

SUPPORTING VICTIMS FROM COLLECTIVIST CULTURES

Pamela Cross

**Presented to the Domestic Violence Crown and VWAP Co-Leads Meeting
Toronto, February 26, 2014**

Before I talk specifically about supporting victims from collectivist communities, let me just say that ALL domestic violence cases are very challenging. There is no such thing as an easy one. Needs of the victim often don't match the goals of the criminal process. Mandatory charging, while helpful in some cases, poses many challenges in others. Ongoing family relationships present another complexity. My list could go on, but I will leave it there for now.

It is certainly true that the challenges can be exacerbated when the victim (or the alleged perpetrator) comes from a collectivist community.

Now, of course, you want to know what I mean by a collectivist community.

Well, it is a community in which the individual members subsume their own ambitions, goals, initiatives and achievements to those of the community.

Community, in this instance, can be a family, a community into which someone is born, a community a person chooses to be part of, a community based on shared values, a cultural or religious community or even a community by virtue of geography.

Aboriginal communities have been, at least historically, highly collectivist. The same can be said for many Muslim communities, in Canada and elsewhere.

In these communities, individuals often find their cohesion, meaning and sense of self in social groups rather than in themselves alone.

There is a focus on the responsibilities of individuals to the group.

In the family context, this means greater value is assigned to maintaining the family than on giving any one individual within the family everything he or she wants.

Individualist communities, on the other hand, emphasize personal achievement, competition, the setting and achievement of individual goals. The focus is on individual rights.

In either instance, this value is deeply ingrained and taken for granted by most members of the community.

There is no inherent value to either collectivism or individualism. Both carry pros and cons.

By way of example of how these different beliefs play out, think about a family in which the parents' relationship is not working well. In an individualist society, one of the parents may well decide to end the relationship and pursue a divorce – putting personal, individual desires for happiness ahead of the happiness of others – the other spouse who does not want the marriage to end, the children, who may not want their parents to separate, other family members who would like the couple to stay together. In a collectivist community, the individual might be inclined to remain in the relationship – to ensure it, if you will – for the sake of other family/community members.

Of course, such a generalization is of only limited value, but perhaps it helps to give a concrete example of the differences between collectivist and individualist communities.

The context of violence against women

Now, let's think about this in the context of violence against women.

In individualist societies and communities, the focus has long been on getting the abused woman and her children out of the abusive relationship so they can move on to a life "free from violence." This philosophy is at the core of the shelter movement, which has historically worked to get women out of abusive relationships permanently, the police response (including mandatory charging), aggressive prosecution policies and other responses to violence against women.

Public attitude towards violence against women in families is also highly individualistic, as can be illustrated by how frequently people ask why a woman did not just leave her abuser or why she returned to him.

There are many positives about this approach, one of them being that often women and children do better once they are out of the abusive relationship. The criminal response to VAW also creates community accountability and helps ensure violence within families is taken seriously by society at large. After all, the criminal law is our system for upholding the rules we have decided we want to live by.

But there are also drawbacks, most notably that not all women want to leave their abuser and not all women want their abuser criminally charged. There are many reasons for this: a woman may be too fearful of her abuser to call the police or have him charged, she likely still loves him and does not want to see harm come to him, she has few external supports to which she can turn if the abuser is charged, her internal value system may discourage her from involving the authorities, her family may be involved in a refugee or immigration process that would be threatened by criminal involvement, she may be a newcomer woman who fears state involvement based on her experiences in her home country, and so on.

As well, women from collectivist communities do not always feel comfortable putting their own interests ahead of their perceptions about the interests of their whole extended family or even larger community.

This can create significant challenges and barriers for these women, who are reluctant to seek help or an intervention because most responses offered by Canadian law and community services are very individualistic.

For many women, especially women from non-mainstream communities, safety is not an absolute but rather a relative term. They may want to explore ways to stay safe within their family and cultural community rather than to leave them in their search for individual/personal safety. For these women, cultural safety, a sense of belonging, is as important as personal safety.

Many women from collectivist communities fully accept their "place" within that system. They do not feel and they are not submissive or subservient. They know the abuse is wrong and, like other women, want it to end, but they also do not want to give up the well-being they feel from their place in their family/community.

Women in collectivist communities define their role within that hierarchy, and it is a role in which they take great pride and power. There may be coercion, but it is not the result of the collectivist community, it is the result of misogyny/patriarchy, as it is for all women.

As is the case in many Aboriginal communities, the focus is on maintaining the family; finding a way for the whole family to heal and move forward as a family from the violence that has happened.

This has implications for all of us, whether we are part of the criminal response to VAW or work with a community agency as a service provider.

We cannot make assumptions about what a woman's actions or inactions mean. For example, a woman who does not cooperate with a police investigation, does not want to testify, recants her testimony etc wants the abuse she is experiencing to stop as much as any other woman does. She is just not prepared to put her personal interests ahead of the interests as she sees them of others in her family/community. She is also unwilling to sacrifice her own place in her family/community to advance the goals of the criminal system.

Mainstream service providers cannot assume women in abusive relationships want or need to leave them, because this disconnect makes those services inaccessible to women who want to remain with their family, including the abuser.

Indeed, one of the biggest barriers for women from marginalized communities who consider turning to community services is the risk that identifying with mainstream women – women not from their community -- will mean the loss of their cultural self and the fulfilment they get from belonging to a religious and cultural community that has shared values. Women worry that service providers and others will try to locate the violence entirely as a cultural problem as opposed to a broader societal problem also experienced by women from other cultures.

To assume that women will shed their cultural backgrounds as easily as their residences is to disrespect women's very existence.

We also cannot make assumptions that the approach by collectivist communities to violence against women means they take the issue any less seriously than individualist communities.

(In fact, we would all do well to remember that VAW has not been seen as a serious or criminal matter in individualist societies until relatively recently and that violence against women has been justified by virtually all religions and cultures through history – collectivist and individualist alike.)

It is also helpful to remember that for many women from marginalized communities, the violence they experience within the family is just one of many forms of violence and abuse with which they must contend. Newcomers confront many challenges including racism, immigration issues, acculturation, language acquisition, isolation, discrimination and financial hardship. Aboriginal women must deal with racism, extreme poverty and the ongoing impacts of colonization and genocide including the legacy of residential schools on them, their families and their communities.

To paraphrase Mohammed:

In a context where a woman may be facing racism and other forms of exclusion from the dominant society, for her to speak out about violence within her family or religious community may have the effect of severing her relationship with the only community in which she feels a sense of belonging. . . This silencing effect of racism leaves women particularly dependent on their families and religious communities, unwilling to jeopardise either their own sense of belonging or their communities' reputations.

What we can do:

There is work that all of us – those involved in the criminal system, those of us working in the community service sector, those of us who are members of collectivist communities – can do to make the criminal system more accessible and responsive to women in collectivist communities who have experienced violence. Here are just a few ideas:

1. Work with collectivist communities to forge approaches that reflect and respect the criminal code but that also leave room for different approaches to addressing domestic violence (for example, community circles and accountability)

2. Frontline service providers:

- * make services non-judgmentally available to all women
- * support women who return to abuser
- * help women with safety planning within the relationship

3. Criminal court players:

- * reconsider mandatory charging
- * rely more heavily on third party evidence, relieving the woman of the burden of being the principal evidence/witness in the Crown's case
- * find more creative ways to work with unwilling and recanting witnesses