

Feminist activist research and strategies from within the battered immigrants' movement

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Abstract

Feminists of color within the battered women's movement have had a critical role in addressing the particular needs of immigrant survivors of gender violence in the United States. The Violence Against Women Act and nonprofit organizations providing services to survivors have long recognized the special vulnerabilities of battered immigrants. However, serious formal and informal obstacles continue to prevent the most destitute from accessing their rights as immigrant survivors of violence. Based on activist research at a nonprofit legal organization in Texas, I uncover how intersecting gender, sexual, racial, ethnic, and class inequalities have not only permeated the immigration provisions of the Violence Against Women Act, but also been reproduced by advocates working at nonprofit organizations. In addressing the qualities of activist scholarship as a means for feminist praxis and social change, I discuss the nuances of collective processes of knowledge creation, and explore how to overcome possible nodes of resistance in implementing strategies to dismantle exclusionary institutions and practices. Given the increasingly detrimental circumstances affecting immigrants, I end by sharing some thoughts on how to further feminist goals for equality.

Introduction

As we traverse a historical time of widespread social mobilization across nations from both the Global South and the Global North, we cannot lose the opportunity to join forces and struggle for immigrants' rights, gender equality, nonviolence and justice. This is an ideal moment to recharge the battered immigrants' movement in the United States particularly because the rise of anti-immigration policies since the eruption of the economic crisis in 2008 has been significantly detrimental for immigrant survivors of gender violence. Economic strains and anti-immigrant measures have become additional constraints for battered immigrants since employment opportunities have declined, exploitative work conditions have worsened and immigration controls have increased. Moreover, battered immigrants have been facing multiple other problems, such as empowered abusers whose threats of deportation become real (given the changes in immigration laws); ambivalent law enforcement officers who instead of protecting immigrant survivors of violence may be forced to collaborate with immigration officers in detecting

victims' status; and a generalized sense of fear with its paralyzing and isolating effects.

At the same time, most nonprofit organizations providing services for battered immigrants have faced serious budget cuts that curtailed their ability to serve the increasing number of survivors approaching them. These dire circumstances are not only critical for immigrant survivors of gender violence, but also for the battered immigrants' and battered women's movements, whose efforts and achievements of the last forty years are being taken to pieces, slowly but surely. It is our responsibility to continue with the struggle not only to defend what has been accomplished over time with so much labor and sacrifice, but also to continue protecting all survivors of gender violence.¹

I have been committed to the struggle to end gender violence in general, and violence against immigrant women in particular since 2002. My interest and active engagement in these issues is threefold. First, it has emerged from my own history as a random survivor of state violence against my family during the Argentine military regime of the 1970s, during which women suspected of political activism were specifically targeted and tortured by state military forces (CONADEP 1984, Ciollaro 1999, Villalón *Forthcoming*). Second, it has grown from my own involvement in an abusive relationship during a time when this kind of violence was not considered to be a legitimate social problem, but an unfortunate private issue, and concomitantly, social awareness, services and public information were meager in Argentina.²

Third, it has been based in my experiences as a Latina immigrant in the United States. On the one hand, these experiences have counted with the 'benefits' of being first, an authorized foreign student, and later on, a legal permanent resident. On the other hand, these experiences have been shaped by an acute awareness of the various effects of living in a highly discriminatory cultural and institutional context depending on one's location within the intersecting grid of gender, sexual identity, race, ethnicity, religious orientation, political beliefs, nationality, immigration status, social class, age, and body capacities. These three motivations, together with an increasingly anti-immigrant context, worsening economic conditions, ever-growing social disparities, and a still very insidious heteropatriarchal social order both within and beyond U.S. borders, have kept my involvement in the movement against gender violence alive.

¹ For a lengthier analysis of this situation, see Villalón (2010b).

² While a few support centers for battered women existed before 2009 (when comprehensive anti-gender violence legislation was enacted), their resources and accessibility were minimal, and typically devoted to survivors of physical violence as opposed to verbal, emotional, economic, and, overall, psychological abuse.

In this essay, I will share information that I find to be fundamental for us to consider as we raise our demands for the rights of battered immigrants to be respected, and think of how feminist politics and praxis can continue to further the struggle against gender violence. I will begin by looking back at the battered women's movement and the role that feminists of color have had in shaping the cause to address the needs of immigrants. Then, I will present main findings of my research project on Latina survivors of intimate partner violence, which attest to the barriers that stand in the way of this group of survivors' search for justice. Finally, I will close with ideas on furthering the struggle to end gender violence against immigrants and protect all survivors, while reflecting on the key role that feminist activist research has had in contributing with the creation of strategies for change.

Feminisms of color and the battered women's movement

The battered women's movement formed in the mid-1970s. Since then, feminist activists, advocates and survivors have been central in redefining intimate partner violence: first as a crime and a social problem grounded in patriarchal ideologies and institutions, and later as a human rights violation from which all people should be protected (Schechter 1982; Bunch and Fried 1996; Schneider 2000).³ At the same time, the movement's ideological and practical debates have been critical in shaping policies, programs and public discourse on how to better address the needs of survivors while struggling to end gender violence as a whole. The position of feminists of color⁴ within the movement has been particularly significant to tackle

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

⁴ Although the term *feminists of color* may be problematic because of its "homogenizing tendencies," it has been used with the aim of indicating "common struggles" among various feminisms who opposed "the deficient and exclusionary tenets of white middle-class Western feminisms," recognized that "their particular civil rights struggles transcended U.S. borders and resonated in the human rights, socioeconomic, and political survival struggles of the rest of the hemisphere and other parts of the third world," and "fostered a national and international dialogue on the intersections of gender, [sexuality], race, and ethnicity, on the power differentials between developed and developing countries" (Acosta-Belén and Bose 2000, 1114-1115). I adopt a transformative feminist of color perspective, responding to Anzaldúa and Keating's call to "bridge," to "define who we are by what we include," to do "away with demarcations like "ours" and "theirs";" to honor "people's otherness in ways that allow us to be changed by embracing that otherness rather than punishing others for having a different view, belief system, skin color, or spiritual practice. Diversity of perspectives expands and alters the dialogue, not in an add-on fashion but through a multiplicity that's transformational" (Anzaldúa 2002, 3-4).

with the specific vulnerabilities and needs of immigrant survivors of intimate partner violence.

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

Indeed, the Violence Against Women Act (VAWA), which is the main piece of legislation protecting survivors of gender violence in the U.S. since 1994, was designed to protect all victims regardless of background, and included regulations for special groups, such as indigenous survivors, women in rural areas, and battered immigrants. The latter have been given the opportunity to access social services and legal protections conducive to breaking free from violent relationships, stabilizing their immigration status and obtaining citizenship without the active sponsorship of the abusive spouse. Thus, law enforcement authorities and governmental and nongovernmental service providers have been trained on gender violence and immigration issues, and slowly, they have become more sensitive to cultural diversity. As a consequence, assistance for immigrant survivors has improved.

However, serious barriers continue to prevent the most underprivileged immigrants from accessing justice as survivors of gender violence (Sokoloff and Pratt 2006; Villalón 2010a). Hence, the need for battered women's and immigrants' rights activists and advocates to focus on how to persist in and improve their efforts to dismantle pervasive exclusionary institutions and practices.

Feminists of color have challenged mainstream theories of gender violence by taking into account the specific cultural, social and institutional contexts of the community where the women live or used to live, as well as by 'building knowledge from below,' that is, in collaboration with the people about whom the research is being developed (Chakrabarty 2000; Menon and Bhasin 1998). These strategies have intended to counter hegemonic, Western, readings of oppression, which have perpetuated "new forms of colonialism" and have been "out of touch with the realities experienced at the grass-roots level" (Newland 2006, 403). Inspired by this framework, I embarked on an activist research project at a local nonprofit organization in Texas, U.S., that I called the Organization for Refugees of

America/Organización para Refugiados de America (ORA).⁵ At ORA, I was able to learn about the actual experiences of Latina survivors seeking relief through VAWA as well as actively contribute in addressing their needs and those of the advocates working for them.

Activist scholarship "can be thought of as an approach to doing research, one with a very specific aim -the creation of social change- and one that involves creating particular kinds of relationships among all of those involved in the research process" (Esterberg 2002, 136). As opposed to following a prescription on how to apply this methodology, which would produce "constraining" results (Hale 2008, 3), activist researchers are led by fundamental principles with the goal "to produce an analysis that retains the integrity of political processes, specific events, diverse actors, and social context while revealing the broader processes at work that may not have been visible to the individual participants or even to the researcher at the time they were engaged in the struggle or when they conducted the research" (Naples 2003, 31).

Three main principles are (a) the "open and democratic" (Esterberg 2002, 136), as well as reflective, relationship between researchers, participants and research projects in which they are all involved, (b) the collaborative way in which knowledge is produced by researchers in dialogue with the traditionally called "research subjects" (who indeed are "knowledgeable, empowered participants" (Hale 2008, 4) with and about whom the research is being developed), and (c) the political implications and applications of developing the research project, which are usually related with provoking social change and bettering whatever oppressive circumstances are affecting the group of people involved in the study.

In following such guidelines, not only did I develop activist research at the Organization for Refugees of America (ORA), but also have I continued with my involvement with the battered immigrants' rights movement to this day. I have kept an active public agenda to share my research not only in academic settings (like professional meetings, university courses and affairs, and scholarly publications), but also in open community events including adult literacy classes, workshops, and seminars in meetings and trainings for immigrants, nonprofit advocates, and governmental service providers. Similarly, I have joined advocates' and activists' networks where I have regularly participated in online discussions and in-person gatherings. Moreover, as a response to the rising anti-immigration environment, I carried out a qualitative study on how the economic crisis and restrictive immigration policies enacted since 2008 have affected immigrant

⁵ All the names used here are pseudonyms. I also changed dates and locations for security and confidentiality purposes. Immigrants and ORA staff and advocates provided me with their informed consent to participate in this research and be referred to in publications of my authorship. This research obtained IRB approval.

survivors of gender violence and service providers in the United States. Lastly, I have been working on new research on two issues very much related to gender violence and social inequalities –military repression in Argentina and human trafficking in the Americas- from a feminist of color perspective.

My long-lasting and ongoing commitment to activist research praxis reflects one of the main assets of feminist theories and methodologies: the acknowledgement of politics as being inherent to the production and implementation of knowledge. Feminist scholars, particularly those engaged in activist research projects, understand their role in contributing to elaborate and/or apply strategies for action as an intrinsic part of their work. Accordingly, they have been sensitive to the call for being transparent, reflective, persistent and respectful in their relationships with the members of the community and/or organization with whom they are developing the project.

Activist research at the Organization for Refugees of America

At the time of my research, ORA was the only organization in Central Texas that provided legal services to underserved immigrants⁶ and was not affiliated with a religious group. Located in a border state with one of the largest numbers of documented and undocumented immigrants in the United States,⁷ and with a high proportion of incidents of family violence in terms of its population,⁸ ORA devoted four of its five legal programs to immigrant survivors of different kinds of abuse (domestic, sexual, extortion, false imprisonment, human trafficking, and political, racial, ethnic, religious, gender or ideological persecution). An overwhelming

⁶ In order to be eligible for free services, immigrants had to have earnings below 125 percent of the officially defined poverty line (that is, annual earnings lower than 17,500 dollars for a household of two in 2008, according to the official guidelines of USCIS – www.uscis.gov/portal/site/uscis/menuitem.5af9bb95919f35e66f614176543f6d1a/?vgnnextoid=6a096c854523d010VgnVCM10000048f3d6a1RCRD&vgnnextchannel=4f719c7755cb9010VgnVCM10000045f3d6a1RCRD (accessed 1.3.2009).

⁷ According to data released by the Office of Immigration Statistics of the United States Department of Homeland Security. See, for example, the reports of 2007 at www.dhs.gov/ximgtn/statistics/ (accessed 17.11.2011).

⁸ Calculation based on data available at the Bureau of Justice Statistics of the United States Department of Justice (www.ojp.gov/bjs/intimate/ipv.htm#contents), the Texas Council of Family Violence ([www.tcfv.org/pdf/dvam07/Year%202006%20Family%20Violence%20Statistics\(HHSC\).pdf](http://www.tcfv.org/pdf/dvam07/Year%202006%20Family%20Violence%20Statistics(HHSC).pdf)), and the United States Census Bureau (factfinder.census.gov/servlet/ThematicMapFramesetServlet?_bm=y&-geo_id=01000US&-tm_name=DEC_2000_SF1_U_M00092&-ds_name=DEC_2000_SF1_U&-_MapEvent=displayBy&-_dBy=040#?306,337) (accessed 07.08.2006).

majority of ORA's clients was from Mexico and Central America, but the organization served immigrants from all over the world.

ORA, with its ethnically diverse staff, presented itself as an inclusive organization providing services to all immigrants, regardless of ethnic, religious or political background, or language of origin. In this way, ORA allowed me to explore the workings of culturally sensitive organizations, which had been both celebrated as safe havens for immigrants (Abraham 2000; Menjivar and Salcido 2002), and questioned as colonial and patriarchal by many feminist researchers (Menon and Bhasin 1998; Mindry 2001; Ong 2003; Rudrappa 2004).

Its organizational history also made it a vivid case study. ORA's transformation from a politically radical, volunteer-based grassroots group focused on legal and social change as well as advocacy, into a politically moderate employee-based legal nonprofit organization focused only on the provision of services was representative of the kind of institutionalization processes that most nonprofits have gone through in the last thirty years (Fox Piven and Cloward 1977; Perlmutter 1994; INCITE! Women of Color Against Violence 2007; Kivel 2007). Since the 1980s, nonprofit organizations have become increasingly important in the provision of social services and implementation of community development programs as a result of policies intended to reduce the size of the state and its welfare capacities (Trudeau 2008). An essential piece of the so-called "shadow state" (Wolch 1990), nonprofit organizations have grown in their function as institutions providing "the arena, the mechanisms, and the point of institutional access through which the offer of citizenship is extended and social integration can be accomplished" (Lake and Newman 2002, 110). In this context, nonprofit organizations devoted to immigration matters have been located at the crux of citizenship access, particularly when they serve poor immigrants who are in compromised situations due to precarious labor conditions, unstable immigration status and other taxing circumstances.

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

For two years, I worked as a volunteer intern in ORA's battered immigrant assistance program, which consisted of providing legal services free of charge to low-income immigrants who qualified as applicants for relief under VAWA. Immigrants who are married to U.S. citizens or legal permanent residents are entitled to apply for citizenship, but their U.S. or resident spouse is the one who must initiate and sponsor the application process. Abusive spouses usually employ this power to control their immigrant partners. Thus VAWA allows immigrant spouses to apply for residency and become citizens without the active help of their abusive resident or citizen partners. In order to do so, an immigrant survivor must prove that she or he was married to (or in a common law union with) a U.S. citizen or a legal permanent resident in good faith, resided together as wife and husband, was subject to domestic violence and/or extreme cruelty during the marriage in the U.S., and has been a person of good moral character (that is, has a clean criminal record).

Once the VAWA self-petition is approved by immigration authorities, the battered immigrant is granted deferred action on deportation procedures and is allowed to apply for an employment authorization (renewable yearly) while she waits for her legal permanent residency application to be processed and approved. If the battered immigrant was married with an undocumented immigrant, or was separated but not divorced from a previous spouse while engaged in the abusive relationship, she can apply for a U visa instead. This visa offers temporary legal status for up to four years, meaning deferred action on deportation procedures, and authorization to work in the United States for one year with the option to renew the permit twice. After three years of continuous and lawful presence as a legal permanent resident in this country, VAWA self-petitioners and U visa holders may be able to apply for citizenship.⁹

At ORA, I worked with staff in providing services to battered immigrants, including screening interviews, collection and translation of their immigration and abuse histories, and preparation of citizenship applications. After my work day, I recorded my field observations, and throughout the research, I conducted unstructured personal interviews with ORA staff. Naturally, I complemented the activist research, participant observation and interviews with archival research and secondary sources, both of which helped frame my primary data collection and locate the exclusionary social processes affecting Latina survivors of intimate partner violence in their search for relief at nonprofit organizations like ORA. In following another fundamental aspect of activist scholarship, I shared my findings in a collaborative fashion with ORA staff, other battered immigrant advocates, and

⁹ For more information, see www.womenslaw.org/laws_state_type.php?id=10270&state_code=US#content-10401 (accessed at 17.11.2011).

the community of Latina immigrants and survivors of gender violence during and after my field research.

While I was developing the project, I frequently talked about my observations with ORA staff to check not only their accuracy, but also that my labor was conducive to addressing the needs of both the organization and the battered immigrants. After I completed a write-up of my findings, I presented my analysis to ORA staff, first in writing, and later, through a workshop and individual and group interviews. All of these instances added a reflective layer from the perspective of ORA staff, which tested the validity of my analysis and was critical to furthering the understanding of the processes at play at the organization.

I also conducted workshops at battered immigrants' advocate trainings and meetings where participants (nonprofit and governmental immigrants' advocates) reflected upon the barriers standing in the way of battered immigrants' quest for citizenship, and proposed means that they had used or could use to avoid or take them apart. These workshops provided me with yet another opportunity for contextualizing my work at ORA by obtaining other advocates' perspectives on how they helped (or not) immigrants in their organizations, what they expected from immigrants as they were obtaining services, and how they tried to overcome organizational and legal limitations. Moreover, these opportunities allowed me to strengthen the links between academia and community (a primary goal of activist research) so that the findings did not linger uncontested by those who were intimately involved on these matters beyond scholarly circles.

As I developed this activist research project I was able to confirm its potential as a revealing methodological tool because of the kind of processes that I was able to uncover given my in-depth involvement with battered immigrants, the nonprofit organization and broader networks of advocates and activists. I also confirmed the potential of this methodological approach given its collaborative and applied character: I was able to not only find out how exclusionary institutions and practices emerged at the local level, but also think about and elaborate suggestions on how to dismantle such discriminatory processes together with advocates and Latina survivors.

The fact that these strategies were created in collaboration with those who were part of the community with whom I was developing my research had two major, interrelated, consequences. First, the traditionally hierarchical, oppressive or colonial dynamics of scholarship (derived from the dichotomy expert vs. research subject) were significantly reduced. Second, the chances for the collaboratively created learning to be critically adopted by those who needed it the most (in this case, Latina battered immigrants and their advocates) significantly increased (Naples 2003; Esterberg 2002; Hale 2008).

At the same time, it is important to note that the practice of the collaborative and applied qualities of activist research can be quite challenging. While there is a chance that the strategizing and implementing phases of feminist activist research projects may occur in unison to community collaborators, there is also a chance that the working relationship between feminist activist researcher and community collaborators may dissolve. Feminist activist scholars have to consider how members of the organization and community may react to controversial, critical or negative findings; how the working relationship between scholar and community collaborators may change; and how the project and its findings may survive beyond the potential emergence of tensions.

Research findings

The findings of my activist research project pointed to “the continuing need for fundamental social change” (Lehrner and Allen 2009, 661) given that I uncovered how gender, sexual, racial, ethnic, and class inequalities not only have permeated the immigration provisions of the Violence Against Women Act (VAWA), but also have been reproduced by advocates working at nonprofit organizations. Furthermore, I found serious nods of resistance to dismantling such exclusionary institutions and practices, which spoke to the limitations of what had been considered radical achievements in the battered immigrants' movement and the more general struggle to eliminate gender violence.

Formally, immigrant survivors are bound by the immigration provisions of VAWA, which by mirroring the broader family-based immigration law system, prioritize heterosexual, economically self-sufficient, married U.S. citizens as arbiters of citizenship for immigrant spouses. Therefore, even if battered immigrants can self-petition for citizenship through VAWA without the sponsorship of their abusive spouses, their ability to do so depends on (a) their marital status and sexual identity, (b) their abuser's nationality and immigration status, and their own country of origin, and (c) their socioeconomic capacities.

First, the marital status and sexual identity of abused immigrants determine the options available for them. VAWA provides full protection for married, heterosexual immigrants by allowing them to self-petition for citizenship as survivors of abusive relationships. However, VAWA partially protects battered immigrants who are not married or in a common law union with their abusive partners, or who are separated but not divorced from a previous spouse while being involved with the perpetrators. This group of immigrant survivors may be able to obtain certain immigration benefits through a U visa, which in comparison to a VAWA self-petition for citizenship, is a less certain and more difficult process to traverse given the fact that immigrants must collaborate with the police in the investigation of the crime.

Battered LGBTQ immigrants are the least protected of all: because their 'non-heterosexual' intimate relationships are not considered legal at the federal level, they cannot self-petition for citizenship through VAWA. They can only apply for a U visa as survivors of violent crimes like rape, sexual assault, abusive sexual contact, and sexual exploitation (but not domestic violence) committed against them in the U.S. Besides the complications and disadvantages of U visas relative to the benefits of VAWA self-petitions for citizenship, battered LGBTQ immigrants face the still predominant socio-cultural barriers rooted on sexism and homophobia (Luibhéid 2002; Calvo 2004; National Resource Center on Domestic Violence 2007).

Second, the national origin and immigration status of the abuser determine the options available for battered spouses, no matter the intensity of the abuse. If perpetrators are United States citizens by birthright or naturalization, their victims can obtain legal permanent residency as soon as their VAWA applications are approved. If abusers are legal permanent residents, their victims can also apply for residency. However, the waiting period to obtain such status varies depending on the nationality of the battered immigrant (ranging from less than a year to more than eight depending on the length of the backlog that the United States Citizenship and Immigration Services (USCIS) has in processing petitions from the applicant's country of origin). The longer petitioners have to wait for their residency, the longer the path towards obtaining their citizenship.

The noncitizen status of the abusers damages their victims in terms of not only the length of the process, but also its certainty. On the one hand, if the abusive resident is deported (that is, loses his status as legal permanent resident) due to an incident of domestic violence, the survivor has two years to file a VAWA self-petition, or else her chances to gain legal status perish. On the other hand, if the abusive resident is deported due to other reasons before the VAWA application of the battered immigrant is approved by USCIS, all chances to gain legal status for the applicant end instantaneously.

If abusers are neither United States citizens nor legal permanent residents (that is, if they are unauthorized immigrants), victims cannot self-petition for citizenship but rather apply for a U visa. The battered immigrant has to collaborate with the police on the scrutiny of her abuser's deeds against her. The police have to certify to USCIS that the battered immigrant was victimized and that she has been helpful with law enforcement in the crime investigation. If the police issue such certification, the battered immigrant may proceed with her U visa application. After three years of continuous and lawful presence in the U.S., U visa holders may apply for legal permanent residence. Thus, the U visa provides immigrant survivors of violence with the longest and most uncertain path to stabilize their status and reach the benefits of becoming U.S. citizens.

Third, the socioeconomic standing of battered immigrants shapes the chances they have to access VAWA's help. On the one hand, the costs associated with the application process are high because of USCIS fees, and the charges of supporting documentation and legal representation. While this burden has been partially lifted by the assistance of pro-bono lawyers and nonprofit legal organizations like ORA, the remaining expenses delay or impede the application process for the immigrants most in need.

On the other hand, VAWA applications require immigrants to possess and provide documents, bills, payment receipts, and health reports, and to trust official authorities, such as policemen, and government bureaucrats. These requirements also weed out the neediest immigrants, who either lack the ability to collect personal documents and receipts to prove identity and common residency with the abusive spouse, may not ever have possessed such papers, or may not have been able to systematically file them or access them because of their controlling abusers. Simultaneously, police reports (or the collaboration with the criminal investigation in the case of U visas) and the inclusion of psychological evaluations are a threatening obstacle for the applicants, who not only fear the police, but also find counseling too much of a foreign and demanding practice. As a result, the poorest immigrants continue to find the process unaffordable, complicated, and thus, unattainable.¹⁰

All together, the formal barriers that stand in the way of battered immigrants' access to citizenship replicate long-standing gender, sexual, racial, ethnic, and class hierarchies of the United States. So, as much as the immigration provisions in VAWA have made a positive impact on many survivors, inherited biases from the broader family-based immigration system limit the reach of the benefits. The state utilizes immigration laws to sustain its sovereignty (by regulating which individuals are welcome to join a given population), build nationhood (by setting citizenship ideals), and control productivity (by stimulating or preventing foreign laborers to legally join its working force) along gender, sexual, racial, ethnic, and class lines.

In the United States, immigration laws have historically prioritized men over women, married over non-married, heterosexual over LGBTQ, white over non-white, European over non-European immigrants, Christian over non-Christian, citizen over foreigner, and richer over poor (Haney López 1996; Glenn 2002; Hing 2004; Ngai 2004). Confined by these laws, the spirit of VAWA--to protect all survivors of intimate partner violence regardless of their background--is truncated by such overarching exclusionary ideals and institutions.

Besides these formal barriers inscribed into the law, additional ones informally emerge at the level of the nonprofit organization. As I developed activist research

¹⁰ For a full explanation of these formal barriers, see Chapter 3 of my book (Villalón 2010a).

at ORA, I found that advocates created tacit parameters that guided their dealings with battered immigrants seeking services. They expected battered immigrants to present themselves and behave in particular ways in their frequent interactions with them, and in their potential meetings with immigration officers and/or law enforcement authorities. By observing ORA staff's practices, thoughts, feelings, and case management decisions, I found that immigrants who had certain characteristics (those who were compliant, tidy, constant, resolute, autonomous, responsible, deferent, considerate, discreet, redeemable, considerably recovered from the battering, and if applicable, good parents) were prioritized by nonprofit staff, regardless of their traumatic past and eligibility under VAWA.

Immigrants who fit the 'ideal client' profile were supposed not only to be easier to handle throughout the application process, but also to have simple, solid cases that immigration authorities would most likely approve. This attitude corresponded with the organization's emphasis on service provision (over political action or social change), as well as its concern with satisfying funders' requirements in order to secure funding. From ORA's perspective, a high volume of clients with approved VAWA self-petitions was indicative of success and promising of institutional survival, even if these came with the cost of excluding "trouble clients".

These informal barriers, coupled with the formal ones, affected all immigrant survivors of intimate partner violence. However, my research showed that it was the least privileged immigrants who encountered the most hurdles along the way, regardless of their histories of abuse. Latina immigrants of color who were native to Mexico, unauthorized, in violent relationships with legal permanent residents or other unauthorized immigrants, and/or LGBTQ found greater disadvantages. Furthermore, battered immigrants were significantly delayed or even prevented to access citizenship if they were extremely poor, had few, if any, years of formal education, had complicated migration or criminal backgrounds, and/or were unable to fit within the nonprofit organization's 'ideal client' profile.

While there was no doubt that the formal barriers were affecting all immigrant survivors of gender violence given their embeddedness in the immigration provisions of VAWA, I checked whether the informal exclusionary processes at play at ORA were extraordinary or common to other community organizations. By doing research on the situation of other nonprofits as well as sharing my findings in networks of battered immigrants' advocates, I corroborated that these informal barriers (or the potential of them emerging) were also to be found in other locations. The interrelated processes of institutionalization, bureaucratization, and marketization of the battered immigrants' movement had generated organizational dynamics that moved advocates away from counter-hegemonic politics into a more compliant (and sometimes apolitical) attitude. Such shift had contradictory results: grassroots movements incorporated as nonprofit organizations began to be able to provide services to a higher number of immigrant survivors. However, by

losing their political edge and becoming more selective in regard to their "clientele", these groups risked becoming subservient recipients of private and public funding, and nongovernmental arms of official policies –two roles that would lead them to uncritically reproduce structures of inequality.¹¹

Strategies for change

After finding such problematic processes at play, the main research question that emerged was: What could be done to resist such exclusionary practices in order to better serve the needs of immigrant survivors and continue to further the struggle to end gender violence for immigrant and all survivors? I was able to develop some strategies by sharing my analysis in workshop format and interviews with ORA staff and other advocates involved in the battered immigrants' movement.

In summary, I suggested "alternative actions for change"¹² based on the understanding that a revived conviction in the power of individual's beliefs and actions, as well as of social mobilization, was crucial. A number of pervasive, conservative and paralyzing myths had to be discredited, including that "nothing can be done against the powers that be," that "one's actions don't matter," that "political activism was a waste of time," and that "nonprofit advocates should not be expected to do a better job." I also argued that getting rid of such fallacies was going to bring the opportunity to change detrimental practices and institutions.

While I provided some strategies to avoid and dismantle formal and informal barriers to access citizenship, I emphasized that the only way in which substantive change would occur was if nonprofit staff recognized the barriers as problematic, believed in their own potential to influence policy and modify counterproductive informal practices, and created its own interpretation and courses of action. Moreover, I maintained that new beliefs and understandings would be reflected in individuals' social interactions and collective action, which eventually should be articulated in structural arrangements designed to find a new balance between the provision of services and the struggle to change inequitable social conditions that stand in the way to end violence against (immigrant) women.

In regards to formal barriers, I suggested nonprofit staff to think about the practical and political levels. Practically, ORA (or whichever nonprofit) could decide on instituting an organizational policy to inform immigrants about legal loop holes and provide advice on how to skip the formal barriers that may be avoidable (for example, by being transparent about the length and full cost of the

¹¹ See Villalón 2010a, 79-89.

¹² For a longer exposition on all of these strategic suggestions please refer to Chapter 5 of my book (Villalón 2010a).

application process, the need and cost of providing supporting documentation, the advantages of being employed in some capacity and keeping a clean criminal record, the relevance of providing a stable and updated mailing address, and the conveniences of attending counseling sessions, to mention a few). Politically, the nonprofit organization could redefine its stance and strategies to challenge biases in gender violence and immigration policies while being faithful to its inclusive mission and wise in regards to its financial solvency (which may require the renegotiation of their ties with public and private funders).

Advocates could push policy-makers to change VAWA's biased immigration provisions by, for example, (1) equalizing the kind of benefits available (and the application process to obtain them) for all survivors regardless of their married, non-married, separated or divorced status; (2) making the benefits of these laws equally available to all survivors regardless of their sexual orientation; (3) erasing the different routes to citizenship by providing every survivor with the same length and certainty of process regardless of the citizenship and immigration status of the abuser (this includes eliminating U visas, or, if these were non-negotiable, making them equivalent in process to VAWA self-petitions, that is, more accessible and less threatening); (4) eliminating the requirements and fees that make the application process inaccessible for the poorest survivors, and in the instances where this is not possible, assuring that full support is available for them to comply; (5) issuing an instant protected immigration status for all applicant survivors to avoid the risks of deportation during the long process of collecting the documentation, sending out the application and having it reviewed and approved by the United States Citizenship and Immigration Services (USCIS); (6) guaranteeing confidentiality (and making non-confidentiality punishable) of survivors' immigration status, reports and testimonies given to governmental and nongovernmental authorities and service providers; (7) increasing the budget available for advocates, particularly those devoted to the most destitute populations, and making the application process for these funds more accessible in order to allow organizations from within these communities to compete for resources; (8) promoting (and funding) holistic social services and/or facilitating connections between organizations and specialists in the community for survivors to meet their various needs comprehensively; (9) refreshing and creating new outreach programs and public education in regards to gender violence and the rights of (immigrant) survivors, mainly in underserved communities; and (10) keeping policy-makers and government officials in touch with the realities of survivors of intimate partner violence and service providers through frequent memos, meetings, and specialized trainings.

Besides addressing formal barriers, nonprofit advocates could also look into how to dismantle informal barriers standing in the way of battered immigrants' access to justice. First, they would have to evaluate the characteristics, origins and effects of their selective work practices and think about strategies to take care of these. For

instance, advocates may look into the consequences of their frustration with immigrants who do not fit the "ideal client" profile. They may decide to refer "trouble clients" to other nonprofit organizations known by their "tolerant staff" or their commitment to serve the most destitute survivors in order to avoid blocking the immigrants' search for citizenship. Contrarily, they may find their selective practices problematic and decide to create plans of action to change them. If advocates believe that funding constraints are a main explanation of the development of a good client profile, they may think about how to renegotiate terms with funders or explore alternative funding options. If nonprofit workers think that their intolerance for "criers" and/or immigrants who change their mind about moving forward with their application is not problematic, the organization may plan for further training on the psychological and social conditions framing survivors of gender violence (all of which lead to emotional distress), as well as arrange for assistance from social workers and specialized counselors (these services could be offered on site on a pro-bono basis or as an exchange with the school of social work and the psychology department of surrounding universities).

Alternatively, advocates may find that (at least part of) the source of the problem with "trouble clients" is based on immigrants' lack of knowledge about the intricacies of the VAWA application process. Accordingly, advocates could provide improved informational packages, or organize support sessions for applicants (volunteers could collaborate with these activities). If nonprofit workers identify that fear of retaliation by immigrants' abusive partners is a deterrent to help undecided survivors, institutional policies to safeguard staff and immigrants could be implemented (such as the design of safety rules and measures to prevent and stop violent episodes). Additionally, if advocates find that immigrants' children are distracting during appointments, child care options should be tinkered with given the particularly constraining circumstances of the immigrants (like creating a program to have volunteers taking care of the children, or organizing an area with toys in the waiting room).

As I shared all of these strategies for change with ORA staff and nonprofit advocates, I framed my analysis within the broader context of the immigration system and nonprofit organizations, while emphasizing the important role that these organizations and their advocates played in providing services and access to citizenship to underserved immigrants. Key to these exchanges were my invitation for them to express their thoughts on my analysis as well as to brainstorm ideas on how to tackle with those formal and/or informal barriers that they identified as being problematic. In the case of ORA, staff was attentive and found my analysis accurate and sensible. They carefully listened and thoughtfully shared their comments and questions.

First, ORA's advocates agreed with my depiction of their role as "gatekeeper[s] of citizenship" between the state and the immigrants; a role that emphasized their

enormous power and responsibility in being the ones who could either open or close survivors' access to stabilizing their immigration status and becoming autonomous individuals in the U.S. (Villalón 2010a, 89). Then, as I explained the problematic formal barriers of VAWA's immigration provisions, they expressed their discontent but, because these barriers were inscribed in the law and inherited from the broader immigration system; many advocates took the position that while unfortunate, these hierarchies were unavoidable. They also claimed that despite its biases, VAWA at least provided some battered immigrants the opportunity to break free from abuse and become citizens; in other words, they found that the disadvantages were counterbalanced by the advantages of VAWA's immigration provisions.

The section on informal barriers was the one that triggered most of the reaction on the part of ORA's workers. Among laughter and jokes, they spoke up and confirmed that they "dreaded working with clients who cried a lot; clients who brought and could not control their kids in appointments; clients who called too much (many times per week, more than once a day), and clients who were too demanding (the ones with higher economic status)."¹³ If clients behaved this way, advocates explained that they "didn't rush to make appointments with them."¹⁴ As ORA's advocates' voiced their experiences and feelings on this matter, they seemed to find a certain sense of relief about the consequences of leaving these clients unattended – even if before this opportunity they may have informally shared their frustrations about what I identified as 'trouble clients', it seemed to be the first occasion for them to view it as an institutional issue. ORA's workers also expressed their disorientation on how to dismantle the organization's informal barriers. Lucy, for instance, said "I realize that these client preferences ended up reinforcing the barriers you are talking about (particularly social class). But, I'm not sure what we can do about it."¹⁵

In response to this, I shared my suggestion of setting time apart to discuss these matters at the organizational level; a suggestion that was received with enthusiasm. I also pointed to the importance to think about ORA in the broader context of nonprofits, since the dynamics affecting the organization were not extraordinary but common to many others. They were curious to read on what was going on in other institutions, so I offered references to articles, reports, and books written about and by other organizations that had identified and been working on comparable issues. Additionally, I suggested that fostering network communication through trainings or conferences with similar groups could help as

¹³ Field notes from Report/Workshop to all ORA staff, Central Texas, July 11, 2008.

¹⁴ Field notes from Report/Workshop to all ORA staff, Central Texas, July 11, 2008.

¹⁵ Field notes from Report/Workshop to all ORA staff, Central Texas, July 11, 2008.

well. I signaled the relevance of keeping both a reflective and a political attitude with regard to their work given their power as gatekeepers of citizenship. The contextualization of ORA's case among other nonprofits calmed some of the anxiety resulting from hearing such a critical report.

However, the initial enthusiastic reception of the workshop was tamed in my individual and group interviews with staff members who used to work at ORA while I was doing field research. Cathy told me that the analysis "made sense but it was very difficult to address when working – abstractly was OK, but practically was impossible."¹⁶ Similarly, Jenna believed that my analysis seemed right, even if "it was hard to hear."¹⁷ However, she did not think that change was necessary; "We do a very good thing."¹⁸ Jenna and Cathy resisted my proposal to address the informal disparities at ORA. Cathy explained, "I don't think this would work. It wouldn't be welcomed. People would be like... 'What the fuck?!?' if I asked them to spend time talking about dropped cases while they have been working plenty on other cases that had been selected and approved."¹⁹

Cathy and Jenna acknowledged that the formal barriers inherited in VAWA were problematic, however they expressed that it was not their responsibility to deal with those. While they would not resist other advocates' efforts to make immigration policies more inclusive, they were not interested in joining the struggle. They added that if ORA staff were requested to engage in political activism, this work would have to be calculated as part of their labor rather than left unpaid.²⁰ If ORA compensated these efforts, and there was enough time left to take care of the same number of cases, then ORA staff interested in politics could become actively involved. So far, the slight political activism that ORA staff had engaged in (like signing online petitions or joining community rallies) had gone unpaid while their regular case work was put on hold. ORA staff felt that this trade-off was unfair both to their clients and themselves.

In retrospective, the mixed reactions of ORA's advocates were indicative of the worth of going through the challenging phase of sharing findings with them. Their responses allowed me to check the accuracy, as well as modify, improve and expand the analysis. Indeed, their reactions were crucial for the collective elaboration of strategies and their implementation (given the uncovering of interpersonal and

¹⁶ Personal interview with Cathy, Central Texas, July 1, 2008.

¹⁷ Group interview with Cathy, Jenna and Maggie, Central Texas, July 11, 2008.

¹⁸ Group interview with Cathy, Jenna and Maggie, Central Texas, July 11, 2008.

¹⁹ Group interview with Cathy, Jenna and Maggie, Central Texas, July 11, 2008.

²⁰ This position reflects the change of grassroots social change organizations to nonprofit social service providers' organizations. See Hawk 2007.

institutional dynamics that could prevent change from happening). Specifically, as I observed that ORA seemed to be reluctant to push for legal change to modify the formal barriers inherited from the larger immigration system or to engage in actions to dismantle the informal barriers emerging from their own inequitable practices, I wondered how the knowledge gathered could still contribute to the struggle for inclusion of all battered immigrants.

I realized that one of the main ways to overcome interpersonal, organizational and political barriers in activist research projects was by broadening the front of action. My activist research project did begin at ORA, but did not have to end when I did the aforementioned final workshop or interviews with ORA staff. Thus, I got involved with battered immigrant networks and women's rights organizations which had a membership inclusive of activists and advocates, such as Arte Sana, ALAS, Mujeres del Movimiento, Casa de Esperanza, the National Immigration Project, Asista, and Women's Worlds, and proactively joined meetings and offered to do workshops to discuss and continue to learn about these topics with advocates, activists, immigrants, and survivors in the community.²¹ All of these additional layers of activist research became data which I analyzed and included as part of the study. Indeed, by opening the front of action, I was able to not only overcome some of the resistance to acting upon the collectively produced knowledge at the original research site, but also contextualize, refine and enrich this knowledge by continuing with the dialogue with other individuals and organizations of keen interest.

Concluding remarks

Despite its challenges, there was not a moment when I doubted the richness and potential of activist research and feminist praxis to positively influence social and political change. Before, while, and after taking on activist research projects, feminist scholars should keep in mind that "personal and cultural narratives are not disinterested, objective questionings of identity politics, but impassioned and conflicted engagements in resistance" (Anzaldúa 2002, 2). Hence, in order to develop activist research, scholars ought to believe in the ideological reasons beneath this methodology, evaluate its particular relevance to the subject matter at hand, and be prepared to become politically committed to the work. Moreover, scholars should be truthful in their relationships with the members of the community and/or organization with whom they are developing the activist research project. An open attitude, transparency and humility will allow scholars

²¹ Concrete examples are the seminars I conducted at Arte Sana's 2008 and 2010 National Conferences, workshops open to the community at St. John's University, and also a presentation at the Asylum Office of the United States Citizenship and Immigration Services.

to gain and maintain access to the community, as well as to build a constructive, long-lasting and ethical working relationship.

At the same time, activist researchers ought to be faithful in how to incorporate the views, opinions, and voices of the community members to the analysis: having talked with "them," or worked with "them" is not enough and does not automatically provoke a change in the understanding of otherness or the oppressive structures of power (Mani 1998; Menon and Bhasin 1998). This is particularly important given that one of the purposes of activist research is to counter hegemonic practices in research and beyond; a purpose that would be voided if researchers reinterpret, omit, or ignore community members' perspectives. Accordingly, activist researchers should be conscious of the possibility of disagreeing with the community collaborators, as well as finding resistance or indifference to ideas that they believed had emerged from their working relationship with them. If such tensions occur, it is the responsibility of activist scholars to critically take care of frustrations and disputes while incorporating them as data to be later analyzed as part of the greater project. Hence, researchers should not take conflict as a deterrent or a failure, but as an intrinsic part of activist methodologies. Scholars ought to be persistent, reflective and critical so their analyses will bear fruits despite the challenges that may emerge during the research project.

Finally, feminist activist researchers should keep in mind that this kind of projects are relational processes of knowledge creation, and that as such, they must be conceived as collective, complex and long-term endeavors that are expected to become larger than their own protagonists and locations. This knowledge is destined to change the standpoint of researcher and community members, and consequently of their relationship. If such changes mean that their links come to an end, activist scholars should remember that the best activist research projects continue to develop and have an impact beyond their original sites and members since in the end, the most important goal is to advance the political and practical issues at hand.

The careful and critical use of activist research is particularly useful when addressing controversial, complex, mobilized, politicized, and of course, unfair social issues. The worth of engaging in activist research nowadays is indeed increasing, because of not only the dire circumstances in which the majority of the population in all countries, South and North, presently are, but also the highly discriminatory and exploitative situations in which most immigrants (especially women) find themselves in the world. Indeed, in reaction to deteriorating conditions, many battered immigrants' advocates and survivors of gender violence have been raising their voices by expressing their concerns and discontent, and suggesting policy changes. However, these claims remain marginal. It is my belief that the current situation and the non-promising perspectives for the future may be

used as an opening for making these demands heard, and having more advocates and members of the community joining collective efforts to end violence against immigrant women.

Advocates have found that "more and more people have joined the conversation, that more people have become politically active. Even immigrants approaching the organization (especially if they are not eligible for benefits) ask 'What can I do to change these conditions?'"²² Some immigrant rights' activists have been joining Occupy Wall Street and similar protests across the U.S. simply pointing to the fact that immigrant workers are part of the 99% being exploited for the benefit of the elite that is sustaining the current system of economic and social inequalities. Given the links between the economic crisis, anti-immigration policies, and gender violence, there are plenty of reasons why we could bet on reinvigorating alliances between immigrants' and battered women's rights movements for justice, so the Violence Against Women Act is improved to meet the needs of all immigrant survivors, and experts on these issues are involved in the push for and design of comprehensive immigration reform that eliminates systemic biases to exploit destitute migrant workers.

We usually forget how much our actions matter to the maintenance and defiance of the social structures that surround us, but as Berger and Luckmann (1966) theorized, we all construct the reality in which we live in. Particularly, in regards to the social inclusion and exclusion of immigrants, and as Garfield claimed, "knowing what we know"²³ about gender violence, we should recall that "formal laws and legal rulings create a structure that legitimates the granting or denial of recognition. However, the maintenance of boundaries relied on 'enforcement' not only by designated officials but also by so-called members of the public" (Glenn 2002, 52). We are all responsible, and we can all do something. Taking an essentialist approach would be highly detrimental to the advance of the struggle for equality (that is, thinking that only battered immigrants (of color) could do this work, as opposed to thinking that every person who is aware of the issues and keeps a critical and proactive attitude about discrimination could be of help).²⁴ The moment for action is now. Let's value and join ongoing efforts. Change is possible, and overdue.

²² Personal interview with advocate, New York, June 24, 2011.

²³ Garfield (2005) entitled her book about African American women's experiences of violence and violation in such way to stress the value of the knowledge that these women have on their victimization and survival as well as to motivate the readers to act against injustice (as opposed to deny it, now that they have learned (again) about it).

²⁴ In adopting this non-essentialist stance towards change, see Anzaldúa and Keating, 2002.

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Originally from Argentina, **Roberta Villalón** is a professor at Saint John's University, New York City, U.S. Her background in political science and international relations, together with her expertise in Latin America, Latin American immigrants and Latin@s, and feminist theory and praxis, has shaped her sociological perspective distinctively. Her book, *Violence Against Latina Immigrants: Citizenship, Inequality and Community* (2010, NYU Press), articles like "Neoliberalism, Corruption and Legacies of Contention: Argentina's Social Movements, 1993-2006," *Latin American Perspectives* (2007, 34:2), and forthcoming book chapters such as "Framing Extreme Violence: Collective Memory-Making of Argentina's Dirty War" in *Inequality and the Politics of Representation: A Global Landscape* edited by Celine Pascale (Pine Forge/Sage), and "Accounts of Violence against Women: The Potential of Realistic Fiction," in *Men Who Hate Women and the Women Who Kick Their Asses!: Feminist Perspectives on Stieg Larsson's Millennium Trilogy* edited by Donna King and Carrie Smith (Vanderbilt University Press), illustrate her global feminist politics. Roberta continues to be involved in immigrants' and women's rights community organizations as she develops new research on human trafficking and social movements in the Americas, as well as on the processes of justice and reconciliation as trials on the last military regime have been reopened in Argentina. Please visit <https://sites.google.com/site/robertavillalonphd/home> for further information, or email her at villalor AT stjohs.edu.