Australian Journal of Human Rights

Human rights and the significance of psychosocial and cultural issues in domestic violence policy and intervention for refugee women

Susan Rees*

Cultures, histories and post-migration experiences require analysis when developing health and social welfare responses to assist refugee women affected by domestic violence. The author reflects on research undertaken into the well being of East Timorese women asylum seekers in Australia and applies human rights theory to argue that universal standards of personal safety for women should be paramount; however, understanding cultural difference, including gender roles and tolerance to domestic violence in the country of origin, is essential in the development of appropriate policies and interventions. Additionally, the psychosocial effects of war and persecution, and various interrelated post-migration experiences, are articulated as probable causal factors. Changes in identity or perceptions of self, unemployment, isolation of women from family and social supports, insecure residency status, and increased access to alcohol and psychotropic substances are identified as factors that require consideration in the development of policies and interventions to address domestic violence affecting refugee women.

Introduction

Domestic violence, or violence against women perpetrated by intimate male partners, has been articulated as one of the most concerning and prevalent public health issues in the world today (Krug et al 2002). Domestic violence occurs in all countries irrespective of culture, socio-economic status or religion. Nevertheless, it has been identified that immigrant and refugee women may be at increased risk of experiencing abusive situations (Walter 2001; Easteal 1996; Human Rights Watch 2000; Perilla 2003; Kang, Kahler and Tesar 2003; Narayan 1997). The universal and specific psychosocial and cultural issues with respect to domestic violence affecting refugee women, and the development of policies and interventions in the post- migration context, are the focus of this paper.

The issue of domestic and family violence in refugee and asylum seeker communities is a neglected area of academic inquiry, and this is particularly the case for refugees residing in western countries where generic domestic violence legislation and services are designed to support and protect survivors and to prosecute perpetrators. A recent study into the well being of East Timorese women asylum seekers residing in Australia (Rees 2003), focusing specifically on the effects of prolonged asylum seeker status on their well being, emphasised an interrelated issue of domestic and family violence affecting women asylum seekers. Nevertheless, it was not within the scope of the study to further explore the issue and thus it remained an identified area for further research. This position paper is intended to articulate and contextualise the issues of domestic and family violence as they arose briefly and yet significantly in the East Timorese women asylum seekers study and to achieve two further objectives: first, to apply human rights theory to explore secondary source material concerning the psychosocial and cultural issues of relevance to domestic violence in refugee communities generally, and secondly, to initiate discussion of social and health policy responses and interventions in the Australian context. The paper is intended to provide impetus for future research projects to identify the extent of the problem of domestic violence and cultural variations in refugee communities in Australia, as well as to further explore the complexity of the issues and associated responses required from policy makers and practitioners.

Understanding domestic and family violence among refugees

Domestic violence is the term used to refer to an abuse of power mainly (but not only) by men against women during or after a relationship (PADV 1999). Domestic violence is behaviour that results in physical, sexual or psychological damage, forced social isolation, economic deprivation, or where the woman is forced to live in fear (DVPU 1999). In 2003, Queensland broadened its civil domestic violence legislation to include non-spousal intimate relationships as well as violence perpetrated against spouses (QCPDFV 2003). This more comprehensive legislation reflects a general move in Australia towards recognition of violence in familial and intimate relationships other than just among conjugal or de facto partners. Nevertheless, domestic violence perpetrated against women by their male partners remains the most common form of family violence in Australia (PADV 1999) and is the leading cause of female injuries around the world. It is recognised that women are targets of domestic violence

family violence in Australia (PADV 1999) and is the leading cause of female injuries around the world. It is recognised that women are targets of domestic violence primarily because of their unequal gender status in society (Human Rights Watch 1995).

Estimating the incidence of domestic violence is difficult because of the sensitive nature of the problem, the risks to women upon disclosure and the consequent underreporting. Clearly there are also variations of incidence and type, particularly across states and with the influences of culture and subcultural differences. Reported incidences and criminal outcomes arising from acts of domestic violence are often influenced by each state's legal and community sanctioning or prohibition, and by definitions and methodological differences between studies. The American Medical Association reported that one in three women in America are assaulted by a domestic partner in her lifetime (Krug et al 2002), and another study found that 77 per cent of women with dependant immigrant status in America had been battered by a male partner (Narayan 1997). Of Australian women who had ever been married or in a de facto relationship more than 23 per cent experienced violence by a partner at some time during or following the relationship (ABS 1996). A recent report into violence by intimate partners found variations of incidence across countries with 27 per cent of women in Leon, Nicaragua who have ever had an intimate relationship experiencing violence from her partner, 38 per cent of currently married women in Republic of Korea and 52 per cent of currently married Palestinian women in West Bank and Gaza experiencing violence from their partner (Krug et al 2002).

A hallmark of domestic violence is that the perpetrator often blames his violence on the victim and her behaviour, and uses the violence to assert his perceived 'justified' control. The woman experiencing the violence can internalise her inability to avoid it, and often feels inadequate, a failure and even deserving the abuse (Human Rights Watch 1995). Internationally, academics and service providers are framing domestic violence as a global public health issue (Krug et al 2003). Furthermore it is increasingly common for domestic violence to be viewed legally as a human rights issue (Chapman 1999), highlighting contemporary concern with terrorism and the close parallel between domestic abuse and terrorist practices of violence and intimidation (Perilla 2001; O'Leary and Maiuro 2001). The *Universal Declaration of Human Rights* states, 'no one shall be subjected to torture or to inhuman or degrading treatment or punishment' (art 5).

Refugees and asylum seekers

The UN High Commissioner for Refugees (UNHCR) estimates that there are 19.8 million displaced persons in need of safety from persecution or serious human rights abuses. Of those, 12 million are estimated to meet UN criteria for refugee status (Forced Migration Review 2002). It is pertinent to clarify here that refugees with refugee status have undergone formal assessment and have been deemed to meet UN criteria for refugee status. In Australia, permanent protection is granted to claimants who entered the country with prior Australian government established refugee status (an offshore applicant), or with a lawful visa and a subsequent successful onshore application for refugee status. Asylum seekers are those who are yet to have their claims for refugee status assessed or proven and, as such, occupy a different and more tenuous position of legitimacy and status than that of refugees. Successful onshore refugee applicants, who originally arrived in Australia as asylum seekers without a valid visa, are provided with temporary three year protection visas.

Despite some disparity in statistics, it is widely accepted that women and children are the large majority of refugees and asylum seekers in the world today. Giles wrote that as many as 75 per cent of refugees are women and children, and in some countries women and children make up 90 per cent of the refugee population (1996, 44). Similarly, the UN High Commission for Refugees stated that 'the faces of refugees are overwhelmingly those of women and children, as they comprise up to 80 per cent of most refugee populations' (1999, 1). Refugee women are commonly affected by rape and sexual assault, dowry burning, sati or widow burning, forced marriages, compulsory abortions or sterilisations, female genital mutilation and domestic violence (see Boyd 1999; Pittaway 1991, 1998). Despite the overrepresentation of women as refugees, there is an under- representation of women in claims and/or resettlement in western industrialised countries such as Australia, Canada, the Netherlands, France, Sweden, Switzerland, and the United States (Boyd 1999). As Bruce points out, industrialised countries are far from sharing the general burden of refugees worldwide, with undeveloped countries bordering refugee producing areas taking most of the refugee populations (2003).

East Timorese women asylum seekers

Research into the well being of East Timorese women asylum seekers in Australia was primarily concerned with the effects of prolonged asylum seeker status on the well being of a group that had been exposed to extreme trauma in the country of origin (Rees 2003). The term 'well being' was defined for the research as a holistic state which includes psychological, physical, spiritual, social and cultural (Catolico 1997) contentment and welfare.

A multi-method data collection tool included semi-structured qualitative interviewing of East Timorese women, aged between 17 years and 65 years, who were asylum seekers in Australia and had arrived since 1990. The interview sample was a cluster sample where the cohort was selected by respected East Timorese community members or trusted professionals working with East Timorese community members.

The second method of data collection was from a questionnaire that was designed to gain information from workers within organisations providing services and support to East Timorese women in Australia. Additional information was collected from an analysis of secondary sources, particularly literature concerning the past experiences of East Timorese women living in Indonesian occupied East Timor.

The research identified specific problems affecting East Timorese women asylum seekers that included ongoing retraumatisation after escaping systematic human rights abuses, unemployment, lack of access to and support for education and training, inaccessible English language skills programs, isolation and inadequate provision of essential supports and services including subsidised pharmaceuticals and access to culturally appropriate medical care.

The research described the severe mental health risks associated with prolonged periods of insecurity and the psychological effects of fearing forcible removal from the country of sanctuary (Rees 2003). The research found that the restrictions and lack of security associated with asylum seeker status places women asylum seekers at comparatively higher risk than refugee women, who generally do have access to resettlement services and a more secure residency status. A dominant theme was that the asylum seeker experience compounds problems and vulnerabilities which exist as a result of having previously experienced human rights abuses, including rape, torture and trauma. In this light, the already acknowledged issues relevant to women as refugees, such as requiring specific services able to respond to the gender specific needs of women (see Pittaway 1998), are both shared and quite different for women asylum seekers.

An analysis of the unique historical and political environment of East Timor explains the relatively prolonged period of asylum seeker status experienced by this group of people. Certainly, Australia's political relationship with the Indonesian Government, including downplaying and ignoring human rights abuses within East Timor in order to maintain good relations with Indonesia, is considered significant in understanding why the Government made repeated attempts not to process claims for refugee status. Since the 1999 vote for East Timor's independence from Indonesia the Australian Government's refusal to consider a one off special visa on humanitarian grounds for the asylum seekers appeared consistent with its harsh policies toward asylum seekers and refugees generally.

The research described the dire need for some finality to the East Timorese asylum seekers' long wait in limbo and its findings supported community and international rationale arguing that the East Timorese should be granted permanent residency in Australia. Bowing to community pressure, the Minister for Immigration has recently begun to use his discretion under s 417 of the *Migration Act 1958* (Cth) to reassess unsuccessful Refugee Review Tribunal cases. The Minister has the power determine if there are humanitarian or exceptional grounds for providing residency status. To date approximately 1000 East Timorese asylum seekers have been granted permanent residency on humanitarian grounds.

Domestic violence and East Timorese asylum seekers

The problem of domestic and family violence affecting East Timorese women asylum seekers was raised by professional participants and was described in the research document along with other social problems including substance abuse, incest, gambling and family conflict. The topic of domestic violence was not factored into research questionnaires, and no discussion of domestic violence arose during the interviews with East Timorese women asylum seekers. Nevertheless it was acknowledged that families and communities under stress, particularly those who have fled war and terror, are particularly vulnerable to manifestations of violence in domestic settings and that women are predominantly vulnerable to domestic abuse (see McWilliams 1998). In East Timorese culture family problems such as relationship issues between a husband and wife would be difficult and in fact shameful to discuss with a stranger.

Interventions to adequately respond to domestic violence affecting East Timorese women would, however, require an understanding of the history of violence and persecution in East Timor, cultural factors of relevance, and contemporary awareness of the propensity for domestic and family violence when social structures are weak or inadequate.

Domestic violence is noted to be particularly prevalent in contemporary East Timor, with official statistics for December last year showing that nearly 40 per cent of all reported crimes were cases of domestic violence or violence against women, such as rape and sexual assault.

Analysis of domestic violence as a social problem in East Timor requires a cultural, socio-political and economic investigation. East Timorese women are traditionally in a subservient position to men, positioned within a patriarchal culture where women generally occupy a secondary position within the family structure (Christians in Solidarity with East Timor 1999; Martins da Silva and Kendall 2002). It is well accepted that where there is a clear power differential between men and women, there is a greater likelihood of abuse of that power (O'Learly and Maiuro 2001) resulting in domestic violence (Dobash and Dobash 1998).

Further, it has been noted that after experiencing violence and other extreme disturbances (such as fighting in a war, experiencing torture or trauma or, as this study has indicated, living as asylum seekers), the experience of violence can be turned on family members (VFST 1998; McWilliams 1998), most commonly women (Krug et al 2002). The World Health Organisation also supported the hypothesis that where there is war, post-war or other social upheaval there is an increased incidence of domestic violence (Krug et al 2002).

Domestic violence within East Timor has particularly increased since independence. A recent article argued that domestic violence has become a major problem with the return of the revolutionaries (Falintil) to their families to face new social and economic challenges, combined with the fact that women are now speaking out more than they have in the past, challenging their subservient position (O'Kane 2001).

Women's organisations operating at the community level in East Timor are working with a commitment to addressing domestic violence, and East Timorese men from across the country have recently established the Association of Men Against Violence. The association aims to establish and maintain a democratic, just and equal East Timorese society that is free of violence.

In the cultural, historical and contemporary context of East Timor, the concerns about domestic violence raised by the professional participants in the East Timorese asylum seeker study in Australia were significant and further consistent with existing knowledge about the compounding effects of refugee status on the functioning of families and the wellbeing of women and children (Perilla 2003).

Domestic violence affecting refugee women

One of the key factors in domestic violence is that of women's subservience to men, and this concept is consistent with a feminist framework based on the premise that abuse affecting women is both created and exacerbated by societal power imbalances privileging men (Sharma 2001). Unsurprisingly, male dominance is the most closely associated construct in domestic violence discourse (O'Learly and Maiuro 2001)

Violence against women is related to political, civil, and legal restrictions and inequalities for women, and where there are weak community sanctions against domestic violence (Krug et al 2002). Globally, women experience various levels of restriction to fundamental rights including voting, travel, inheriting and owning property, and obtaining custody of children. Frequently women and girls have limited opportunities for education, employment, health care, and even food because of their gender (Crimm 1995).

Absence of a genuine or functioning democracy and related state persecution is a causative factor for fleeing oppressive regimes and seeking refuge. The link between oppressive state apparatus and the particular gendered oppression of women at the community and family level requires further analysis (see McWilliams 1998). Not surprisingly there is a higher prevalence of domestic violence in countries where there is the least state denunciation of violence. Jewkes wrote that in many countries sexual violence occurs with relative impunity compared with other crimes, and victims have fewer options for legal redress (2002). Physical, emotional and financial abuse of women perpetrated by their male partners similarly occurs in many countries where legal or community condemnation of domestic violence is absent (O'Hare 1999) or ineffective because of cultural, religious or patriarchal bias. The World Health Organisation statistics are consistent with the argument that countries with more effective state support for legal redress results in lower, although by no means insignificant, incidence (Krug et al 2002).

It is important to stress here that even in states where domestic violence is criminalised, there is ample evidence of the widespread failure by police and courts to prosecute offenders. Lack of an adequate criminal response to domestic violence is implicated in the maintenance of societal values that either directly or indirectly condone domestic violence (O'Hare 1999). In Australia, domestic violence services and academics have challenged the current application of civil responses to domestic violence through the use of civil protection orders, arguing they are being applied as a less serious alternative to the rightful criminal justice response (Douglas and Godden 1999).

Human rights and cultural exceptionalism

Human rights and cultural exceptionalism

The application of human rights theory in the discussion of domestic violence and the way it affects refugee women is pertinent because the purpose of human rights is to define what rights are essential if all people are to live lives in a secure and healthy environment in whatever communities they belong (Bailey 1993). Quite clearly, domestic violence violates the principles that underscore this moral vision: the inherent dignity and worth of all members of the human family, the inalienable right to freedom from fear and want, and the equal rights of men and women (*Universal Declaration of Human Rights*). Nevertheless, because of the private and gendered nature of domestic violence, until recently it has been excluded from consideration as a state responsibility. O'Hare wrote that it was because of the male hegemony over public life and institutions that human rights originally came to be defined by men and in men's interests (1999).

Certainly, state sponsored violence against women has been considered a more acceptable example of a human rights violation, and violence against women occurring in the home has been more difficult to bring into the public domain as a human rights issue. Nevertheless, advocating for legal and international responses to domestic violence has been made easier with the contemporary emphasis on social and political rights. In fact, the international community has now recognised domestic violence as a human rights issue and this is articulated in the UN *Convention on the Elimination of All Forms of Discrimination Against Women* (CEDAW) and the UN *Declaration on the Elimination of Violence Against Women*. These UN instruments and the application of the UN *Convention Against Torture* have paved the way for domestic violence to be viewed as a violation of social and political rights, rather than as a private issue (Kozma and Dauer 2001).

Furthermore a human rights analysis extends the capacity for examination of women's experiences and rights within the context of their unique cultural and social histories and lived realities in the post-migration environment.

It is critical to articulate that refugee women from war torn countries or where human rights are violated by the state do share many common experiences of gender based violence. Many experiences of gender based violence are universal for refugee women once in the country of refuge and prior to arrival. For instance, gendered forms of persecution, particularly rape and other forms of sexual assault, are the most common forms of violence affecting refugee women (Pittaway 1991). Once in the country of refuge, policy and practice responses to address gender based violence affecting refugee women can be inadequate. For instance, medical and welfare services sensitive to the prior experiences of women refugees are lacking (Pittaway 1998). In addition, the research into East Timorese women asylum seekers supported other evidence (McWilliams 1998) that many women who have been raped by soldiers in the home country will again be victimised by male members of the family who feel that their personal honour and the family have been put to shame by the violations. Understanding and responding to violence against refugee women necessarily requires an understanding of why the domestic violence is occurring, and it can include very different reasons for women who have escaped trauma and persecution.

Furthermore, despite universal theories and interventions with respect to domestic violence, the unique circumstances and issues surrounding violence against women within each culture specific case should be understood and incorporated into the development of culturally relevant and sensitive interventions at the community level. Julia Perilla wrote that:

... if we see human beings as existing within the context of their culture, we see how all the different elements of the environment affect the manner in which they perceive and react to the world [2003, 2].

An analysis of culture also deepens our awareness of how a particular society impacts on the lives of people affected by domestic violence; for instance, how traditions, beliefs and social structures impact on a tolerance of violence against women.

It has been argued that cultural awareness should also necessitate respect for cultural difference, and that western standards and values should not be imposed as a form of cultural imperialism (see Garay 1996). Narayan found that Indian feminists attempting to challenge domestic violence including rape and dowry murder were often condemned by sections of Indian intelligentsia as imposing irrelevant 'western' agendas (1997). In response to this phenomenon Franck argues that 'cultural exceptionalism', where it is argued that societies are beyond universal notions of human rights because of cultural differences, only serves to support totalitarian tendencies where freedom is not concerned with culture or society, but is rather a political issue (2001).

Additionally, domestic violence is almost universally viewed and dismissed as a private issue that occurs between men and women in marriage (Chapman 1999). However reframed as a human rights violation, domestic violence cannot be dismissed as a private issue, or an expression of cultural rights somehow exempt from international critique (Thomas and Beasley 1993).

Domestic violence conceptualised as a human rights issue allows the analysis to go beyond culture, to traverse the private sphere and move toward universal standards for all women. And as Chapman argued, a human rights concept is helpful because it retains the legal framework, where domestic violence should be viewed as a crime, while adding to a broader vision (1999). In a challenge to the view that cultural specificity diminishes the credibility of human rights, Tharoor asserts that there is nothing sacrosanct about culture, which is a constantly evolving entity, influenced and shaped by both the effects of colonialism and by global interstate relations (2001). In essence, Tharoor and others argue that where coercion or control exists, rights are violated and these violations must be condemned, whatever the traditional justification (2001, 35).

Nevertheless, contemporary feminist discourse with respect to human rights also supports the contention that a measure of particularity has to be incorporated into the human rights concept in order to respond adequately to the heterogeneity of the world's people (Brems 1997). Literature pertaining to Asian women and human rights has further developed the argument for both cultural understanding and appreciation of difference, as well as universal standards of rights for women. The argument is that there should be a universal acceptance of human rights, however the key task is to develop a culturally resonant approach to the articulation of human rights (An-N'aim 1999). The aim of such an approach is to seek an articulation of human rights that has real meaning and relevance for the diverse groups of women at the community or grass roots level (see Lambert and Pickering 2000). Tharoor agrees with this argument with respect to women within developing countries, stating that there should be an 'indigenisation' of human rights, which are asserted from within each country's traditions and history (2001, 35). Theoretically, the application of culturally resonant approaches to domestic violence, including a systematic analysis of cultural differences, as Ivanitz (1999) has described with respect to culturally sensitive research, should occur for refugee women both in the country of origin as part of community development action, and in the country of refuge where resettlement and generalist services are responding to domestic violence.

Certainly, in a western country of refuge, cultural difference should never be argued as an excuse for inaction with respect to the many and diverse forms of domestic violence affecting refugee communities. In fact, the unique issues and circumstances that can exacerbate or compound domestic violence need to be articulated, understood and incorporated into the development of adequate interventions for women refugees. These issues and circumstances, as described in the following section of this paper, comprise universal as well as specific significance and are critical to the development of effective policies and best practice interventions.

Identities and perceptions of self

Culturally determined identity and the complexity of multiple identities within the new post-migration culture are important concepts in understanding domestic violence among refugees in western countries. For instance, the roles and expectations of both men and women seeking sanctuary in developed countries can alter as part of adaptation and socialisation in the new environment, challenging previous identities and perceptions of self. It has been argued that western countries are often more socially liberal and during the process of resettlement and adjustment this can create tension and conflict (Kang, Kahler and Tesar 1998). As part of an inevitable shift towards familiarisation with the dominant culture and societal opportunities, refugees often perceive an increased freedom for women in the Australian context. This was clearly found in the East Timorese women asylum seeker study where aspirations to succeed in Australia increased with knowledge about the wider society and potential opportunities, particularly in education and vocation (Rees, 2003).

A report by the Refugee Council of Australia described the resettlement process as 'the point of balance where connection to the old country still exists but the refugee is able to function at the same level as a national in the community' and 'when people feel comfortable about participating in whatever community they want to' (2000, 17). According to resettlement literature, there is an inevitable change in cultural identity, sense of self and place in the world. For refugees originating from predominantly patriarchal cultures it is correspondingly foreseeable that the process of cultural adjustment for women in Australia could involve a challenge to gender roles, evoking a particular threat to male identity and the dominant male role.

A study that looked at domestic violence and partners' status in India found that there was a particular association between abuse and when women reported having higher levels of education or employment status than the male perpetrator (Burton, Duvvury, Varia 2000). The World Health Organisation argues that violence against women by their partners will be higher in countries in transition, where women are shedding traditional gender roles, such as entering the paid workforce, and are yet to have the power and authority to challenge traditional gender expectations (2002). Translated into the resettlement environment, where opportunities for education and advancement might be greater for women than in the traditional setting, and simultaneously they remain vulnerable and without traditional social supports, the likelihood of violence is increased.

Mental health, culture and violence against women

Refugees have usually escaped torture and persecution, and as a consequence can be affected by traumatic stress disorder, anxiety and depression (see Silove 1999; Momartin et al 2002; Kisley et al 2002; Westermeyer 1986). Difficulties with migration and adaptation can compound existing psychological problems for refugees and can make women more vulnerable to acts of domestic violence (Easteal 1996). The process of uprooting and resettlement, which is stressful for anyone, is particularly challenging when the choice to move was not an affirmative life choice (Westermeyer 1986). Furthermore, structural disadvantage, particularly for asylum seekers and refugees on temporary protection visas, includes limited access to support and services that are necessary for general well being, adjustment and settlement. The East Timorese women asylum seeker research identified that high levels of unemployment, exclusion from English language services exacerbating isolation, and inappropriate health services, were prevalent and caused personal and social problems (Rees 2003) in a group with existing mental health issues associated with torture and trauma experiences (Silove & Steel 1998; VFST 1998).

It has been argued that refugee men, with a history of experiencing trauma and persecution, tend to use violence as a means to solve problems, deal with stress, express feelings, and resume power and control in the post-migration phase (Thomas 2000). Furthermore, the use of violence to communicate anger and frustration can be perceived as more valid to men who have lived under dictatorial regimes where the use of violence and coercion are prevalent and legitimised (Sharma 2001; Freire 1991; Pressman 1994).

Evidently, the psychological effects of persecution, and trauma as a result of migration and post migration, should be considered in cases of domestic violence in refugee families.

Unemployment

Unemployment is high among refugees in Australia in the early phase of resettlement and correspondingly men that were the traditional breadwinner are without the capacity to earn money to financially support the family. Although it is important to stress the complexity of the issue of domestic violence and acknowledge that employed men also beat their partners, it has been identified that unemployment and stress associated with threatened male identities have been directly associated with increased levels of domestic violence in migrant families (Easteal 1996). Even 'downward mobility', where qualifications and experience are not recognised in the country of refuge, has been identified as contributing to increased pressure and violence perpetrated against female partners (Easteal 1996). Where downward mobility affects women refugees to Australia without an apparent correlating rise in violent behaviour by women against family members suggests the important interrelationship between issues of power, gender and additional stressors such as unemployment.

It is important to further note that asylum seekers and refugees on temporary protection visas are denied access to English language services, effectively rendering them isolated from many employment options.

Economic independence is a protective factor for women at risk of domestic violence, and there is emerging evidence that refugee women become engaged in programs and vocational activities more readily than male refugees. Nevertheless, refugee women and asylum seekers are commonly located in the private sphere where, because of home duties, they are further disadvantaged in accessing employment and training (Indra 1996). Additionally, refugee women have been poorly served by many of the resettlement services developed to facilitate access to employment. Resettlement services unable to effectively assist refugee women have evolved as a result of an inadequate understanding of their particular cultural, psychological and social needs (see Holden 1998; Pittaway 1998).

Alcohol and substance abuse

Increased access to alcohol and other psychotropic substances in liberal western countries can lead to additional problems for refugees, adversely affecting their capacity to deal with past trauma as well as post-migration challenges. Alcohol and substance abuse are recognised as means for dealing with past trauma and abuse. The abused person often uses alcohol or psychotropic substances to self-medicate and escape traumatic memories. Nevertheless, excessive use of alcohol causes psychological and physical damage and reduces the capacity for individuals to cope or develop strategies to address problems.

Alcohol and substance abuse are recognised as contributory factors in acts of domestic violence (Institute for Teaching and Research on Women 1993), where it is argued that distribution allows socially unacceptable behaviour such as aggression to occur. An American study found that nearly two-fifths of domestic violence offenders said that they had been drinking alcohol at the time the police intervened in cases of domestic violence (Institute for Teaching and Research on Women 1993). Easteal's research into immigrant women and domestic violence in Australia found that there was cultural variability with respect to incidence of alcohol use and domestic violence, however almost 40 per cent of participants residing in a domestic violence refuge thought that alcohol had contributed to their partner's violence and abuse (1996, 28).

The statistics also expose the proportion of domestic violence that occurs where alcohol is not a precipitating factor. Domestic violence occurs in a controlled environment of fear and intimidation strategically targeting one person (or family members), rather than a loss of control under the influence of alcohol or drugs and impacting on whoever happened to be present at the time. Indigenous Australians have also identified alcohol abuse as a significant factor in relation to high rates of family violence, however on the topic of family violence Indigenous representatives are quick to emphasis the complex factors impacting on Indigenous family well being including loss of land, breakdown of traditional kinship systems, racism and entrenched poverty (Yarram 2003).

Isolation

Partner enforced social isolation from friends and family, and emotional alienation as a result of self-blame and low self esteem, commonly affect women experiencing domestic violence. Isolation is particularly acute for refugee women and requires an analysis of culture, racism, gender, economic status and psychological status. In her analysis of gender issues in resettlement Kang writes that women are known to depend more on social networks and that those social networks are often absent (1992).

Manifestations of domestic violence including physical, emotional, sexual and economic abuse can be more extreme and more easily facilitated by a woman's isolation as a result of her refugee status (Easteal 1996). Lack of English language skills, for instance, promotes a deficiency of knowledge about laws and domestic violence services. For East Timorese women, English language skills were found to be centrally important for attaining social inclusion, including meeting friends, accessing employment, seeking health related services, and communicating with service providers (Rees 2003). It is recognised that refugee women, because of their gender related responsibilities, may have fewer opportunities than men to learn English in the home country and in the country of refuge. As a result, the benefits of knowing the dominant language can be further used by perpetrators of violence as a form of power and control. Narayan found that immigrant women in the United States who were dependent spouses on an immigration visa were similarly more psychologically, economically and linguistically dependent on their spouses than wives in the general population (1997). The relationship between lack of English language skills and social isolation was highlighted, along with a reduced capacity to negotiate any day to day issue without the husband's assistance, a scenario particularly problematic in cases of domestic violence (Narayan 1997) .

Economic security

The issue of financial independence is another interrelated issue. Women living in violent relationships frequently experience strategic financial abuse, and refugee women are more vulnerable to financial deprivation because they are often unaware of government allowances and financial entitlements. Easteal found that immigrant women had limited skills in the English language, limited knowledge of family allowance or social security payments, and their husbands took control of the finances (1996). In these cases immigrant women had limited access to money and related social inclusion and support (1996). Certainly, refugee women encounter more significant barriers to financial well being, and this is particularly the case for those without access to all resettlement services and supports.

Although there appears to be general agreement that domestic violence occurs as a result of the interplay between individual, social, situational and cultural factors, low socioeconomic status (commonly affecting asylum seekers and refugees during early resettlement in Australia) has been considered as a noteworthy feature in domestic violence (Krug et al 2002).

Domestic violence interventions and cultural difference

In Australia domestic violence support services, refuges and legislation (civil and criminal) theoretically exist to protect women from domestic violence. Furthermore, community organisations, particularly women's organisations and domestic violence services, are at the forefront of making domestic violence a public issue and constructing a community intolerance of domestic violence.

Nevertheless there is anecdotal evidence that refugee women affected by domestic violence seldom use mainstream services and supports. If domestic violence services are to appeal and be responsive to refugee women they must be committed to understanding the consequences of gender specific persecution, and differences related to cultural, historical and social/structural factors. The East Timorese are like many cultural groups where women are traditionally in a subservient position to men, have limited civil and political rights in the country of origin and where family is the defining construct. These social and cultural determinants play a part in determining whether women will have the confidence, or feel they have the right, to seek assistance for domestic violence perpetrated against them. Additionally, it has been argued that many refugee women, with increased distrust of government and bureaucracy and a fear of deportation for those without secure status, would be less likely to consider legal options to address domestic violence despite this being a predominant Western model of domestic violence intervention.

Perilla argues that for many refugee women the family is central to their lives and the role of wife and mother is the core of their identity (2003, 3), and it is for this reason that conventional domestic violence services and responses that reframe the women as a point of centrality and importance are often not considered as an option for assistance.

Rimonte found that within many Asian communities in America the battered woman would be unwilling to seek assistance because of her commitment to saving the honour of the family from shame (1989). Perilla argues that shelters and domestic violence services need to be sensitive to the importance of family and the husband in the lives of refugee women, and to direct intervention at developing life skills and safety plans, while cautiously broadening perspectives of human rights and the responsibilities of men (2003).

A developed awareness of the effects of torture and trauma needs to be factored into interventions. Domestic violence workers might not have skills to respond adequately to severe psychological trauma, however they do need to understand manifestations of posttraumatic stress disorder and anxiety related disorders connected to both past and contemporary experiences of trauma. Knowledge of torture and trauma experiences and the health and social consequences would aid collaborative approaches to management with mental health practitioners, as well as enhance a broader understanding of domestic violence in the context of traumatic histories, and the particular needs required to enable the best possible support.

particular needs required to enable the best possible support.

It appears that mainstream refuges and domestic violence services in Australia do not generally have resources skills to support women in a cross-cultural context, nor do they have the expertise to support women who have experienced torture and trauma in their home country. These issues are of central importance to the experiences of women refugees and responding adequately in cases of domestic violence.

Conclusion

Research into the wellbeing of East Timorese women asylum seekers residing in Australia indicated that domestic violence was an issue of concern. The wider experience of domestic violence affecting refugee communities generally has been exposed. Patriarchal culture, persecution in the country of origin, post trauma and resettlement issues in the country of sanctuary are all identified as contributing factors in the development or intensification of domestic violence. Secondary literature supports the contention that refugee women are particularly vulnerable to domestic violence, and have fewer options for culturally sensitive interventions. This position paper has described some of the predominant issues that expose refugee women to a greater risk.

The paper has further argued that human rights theory is useful as a theoretical construct for articulating the rights of refugee women to live without violence. The application of human rights theory, and critique of cultural exceptionalism, provides impetus and framework for understanding and appreciating cultural differences, changes and challenges exacerbating domestic violence in the post migration environment, and ultimately the development of best practice interventions to reduce domestic violence among refugee populations residing in Australia and other western countries. l

* Postdoctoral Research Fellow, Centre for Social Science Research and Queensland Centre for Domestic and Family Violence Research, Central Queensland University; Adjunct Lecturer, School of Population Health, University of Queensland. The author would like to acknowledge professional colleagues Dr Eileen Pittaway, Director of the Centre for Refugee Research, University of New South Wales, and Heather Nancarrow, Director of the Centre for Domestic and Family Violence Research, for reading and commenting on a draft version of this paper.

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