and histories of colonialism and resistance. Indeed, the ongoing intervention of the Canadian state into the “private” lives of indigenous populations—and here I understand private lives not simply in the Eurocentric definition of nuclear family, but in a broader conceptualization of family, community, and culture—belies the notion that the state simply doesn’t act in the private sphere. This is a notion that is blind to the many state interventions in the private realm, particularly the homes of Aboriginal communities, communities of color, and poor communities.

The tragic death of Alice Black, an indigenous woman from an isolated community in Northern Canada, is a brutal illustration of this point. Alice Black lived in Gameti, a Tlicho First Nations community of about three hundred people in the Northwest Territories, one of the three federal territories of Canada. She was the mother of seven children. In 2009 she was murdered by her partner, Terry Vital. Prior to her murder, all her children had been taken by Canadian state social services because of Vital’s abuse, and because of alcohol use in the home (YWCA 2009). It is difficult to conceive of a more intense private intervention than separating children from their family and community. Yet the state did not intervene when Black called the police from a hotel room after being kicked in the mouth by Vital a year before he killed her. This is not a story of simple nonintervention in the private sphere, but of selective, strategic intervention. Aboriginal children make up 40 percent of Canadian children in foster care (Trocmé et al. 2004), a huge overrepresentation when the Aboriginal population currently comprises only 3.75 percent

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of the Canadian population. In the Northwest Territories and in provinces with significant Aboriginal populations, the foster care system is populated almost exclusively with Aboriginal children. It is described as the new residential school, a process that breaks Aboriginal families and communities, then justifies itself by arguing that they are broken.

Black's story speaks to the problematic and underlying privilege in an approach to violence against women that is mapped through the public/private divide. It is an inaccurate and exclusionary approach for the many women who have never been offered the privilege of "privacy" by state or society to pursue the life they desire, and for the women whose experience of work, community, and family exists entirely outside of the public/private dichotomy. For indigenous women in Canada, their family and community lives have never been private. Indigenous antiviolence activism and theorizing have developed outside of the Western liberal public/private paradigm and through a very different understanding of state intervention. Instead of calling on the state to do more to end so-called private violence, it is approached through a critique of colonial and capitalist state violence.⁷

Indeed, without the privilege of imagining violence against women as an expression of patriarchy alone, feminists of color from both the global North and South have long argued that feminists must approach violence against women through an engagement (p. 398) with structural violence.⁸ For example, hooks (1984) argues that violence acted upon poor black women and men in the so-called public realm— through discrimination, harassment, exploitation, threats of violence, and actual violence experienced in places of work, schools, and the streets—is inextricably linked to violence in the home. This relationship is concealed when the public/private divide is assumed as a social reality.

Drawing on this critique by hooks and other antiracist theorists, Kimberle Crenshaw argues that violence against women in the home must be understood through violent structural inequalities based on race and class.⁹ In a discussion of women's shelters that serve minority communities in Los Angeles, she notes:

In most cases, the physical assault that leads women to these shelters is merely the most immediate manifestation of the subordination they experience. Many women who seek protection are unemployed or underemployed, and a good number of them are poor. Shelters serving these women cannot afford to address only the violence inflicted by the batterer; they must also confront the other multilayered and routinized forms of domination that often converge in these women's lives, hindering their ability to create alternatives to the abusive relationships that brought them to shelters in the first place. ... These burdens, largely the consequence of gender and class oppression, are then compounded by the racially discriminatory employment and housing practices women of color often face.

(Crenshaw 1991, 1245–1246)

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An anti-imperialist, antiracist feminism implicitly conceptualizes violence through broader axes of oppression and exploitation. However, though there may be a broad consensus that embodied violence must be engaged with through material and ideological structures, there is an important divergence in the way these links are made. Sedef Arat-Koc (2001) offers an insightful discussion of ways to approach the relationship between embodied violence and exploitative structures. She notes the analytical and political tension between embodied violence and social inequality, on the one hand, and the worry that “extreme broadness” in definition lacks epistemological clarity and has the potential to obscure particular and immediate experiences of embodied violence. Arat-Koc distinguishes between violence and structural exploitation, while remaining attentive to their relationship and the fact that it is mediated by the state. Other anti-imperialist, antiracist feminists do not demarcate between structures of violence and embodied violence. For example, in her work on sexual violence against Aboriginal women in North America, Andrea Smith conceptualizes large-scale processes of appropriation, restructuring, and degradation (e.g., environmental exploitation) as gendered violence. She also understands sexual violence as a state tool of racism, colonialism, and patriarchy, as a tactic—and not simply an effect—of gendered colonial exploitation (2005, 8).

Like Smith, many feminists of the global South and North approach gendered violence through transnational spatial power relations. Indeed, Anna Agathangelou (2004) argues that the violence of neoliberal globalization—wherein the violence of capital exploitation¹⁰ is given greater mobility and freedom within and across borders—must be understood both structurally and corporeally. Patricia Hill Collins (2006) illustrates this transnational approach to violence and vulnerability in her discussion of Nigerian girls and women forced into sex trafficking in Italy. For Collins, one cannot approach (p. 399) the particular violence experienced by these girls and women without a spatial feminist political economy of global exploitative structures. I argue that these theoretical approaches offer a useful base from which to organize transnationally against both structural and embodied violence, which I discuss in the final section of this chapter. In the next section I explore feminist strategies to eliminate violence against women, at varying levels of intervention.

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Antiviolence Feminism and the State

Returning to the liberal feminist philosophy of the battered women’s movements in the 1970s and 1980s, its aim was to make the personal political and to make the private public. Many antiviolence feminist strategies of the 1970s and 1980s in the global North reflected these principles, which were manifested in organizing directed largely at the state. It is important not to confuse this early activism on violence against women with the contemporary manifestations of their effort; that is, to assume that the first support mechanisms (shelters, crisis centers, etc.) were characterized by the same politics as

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today. Indeed, though many of today's organizations focused on violence against women or gender-based violence are depoliticized, professionalized service-provision entities—a shift I discuss below—the early battered women's movement was a politicized process seeking to challenge patriarchal power structures.

In Canada the movement initially focused on opening women's shelters for survivors of physical and sexual violence. In 1975, the year designated as International Women's Year by the UN and the first year these data were collected, there were only eighteen shelters in Canada. Between 1975 and 1992 more than five hundred shelters were established, with the number leveling off after that point (Statistics Canada 2006). Many early shelters existed through a "sister solidarity model" (Schneider 1994), wherein women seeking support were not seen simply as clients, but rather as allies and activists themselves. Susan Schechter, charting the explosion of shelter services in the United States as it was occurring, wrote, "Although the programs for battered women that emerged in the 1970s articulated a multiplicity of philosophies, they shared one common belief: battered women faced a brutality from their husbands and an indifference from social institutions that compelled redress. This theme stimulated networks among thousands of women and programs throughout the United States, Canada and Europe" (1982, 54).

In the 1980s antiviolence efforts in Canada shifted from shelter services to an increasing focus on the criminal justice system (Koshan 1997). Feminist law reform efforts took up MacKinnon's challenge to make the private public and to criminalize private violence. Koshan notes that in Canada up until that point, male violence against women was often dealt with in family court, if it was dealt with at all. As in much of the world, violence against women in the home was usually characterized as "domestic disputes," (p. 400) and sexual violence was consistently dismissed through sexist rhetoric, ranging from "just a case of he said/she said" to "she was asking for it" to "marital sexual obligation." These patriarchal beliefs combined with a lack of juridical tools to create a culture of impunity for men who used violence against women. Feminists who pursued legal reform saw the judiciary as an arena that had the potential to provide "symbolic and actual justice for women" (Clark 1989–1990, 428) and "to increase public awareness of the issue of intimate violence" (Currie 1990, 405, quoted in Koshan 1997, 92).

Notably, in 1982 feminist lobbying succeeded in changing the Criminal Code of Canada so that rape was defined as an act that could occur not only outside of marriage, but also *within* marriage. A decade later the Criminal Code was further amended to define consent to sexual acts as "voluntary agreement to engage in the activity," rather than leaving the question of consent to a judge's interpretation (Sheehy 1999). Sheehy also noted, however, that the 1982 amendment removed the word "rape" from the Criminal Code, replacing it with "sexual assault" written in gender-neutral terms. This gender-neutral language persists to this day and has led to an increased criminalization of women, who are often countercharged by their assailants. It has also informed the depoliticization of family violence services.

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In sum, the predominant antiviolenace political strategies emanating from both radical and liberal feminists in the global North in the 1970s and 1980s often focused on demanding state support services and juridical responses to violence against women. These demands were enormously successful on paper. However, the results—more shelters, better legislation for women who are victims of violence—have not succeeded in significantly reducing violence against women. This is because state services, particularly the criminal justice system, reproduce the structural inequalities and violence that enable violence against women. While the importance of these services for the immediate wellbeing and safety of many women must not be ignored, neither must their gaps, exclusions, and inadequacies. Where state services do not address the structures of violence that support individual expressions of violence, they become complicit in these structures through that omission.

Indeed, beyond very real and important logistical barriers (a lack of services in an area, linguistic barriers, lack of knowledge about services, etc.),¹¹ the risks a woman can assume in seeking help from domestic violence are great. (Here I'm referring specifically to state or state-sanctioned help—legal services, social services, etc.—not the many informal supports a woman may access to help herself when she is faced with domestic violence.) The possible benefits, on the other hand, are limited. For example, given the intensely racialized nature of the Canadian judicial process, a woman of color is much more likely than a white woman to face the social burden of “putting someone in jail.” The cost of having a partner in jail is sometimes simply not an option for poor families, which again is a deeply racialized phenomenon. The possible safety benefit of having someone in jail is limited, as jail terms for domestic violence are usually quite short, and a jail term has the potential of exacerbating a person's violent behavior upon his return. Further, depending on the immigration status of a woman or her partner, either one could face deportation if state services become involved in their private life. (p. 401)

When seeking help a woman will attempt to ascertain how she will be treated. In a national context in which Aboriginal women are consistently tacitly written off as “deserving” of violence (Jiwani and Young 2006; Razack 2002) and the private lives of immigrant women are under constant interrogation, it would not be surprising if a woman chose not to engage with the state about something as painful and sensitive as domestic violence. Jennifer Koshan (1997) provides an excellent illustration of this argument in her discussion of the options available to women living in small northern Aboriginal communities, where the services are limited, the racism of the Canadian justice system is potent, and the possibility of anonymity is nonexistent.

Mandatory charging provides a particularly potent illustration of the inadequacies of the criminal justice approach. Many jurisdictions in Canada and the United States have adopted mandatory charging policies in cases of domestic violence. The justification for this has been that previously, police discretion often interpreted the abuse or rape of women as “marital problems” or “domestic disputes.” The purpose of mandatory charging is thus to eliminate this possibility. This shift emphasized that domestic violence was no longer viewed as a civil matter being brought by an individual against a perpetrator, but

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rather as a criminal matter being prosecuted by the state. Mandatory charging provides a level of assurance for victims of violence in that, on paper, once there is evidence that a violation has occurred, they are not subject to the whims and prejudices of individual police officers; in addition, the judicial machinery of the state takes responsibility for pursuing the case. However, in practice this is not always the case. Mandatory charging has in fact led to increased vulnerability for many women.¹² It dissuades women who are uncomfortable with the criminal justice system from calling the police, because they no longer have a say in whether or not to prosecute their partners. Further, coupled with the gender-neutral language around domestic violence, it has led to an increase in dual charging, wherein a man who is being arrested simultaneously accuses his wife of abuse, and both end up being incarcerated.¹³

The impact of this development falls directly on the shoulders of poor people and people of color, who feel the aggression of the prison system most consistently.¹⁴ The criminal justice system—and the state, more broadly—is not a safe space for all women, and the assumption that it is emanates from race and class privilege. Over the past forty years Angela Davis (1981, 2000) has voiced a powerful critique of criminalization as a solution to violence against women, arguing that for women in communities that are intensely policed and criminalized, increased juridicization makes women less safe, not more so. She thus argues for feminist analysis and action rooted against structures of racism, capitalism, and imperialism:

We need to develop an approach that relies on political mobilization rather than legal remedies or social service delivery. We need to fight for temporary and long-term solutions to violence and simultaneously think about and link global capitalism, global colonialism, racism, and patriarchy.

(Davis 2000, 5)

(p. 402)

For centuries indigenous communities in Canada have been targeted by the military and police. It is therefore not surprising that Aboriginal women have pursued antiviolence strategies that name colonial violence, rather than relying on (violent) state structures.¹⁵ The following discussion outlines a feminist approach to violence against Aboriginal women in Canada that explicitly links embodied incidents of violence to past and present gendered colonial violence:

The overrepresentation of Aboriginal women in Canada as victims of violence must be understood in the context of a colonial strategy that sought to dehumanize Aboriginal women. While the motivations and intersections may differ, NWAC has found that colonization remains the constant thread connecting the different forms of violence against Aboriginal women in Canada. The value of Aboriginal women is diminished by the persistence of patriarchal values that, consciously or not, continue to influence and regulate social norms and gender relations.

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(Sisters in Spirit 2010, 2)

This quotation is taken from the Sisters in Spirit campaign, a research and advocacy initiative undertaken by the Native Women's Association of Canada (NWAC). The program addressed violence against Aboriginal women in general, but its primary focus was the 580 Aboriginal women who have gone missing or been murdered over the past three decades in Canada and the limited state response. Mainstream media reporting on these missing and murdered women tend to focus on the fact that many of the women had engaged in sex work (Jiwani and Young 2006; Razack 2004) and are thus somehow more "deserving" of violence. In contrast, the work of Sisters in Spirit tells the stories of these women's lives, of their friends and families, and situates the violence acted upon them within the context of colonization.

The Sisters in Spirit campaign emerged following a long history of impunity for violence against Aboriginal women in Canada. Sherene Razack's *Race, Space and the Law: Unmapping a White Settler Society* (2003) captures this dynamic: from the brutal murder of Helen Betty Osborne by four white men, after which sixteen years passed before anyone was brought to trial, to the more recent mass murders of women—many of whom were Aboriginal—in a low-income neighborhood in Vancouver. Although the latter incident was the biggest serial killer case in Canadian history, it was characterized by years of limited response by the police. Andrea Smith, writing on sexual violence in Aboriginal communities in Canada and the United States, argues, "Native peoples' individual experience of sexual violation echo 500 years of sexual colonization in which Native peoples' bodies have been deemed inherently impure" (2005, 13) and thus inherently violable.

The Sisters in Spirit campaign sought to put an end to this impunity, challenging both individual violence and structural violence through a feminist, anticolonial framework. The campaign is an example of local organizing working in concert with international organizations. Drawing on the research done by Sisters in Spirit, Amnesty International (2009) and the UN Committee on the Elimination of Discrimination against Women (CEDAW Committee 2010) have condemned the Canadian government for the high (p. 403) rates of violence against Aboriginal women—in a 2004 survey, it was reported that rates of violence against Aboriginal women were 3.5 times higher than against non-Aboriginal Canadian women¹⁶—as well as for the 580 Aboriginal women who have gone missing or been murdered in the past three decades and the limited state response (Amnesty International 2009, 4). International attention and grassroots organizing (annual vigils and marches) continue in an attempt to make violence against Aboriginal women visible and therefore abolish the impunity. In various regions around the country, these events and initiatives continue to be led by local Aboriginal women's groups, connected through the national umbrella of the Sisters in Spirit project and supported by transnational feminist/Aboriginal movements and networks.

This is a good example of an international human rights framework providing useful tools for local organizing and greater scope for voicing demands. Indigenous communities in

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the Americas are often framed as “broken” and therefore irreparably violent. This erroneous discourse is mobilized to justify and mask impunity for high rates of violence. Feminists have strategically used the language of the “universality of human rights” to combat this impunity, drawing on state commitments to eliminate gender-based violence to challenge the Canadian government’s lack of response to violence against indigenous women. However, at the same time that universal human rights language has been used in a call for greater state action, indigenous women have asserted the violence inherent in the Canadian state’s past and present colonization of indigenous populations. Thus, although the Native Women’s Association drew on international human rights instruments to further its demands, it did not compromise the historically grounded analysis of gendered exploitation and colonization. This exemplifies the complex relationship between antiviolence activists—particularly those from marginalized communities—and the state. The Sisters in Spirit campaign is at once pointing to the ongoing colonial violence of the Canadian state and demanding protection from that state for individual acts of violence that emanate from these structural relations. This is not a contradictory position, but rather a complex one that must be pursued for the safety and dignity of the women most marginalized by state violence, inside and outside its borders.

Unfortunately this example also demonstrates the limited reach of international norms. In autumn 2010 the Canadian government cut funding for the continuation of the Sisters in Spirit project. This was done without warning; the Native Women’s Association of Canada had in fact been expecting a CAD \$10 million renewal grant. The funding was “redirected” to the Department of Justice and the Ministry of Public Safety (Sterritt 2010). The withdrawal of funding was ironic and clandestine, given that it occurred only months after the Canadian government responded to Amnesty International and the CEDAW Committee about the concerns uncovered by the Sisters in Spirit initiative, arguing that it had earmarked a great deal of funding for addressing the problem of violence against Aboriginal women, including providing the initial funding for Sisters in Spirit itself (CEDAW Committee 2010). However, I argue that the withdrawal of funding is the result of the increasingly punitive, austere response to violence against women under neoliberalism. This is discussed in the final section of the chapter. First I turn to developments in international human rights organizing. (p. 404)

Antiviolence Feminism and Human Rights

The Beijing Platform for Action defines violence against women as

any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm, or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life.

(United Nations 1995, 73, 112)

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As a result of global feminist organizing, this definition offers a fairly expansive articulation of violence against women, although it is specific to embodied and not structural violence. However, to suggest that this definition crystallizes one particular theoretical approach to violence against women would be misplaced; rather, it is the result of feminist political action emanating from different theoretical positions and geopolitical locations, and their engagements with both state-level and international institutions.

International human rights, as a normative framework and political tool for addressing violence against women, falls on the fault line between progression and regression. International human rights instruments have provided important and effective tools for transnational feminist organizing against violence, but this framework has also been co-opted as a legislative veil that obscures “business-as-usual” international policy and practice,¹⁷ and in a twisted irony has also been appropriated by imperial powers to justify large-scale violence. This section discusses the ambivalent history of the relationship between feminist antiviolence activism and human rights.

In the early 1990s violence against women emerged at the forefront of the struggle for women’s rights as human rights. The UN Third World Conference on Women, held in Nairobi in 1985, had resulted in the first UN General Assembly Resolution on domestic violence; however, the resolution was not gender specific,¹⁸ nor did it offer much in the way of political or legal teeth. The resolution oscillated between characterizing domestic violence as an interpersonal problem, calling for “appropriate methods of conflict resolution between the parties involved,” and a social problem, “which should be examined from the perspective of crime prevention and criminal justice in the context of socio-economic circumstances” (United Nations 1985). The suggested strategies to end violence mirror the strategies developed by the battered women’s movement in the global North (discussed below), although the analysis of patriarchy intrinsic to their praxis was omitted in the resolution. These strategies were increased social services (e.g., shelters and counseling), civil and criminal legislation directed toward domestic violence, and increased communications and research on the issue.

At the World Conference on Human Rights held in Vienna in 1993, women’s organizations, building on a decade of mobilization, drew on the new human rights language and called for “women’s rights as human rights” (Merry 2006; Miller 2004). The CEDAW Committee put forward General Recommendation 19, which framed violence against women as a violation of human rights. This recommendation sought to make explicit the gendered nature of violence in the home and to broaden the scope from violence in the home to all forms of gendered violence. The recommendation led to (p. 405) a UN Declaration on Violence Against Women, prepared by the CEDAW Committee and adopted by the UN General Assembly in 1993. The declaration does not articulate violence against women as a human rights violation, but it does define gender-based violence and makes explicit the state’s responsibility to address the issue. Two years after this the UN Fourth World Conference on Women, held in Beijing, expanded the 1993 definition of gender-based violence and highlighted “specific forms of violence

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not explicitly mentioned in the Declaration.” These included forms of gender-based violence that had become more apparent since the adoption of the declaration, such as “violations of the rights of women in situations of armed conflict, forced sterilization and forced abortion, coercive or forced use of contraceptives, female infanticide and prenatal sex selection” (Connors 2005, 26–27). The Beijing Platform for Action also addressed marginalized women’s increased vulnerability to violence, which had not been made explicit until then.

These events mark a watershed in international organizing against gender-based violence. However, although feminist success in incorporating violence against women into the UN agenda was a new development, antiviolence feminist organizing across borders was far from new. While feminists in the global North focused largely on the state as their entry point for intervention, feminist movements in the global South had been analyzing global processes of exploitation and violence. Indeed, in the 1980s, before transnational theorizing on violence against women was on the radar of many feminists in the global North, Latin American feminist activists were making important links among US imperialism, state militarization, and violence against women in the home. Their activism took on these multiple sites of struggle simultaneously. In Honduras, for example, women’s movements against violence in the home emerged out of a mobilization against American troops in the country. Gladys Lanza,¹⁹ director of Visitacion Padilla— a feminist organization that provides services for victims of violence and for the last twenty-five years has been central to feminist activism in Honduras—describes the country in the 1980s as the “backyard” of the United States, a dumping ground for troops and military equipment that generated the mass militarization of a country that was ostensibly at peace. Lanza argued that the militarization of Honduras planted the seed for a culture of violence that was made manifest not just in military torture and disappearances, but also in the home. Thus, feminist activists rejected the presence of the military, both national and foreign. Among other actions, in 1995 a group of feminist activists went on a hunger strike for fourteen days and ten hours to protest obligatory military service in Honduras. Through this action they made explicit the links among state militarization, imperial occupation, and violence against women. Their demands were met, and obligatory military service was abolished in Honduras.

Although this example of feminist organizing in Honduras cannot be used to generalize about theory and strategy in other parts of the global South, it provides a useful context for the advent of the human rights approach to violence against women. Rather than a leap from the domestic to the international by feminists of the global North, the human rights approach emerged through decades of organizing by feminists of the global South and North and their engagement with international organizations. Feminist analyses (p. 406) point to the ambivalence inherent in this process. Alice Miller (2004), for example, argues that violence against women was pushed to the forefront of the women’s human rights agenda because it straddles the realms of rights and public health, both emerging political frameworks with a great deal of clout in the early 1990s. Miller notes that sexual violence, in particular, seems to have resonated in international political circles, perhaps because it embodied the gendered relations of power manifested in gender-based

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violence. She points to the ambivalence of violence against women read in public health or human rights terms: while the assertion that violence against women as a human rights violation has enormous transformative potential, it also has the potential to be read in regressive terms as a cry for protection. Similarly, Ratna Kapur (2002) notes the potential of this discourse to position women (particularly women of the global South) as perpetual victims.

Indeed, at the same time that feminist activists have used human rights tools to illuminate and eradicate particular vulnerabilities to violence in different global spaces, imperial powers have used violence against women to justify racist policies within their borders and occupation of lands outside their borders. Imperial violence has been rewritten as the protection of women from “violent, backward cultures” by a “non-cultural—and therefore non-violent” West,²⁰ a strategy that serves to exacerbate local gendered violence. In writing on international law and colonialism, Elizabeth Philipose argues:

Women’s bodies in these instances of international law perform a recurring function in colonial systems—they are the justification for intervention, occupation, prosecution and colonialism. This is not to suggest that rape and sexual assault against women ought not to be prosecuted; rather, it is to draw attention to the form that prosecution might take, and the functions of international law given its colonial intent and foundations.

(Philipose 2008, 112)

This strategy is far from new. In tracing the continuities and splits in old and new colonial narratives, Anne McClintock (1995) outlines the way in which “indigenous” treatment of women—and particularly colonial discourses surrounding violence against women—is framed as a demonstration of their lack of civilizedness and therefore justifies domination, occupation, or colonization. This old colonial strategy has been remapped onto human rights structures through the language of cultural violence, which ascribes an inherent violence to certain non-Western cultures and places these in opposition to ostensibly noncultural, universal human rights. The alleged tension between a culture (usually written as homogeneous and static) and individual rights is a tension imposed by a hegemonic ordering of a secular West over a “backward” Other. This framing accomplishes a few things: it binds violence to a culture, erases the possibility of violence in the dominant culture, and erases the possibility of resistance from within a culture.

Himani Bannerji (2000) offers a potent challenge to this strategy, confronting the heavy silence around violence against women in communities of color in Canada. She (p. 407) identifies the ways in which dominant political forces interact with minority groups to create a static notion of “community” and challenges the erroneous assumption that violence in some communities is “natural,” while at the same time bringing attention to the very real vulnerabilities faced by women in minority communities. She offers an excellent analysis of how the state works in concert with elite men²¹ from minority communities to create a falsely “static” version of culture that protects the propertied

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elite of minority communities at the expense of challenging patriarchy within communities:

In this erasure of class and gender, in protecting property and its proprieties, the “traditional” communities and the “modern” Canadian state show a remarkable similarity and practical convergence. ... Through the mask of pre-modernity and anti-materialism they [the propertied elite] participate most effectively in a capitalist state of a highly modern nature. In return for proclaiming a primordial traditionality they are left alone as rulers of their own communities.

(Bannerji 2000, 166–167)

Nowhere has this been more evident in the past decade than in national and international responses to “crimes of honor”, or violence against women in communities read as Arab or Muslim. I put the phrase in quotations because, like Lynn Wellchman and Sara Hossain (2005), I am concerned by fixed definitions of “crimes of honor” that reduce the extreme violence the term encompasses to a cultural justification and, in so doing, simultaneously reduce a culture or belief system to that same violence. The culture versus rights dichotomy obfuscates what should be the central focus of these crimes—an extremely violent abuse of power—in the interest of subscribing to a binary that, in its rigidity, is unable to provide space for the agency of, or solidarity with, the women who are victims of these crimes, and may indeed facilitate their further oppression. Not only does this framing position Muslim women as victims of their culture, in its reliance on a dichotomy between culture and nonculture (i.e., Western culture), but it also creates an assumption of a Western society free from gendered and family violence. This conflation was central to the rhetoric justifying the US-led occupation of Afghanistan²² and is consistently recycled to shore up racist policymaking in the West. The mobilization of “crimes of honor” rhetoric is transnational in its intent and manifestations: it maps itself on the bodies of women whose communities are ravaged by conflict and “marginalized” women who live in imperial centers. Following is an illustration of the ways in which these structures are made manifest in the lives of racialized immigrant communities in Canada.

In 2007 Aqsa Parvez was killed in her Mississauga home by her father and brother. The youngest of eight children, she was sixteen years old. In the summer of 2010 her father and brother were tried and found guilty of murder. The trial was beset by a storm of controversy about the nature of this murder; that is, it was a cultural act, specifically an “honor killing.” Parvez’s father, Muhammed Parvez, was widely quoted as justifying his act by pointing to the embarrassing nature of his daughter’s actions and wants, which according to the national newspaper *The Globe and Mail* (2010), included hanging out (p. 408) with her friends and wearing Western clothing. He said, “This is my insult. My community will say you have not been able to control your daughter. She is making me naked” (quoted in Wenthe 2010).

Coverage in Canada’s two national newspapers, *The Globe and Mail* and *The National Post*, subscribed to the alleged tension between (minority) culture and rights. Wenthe’s article was entitled, “The Immigration Debate We Don’t Want to Have.” The national

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media response was largely in line with the Canadian government's response to this crime. Rona Ambrose, federal minister for the status of women, defined "real Canadian society" in opposition to the Parvez murder: "There is a small minority in some communities who use violence against women as a method of avenging their so-called honour. Let me be explicit: This type of violence, the most extreme of which is often [known] as 'honour killing,' has no place in Canadian society" (quoted in Galloway 2010).

This event coincided with the launch of a report, endorsed by the Canadian government, in which Aruna Papp contrasts cultural violence with a noncultural, nonviolent version of the West, writing that "violence against women is deplored in general in Canada. ... In contrast, culturally driven violence is statistically frequent, stems from culturally approved codes around collective family honour and shame, is condoned and even facilitated by kinship groups and the community" (2010, 4-5). She adds that "although Western culture was in a generic sense also 'patriarchal' before women's accession to the vote and their marks of complete legal and political equality, physical violence against daughters and wives was never a sanctioned practice here or in any Western country" (2010, 8). Minister Ambrose drew on this report to suggest intensifying screening in Canadian immigration. Beyond the deep racism informing this reaction, identifying insufficient screening as the aspect of Canadian immigration policies and procedures that causes problems for immigrant women is tragically ironic. Canada's immigration policies have consistently been characterized by racism and sexism, greatly contributing to the vulnerability of immigrant women,²³ which has intensified in recent years. Rather than looking to the very real vulnerabilities faced by immigrant women in Canada, this framing supports the intensified racialization and militarization of Canada's borders, which can be traced to the Harper government, post 9/11 politics, and more generally the right-wing shift in government under neoliberalism.

Ways Forward: Challenging Physical and Structural Violence

In North America the battered women's movement of the 1970s and 1980s was driven by a relatively politicized (albeit problematic) feminist agenda. Today these same issues and actions are often advanced through a professionalized, individualized, criminalized service-provision agenda. Gillian Walker argues that domestic violence has increasingly (p. 409) been framed outside of politicized terms, as something clinical and thus requiring individual treatment, or as a legal offense against the state (2003, 271). Walker traces theoretical and strategic debates in mainstream feminist organizations in North America, noting that organizers and service providers chose (depoliticized) language that they thought would yield state responses. These choices—though they may have expedited short-term gains—have ultimately undermined transformative organizing around violence against women and inhibited grassroots alliance building within and across borders.

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This move toward depoliticized antiviolence work cannot be understood outside of the shifting political economy, and in particular the increasingly punitive austerity of neoliberalism. The battered women's movement gained prominence in the global North in the era of the welfare state. The welfare state, as noted by Amina Mama (1989) in a discussion of the United Kingdom, was premised on a system of race and gendered exclusions; thus, one should not reify this moment as one we should attempt to return to. However, neither should we ignore the political space made available by welfare state policies and thinking, space that feminists used to transform responses and services to violence against women in a number of countries in a few short decades. Through neoliberal policies that have intensified over the past two decades, this space has increasingly been encroached upon. As such, many feminist organizations that existed in the West in spaces of relative stability and autonomy from the state now must scramble and compete for funding, twisting their mandates through feats of grant-writing acrobatics in order to stay afloat. Organizations that are partially or fully state funded are often restricted by state funding regulations that demand limited or no "political content" or "advocacy." This austerity is coupled with an increasingly punitive response to violence against women. For example, as of 2004 the British Columbia government eliminated funding for women's centers, although research has clearly shown that many women will not make use of police-based programs (Todd and Lundy 2006, 366).

In this climate, many antiviolence activists—particularly feminists of color—are calling for creative, progressive solutions to ending violence against women. At the important "Color of Violence" conference in the United States,²⁴ feminists came together to ask what it would mean to "develop strategies that address community and state violence simultaneously" (INCITE 2006). Common themes that emerged from this conference, and subsequent publications and activism, are strategies that are community driven, antiracist, and transnational.

How, then, can communities come together to challenge violence against women and build safe, equitable spaces? As mentioned previously, indigenous communities in Canada and the United States are exploring restorative justice as an alternative to criminal justice, focusing on local anticolonial solutions, long-term safety for women, and overall community health. Although this should not be looked upon as a panacea, it offers promise in concert with community education. Communities Against Rape and Abuse (CARA), a grassroots antirape organizing project in Seattle, suggests that communities develop accountability strategies based on prioritizing the self-determination (p. 410) of the survivor and long-term commitment to identifying clear demands and approaches, ongoing political analysis, and developing allies (CARA 2006). Sista II Sista is a "Brooklyn-wide, community-based organization located in Bushwick, New York. ... [It is] a collective of working-class, young and adult, Black and Latina women building together to model a society based on liberation and love" (Sista II Sista 2006, 197). Its antiviolence model is based on community engagement and education. The group has operated a Freedom School for young women and organized Sista's Liberated Ground as an alternative to turning to the police for safety. Sista's Liberated Ground is a reclaimed area in Bushwick where violence is not tolerated: women from the organization built a public

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awareness campaign around the ground and inaugurated the space on July 28, 2004, at a block party at which community members were asked to sign an antiviolence pledge. The pledge reads:

I believe that in the struggle for justice, women's personal safety is an important community issue. Violence against women hurts families, children and the whole community. As a member of this community, I commit myself to ending violence against women! I stand in support of Sista's Liberated Ground, a territory where violence against women is not tolerated. I commit myself to working with the community to collectively confront cases of violence against women without the police and to work together so that violence against women stops happening. I will dedicate myself to creating relationships based on respect, love and mutual support and to struggling for justice and liberation on a personal and community level.

(Sista II Sista 2006, 204)

Inherent in these examples is a simultaneous engagement with race, class, and gender. Andrea Smith (2005, 2006) argues that an antiracist approach to violence against women is not one that includes women of color, but one that is premised on answering the question: What would it take to end violence against women of color? This sentiment echoes the challenge made by bell hooks, cited at the beginning of this chapter. I add to Smith's formulation: What would it take to end violence against women across the globe? In violence enacted on women's bodies, one can read local and global structures of violence, and responses to one must be tied to the other. As neoliberal retrenchment has snatched back many of the social gains made by feminists in the 1970s and 1980s, the response must not be one of defense. Instead, by reflecting on the limitations of antiviolence work that lacks an analysis of imperialism, racism, homophobia, and capitalism, and in rising to face new forms of sexism, austerity, conservatism, and xenophobia, feminist challenges to violence must expand, not contract. As articulated in the INCITE statement of purpose:

We seek to build movements that not only end violence, but that create a society based on radical freedom, mutual accountability, and passionate reciprocity. In this society, safety and security will not be premised on violence or the threat of violence; it will be based on a collective commitment to guaranteeing the survival and care of all peoples.

(INCITE 2006, 226)

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Notes:

(1.) This chapter is dedicated to the memory of Alice Black and Aqsa Parvez.

(2.) This will be discussed further in the chapter, but I am referring here to an increasingly individualized, depoliticized service provision approach to violence against women pursued, for example, by the Canadian government, through terminating funding to feminist organizations and moving victim services from community organizations to police-based agencies.

(3.) This formulation draws upon what Chandra Mohanty (2003) calls a democratization of experience; that is, an ongoing commitment to challenge falsely universalist conceptions built upon privilege, through meaningful democratization of academic and activist spaces. This democratization can be understood in contrast to tokenism, wherein so-called marginalized voices are included only in order to achieve optics of diversity or to satisfy vague commitments to multiculturalism.

(4.) The theoretical and political antiviolence trends described here were similar in the United Kingdom and Western Europe. However, for the sake of analytical rigor I focus primarily on North America.

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(5.) In outlining early debates over language and approaches to violence in Canada, Walker stated that *wife abuse* was the preferred term, as it spoke to the gendered nature of the violence, but that frontline workers were concerned it would deter women who were not wives from seeking attention (2003, 258–59). Interestingly, at the time *domestic violence* and *family violence* seemed to be equated with one another. In contemporary discourse, *family violence* is the preferred state term, as it is not gender specific, whereas *domestic violence*, because of its activist history, carries a distinctly gendered connotation and a feminist association.

(6.) See, e.g., Frances Olsen (1983).

(7.) I focus on indigenous feminist anticolonial approaches to violence in Canada below.

(8.) Although a full discussion it is beyond the scope of this chapter, it is also important to acknowledge the engagement with gendered violence and its intersections with race and class by the international women's peace movement (see Boyce Davies 2008).

(9.) Crenshaw's formulation is a foundational piece in feminist intersectional analysis.

(10.) With regard to the gendered violence inherent in capitalism, Silvia Federici (2004) argues that capitalist production and reproduction is made possible through an ongoing violent appropriation of women's lives and bodies. She illustrates this premise through a gendered analysis of the original capitalist accumulation and its relationship to the witch hunt in Europe.

(11.) In arguing for an intersectional approach to understanding violence against women of color, Kimberle Crenshaw (1991) provides a useful account of the logistical barriers they face in the United States when attempting to access antiviolence services. To give one example, she recounts the story of a woman who was forced to leave her home after her husband threatened to kill both her and her son. An immigrant from Latin America, she spoke little English. Because her language abilities were in Spanish rather than English, she was denied access to the local shelter, the shelter workers arguing that she would be unable to meaningfully consent to services or participate in counseling. When it was suggested that her son translate for her, the shelter argued that her inability to speak for herself would revictimize her. As a result, she was left homeless.

(12.) Mandatory charging of men and women accused of violence against their spouses was introduced into the Criminal Code of Canada in 1983 and has been duplicated by various jurisdictions; for example, Ontario adopted a mandatory charging policy in 1994. Some argue that this policy is important in that it eliminates the possibility of individual police officers dismissing a domestic violence call. However, in practice, response remains largely at the discretion of police officers, and as the Ontario Women's Justice Network (2009) notes, because it does not specifically address the gendered nature of violence in the home, it has increased incidences of dual charges (that is, charging both the man and woman for assault). It also does not offer women the ability to seek police protection without charging the perpetrator. Thus, it serves to further entrench domestic

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violence as an individualized crime against the state, rather than the result of structural inequalities.

(13.) INCITE—an antiracist feminist collective working against violence—writes that often mandatory charging leads to police arrest of the battered woman. “[A]s an overall strategy for ending violence, criminalization has not worked. In fact, the overall impact of mandatory arrest laws for domestic violence have led to decreases in the number of battered women who kill their partners in self-defense, but they have not led to a decrease in the number of batterers who kill their partners” (2006, 223).

(14.) A punitive response is also potentially dangerous for people who are deemed “illegal” immigrants, whose citizenship status is precarious, or whose citizenship status relies on their partners. Sunera Thobani (1999) speaks to the particular vulnerabilities of immigrants and migrants to domestic violence.

(15.) Indigenous communities in Canada and the United States are increasingly implementing restorative justice (rather than criminal justice) responses to physical and sexual violence. While these programs confront many challenges—in particular, ensuring the safety of women and challenging gendered community power relations—they offer an avenue for anticolonial, community-based responses (Smith 2005, 158).

(16.) Cited by Status of Women Canada (2010).

(17.) Sandra Whitworth (2004), for example, argues that gender violence language and tools have been largely taken up by UN Peacekeeping Operations as a “problem-solving device” rather than as a meaningful challenge to structural gendered violence or androcentric policies and practice.

(18.) The UN General Assembly Resolution acknowledges its commitment to the fair treatment of women by the criminal justice system and the recommendations made at the Nairobi conference; however, “domestic violence” is written in gender-neutral terms and is viewed largely as a danger to the “family.” Indeed, the resolution reads, “Having regard to the Declaration of the Rights of the Child, in particular to principle 9 concerning the protection of the child against exploitation, neglect and cruelty, and the Convention on the Elimination of All Forms of Discrimination against Women; Mindful of the important role of the family in ensuring the proper development of the young and their integration into the mainstream of society, and in preventing delinquency” (United Nations 1985).

(19.) Excerpt of a personal interview with Gladys Lanza at Visitacion Padilla, Tegucigalpa, Honduras, May 7, 2012. On-site translation by Karen Spring.

(20.) *Feminism and War*, a collection of essays edited by Robin L. Riley, Chandra Talpade Mohanty, and Minnie Bruce Pratt (2008), provides an excellent analysis of this.

(21.) I say “men” here with the understanding that this can also include elite women. Her point is that this is a patriarchal collusion for the advancement of national and global capital.

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(22.) See Riley, Mohanty, and Pratt (2008) for a discussion of this. See also the chapters in this volume by Maryam Khalid and Seema Kazi.

(23.) Sunera Thobani (1999) wrote about the dependency imposed upon immigrant women by the Canadian state's gendered immigration categories and their limited access to social services.

(24.) The Color of Violence conference, held at the University of California–Santa Cruz in 2000, aimed to develop “analyses and strategies around ending violence that place women of color at the centre” (INCITE 2006).

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