

The African Victim's Journey: Experiences of African Immigrant Survivors of Domestic Violence in the United States

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Although little research has been conducted on the extent of domestic violence in the African immigrant population in the United States, data on the general immigrant population, combined with research on domestic violence within Africa, suggests that African women are likely to be abused by their spouses or partners in the United States at an alarming rate. Africans constitute a growing proportion of the U.S. immigrant population,¹ and immigrant women are especially vulnerable to domestic assault and less likely to be aware of the social and legal services available to assist them.² Many victims do not report abuse, and many are pressured by friends, family, and the African community to remain in their marriages if they do disclose the abuse.³ For those women who report the abuse to law enforcement, obtain civil orders of protection, file criminal charges, seek assistance from government or community agencies, and attempt to achieve independence from their abusers, the journey to self-sufficiency is filled with overwhelming challenges and obstacles. This article will describe common experiences of African women who pursue independence from victimization within the U.S. justice and social systems, and their particular service needs. The case examples are those of members of the African Women's Empowerment Group (AWEG) at the Montgomery County Abused Persons Program, who generously shared their thoughts and stories for this article.⁴

Characteristics of Domestic Abuse in Immigrant Populations

Violent and abusive relationships are typically characterized by the attempt to exert power and control over an intimate partner. Men who batter frequently engage in a pattern of behaviors that serve to force women into submission through the use of fear and intimidation, trap them in their relationships by heightening their dependence, and isolate them from outside resources.⁵ Immigrant spouses are particularly vulnerable to this type of manipulation, isolation, and control. They are often unfamiliar with U.S. laws, language, services, and legal rights, and may not have access to family members, income, or other resources. Cultural factors often play an additional role in discouraging women from seeking help or fleeing their abusive relationships.⁶

Many African countries do not have laws to protect women from domestic violence, and those that do are often lax in enforcing those laws.⁷ As a result, African women are less likely to turn to law enforcement or the justice system for

assistance when they experience abuse. They often fear that, if they take legal action against their spouses, they may face deportation, lose custody of their children, be exiled from their communities, or even be arrested due to their illegal immigration status. Raised in countries where they have few legal rights and are often viewed as their husbands' "property,"⁸ African women have little reason to believe that the American justice system will offer greater protection or law enforcement than would be offered in their native lands.

THE JOURNEY TO INDEPENDENCE

Step 1: The Experience of Abuse

African women experience abuse at the hands of both African husbands, who may have "brought" them to the U.S. on fiancé or spouse's visas, or offered assistance in gaining permanent residency to undocumented African women already living in the U.S., and by American men, who may promise residency, financial stability, and visas for family members.⁹ African women in the U.S. strive to create more egalitarian relationships, often work outside the home, and quickly assert greater independence and self-determination than in their native countries.¹⁰ Violence may escalate, or occur for the first time, as the traditional patriarchal family structure is challenged.¹¹ Immigrant women married to American spouses endure some of the most severe and lethal types of abuse, as men attempt to assert and maintain control and dominance.¹² In addition to the verbal, physical, and sexual abuse commonly experienced by women in abusive relationships, African immigrant women also endure threats, manipulation, and emotional abuse that serve to increase their dependence and create terror and mistrust of those agencies most able to help them.

Many of the African women at our agency married their husbands after relatively short courtship periods, often after a year or less. Some rely on information from family members regarding their husband's family's reputation, or they succumb to cultural pressures to marry and have children as a means of achieving status and respect as an African woman. Traditional courtship norms and customs, such as family negotiations, tribal ceremonies, and the involvement of the community in the decision to marry, are unavailable to those women meeting their future spouses in the U.S. They may be inexperienced in choosing a partner based on personal qualities or compatibility. Many women cite their husbands' church attendance, grandiose or charming behavior during courtship, or initial generosity as indicators that they would make kind and loving husbands. African women often overlook or are oblivious to signs of alcoholism and drug abuse in American men, many having had no previous exposure to them. Similarly, they may not recognize or look for indicators of mental illness or criminal behavior, as they are used to being well-informed by their communities about family histories of dysfunction or violence.

These women's vulnerabilities are exploited by their abusive partners and spouses. Batterers who may have promised permanent residency and reunification with family members as an enticement to marry quickly, later accuse their wives of marrying only for this purpose, and delay in filing for their visas and work permits under the guise of testing their true commitment to the marriage. Some women may even allow their visas or applications for residency through other programs to expire or lapse, hoping to prove that their marital intentions are sincere and their trust in their spouses unwavering.

Undocumented and unable to work legally, African immigrant women then become subject to emotional abuse that includes threats of deportation or arrest, threats to reveal their immigration status to employers or respected community leaders, and threats to separate them from their American-born children.¹³ One woman told me that while living with her husband, she would shake with fear and hide in her bedroom each time she heard a knock at the door, certain it would be the police arriving to arrest and incarcerate her. Several group members have in fact been arrested, incarcerated, or removed from their homes when their spouses obtain civil orders of protection or file criminal charges against them, heightening their fear of the legal system.

Step 2: Reporting the Abuse

Immigrant women are often reluctant or afraid to report or disclose the abuse in their relationships.¹⁴ For African women living in the U.S., fears of deportation and the stigma attached to failed marriages add to the secrecy and isolation. AWEG members report that they were reluctant to disclose the abuse to family, friends or clergy out of fear of repercussions from the African community that might include reporting their undocumented status to the Department of Homeland Security (DHS), harassing or threatening family members in Africa, or shunning the women from community social events. Many women were initially hesitant to attend the AWEG, even inquiring as to whether there might be other women from the same native country, fearing that the greater community would learn of their attempts to seek help.

Born and raised in patriarchal societies in which women have few legal rights, African immigrant women fear that contacting law enforcement will further increase their risk as well as the risk to other members of their families. They are subjected to the wrath of their entire community for bringing shame on their husbands and their husbands' families if they seek legal sanctions or protections. Women report that, within the African community, "even the women will shun you;" they are barred from events such as engagement parties or weddings, called "prostitutes," and seen as ungrateful and tainted. Family members in Africa may receive threats, be disgraced within their communities, or even be subjected to physical harm.

Women in the AWEG were appalled at the suggestion that they might report abuse or take legal action in order to pursue a self-petition or u-visa under the Violence Against Women Act (VAWA). In part due to the secrecy and common forms of subjugation and isolation forced on battered immigrant women, none of those participating in the AWEG were even aware of these options at the time they reported their abuse. Once informed, several declined to cooperate with authorities, even when approval of their applications was threatened. Due to cultural issues presented above and pressures by family members, African women are extremely resistant to pursue even civil remedies to their marital problems. One woman, whose initial u-visa application was denied due to a failure to cooperate with law enforcement officials, feared that her husband would permanently isolate her from her two older children, who live with her husband's relatives in Africa. Another stated that her family members in Cameroon received threats of death and photographs of weapons sent to them via the internet.

The African community, like many U.S. immigrant communities, encourages more traditional means for resolving family issues and marital problems.¹⁵ These may include pastoral intervention, or meetings between family members and tribal "chiefs" or elders. Typically, abuse is viewed no differently from other marital problems, with both partners held accountable for the discord and both urged to make changes and greater efforts to improve the relationship. Husbands who cite issues such as late dinners, burned food, poor parenting, or too much time spent away from the home as "reasons" for their abusive behavior, often receive compassion and understanding. Women in the AWEG have reported that pastors, family friends, or African community leaders have urged them to improve their own behavior in these areas. Even when they scold or chastise men for abusing their wives, there are no enforced consequences. If women continue to complain about the abuse, there is little response or subsequent action. Community leaders may promise interventions, then "never show up;" details of the women's accounts are changed as the story is repeated, and abuse is rarely perceived as a serious matter until it reaches severe levels.

African women in the AWEG report extremely high levels of sexual abuse and rape within their marriages. However, as these are not considered to be criminal acts in many African countries,¹⁶ women are often unaware that these acts are illegal in the U.S. Shame, community pressure, and cultural taboos on talking about sexuality continue to prevent many African women from disclosing sexual abuse and rape. More than one group member reports having been told by African clergy and others in the community that sexual intercourse is a duty of marriage and should be performed by a woman at her husband's whim and request.

Step 3: Separation and Divorce

The negative response from the African community increases when women choose to leave abusive marriages, especially if they pursue legal interventions

such as divorce, alimony, child support, or custody. When asked about the attitudes toward these practices, AWEG women responded simply, “you don’t do it,” and “it doesn’t work.” Accustomed to laws and practices that leave women economically deprived and often award custody to fathers when women choose to leave their marriages,¹⁷ African immigrant women are caught between American pressures and standards to procure legal documents and follow strict legal procedures, and cultural barriers to taking these very actions. As a result, many African women encounter roadblocks when attempting to seek help from government and social service agencies that may require documentation of divorce and custody proceedings.

The conflict between cultural pressures and American practices adds to the emotional distress experienced by African immigrant women. The emotional and physical abuse experienced in abusive relationships typically leads to symptoms that might include heightened anxiety and fearfulness, sadness and anger, guilt, shame, distrust of others, insomnia, and poor concentration. Women may also suffer from a Major Depressive Disorder or Post-Traumatic Syndrome Disorder after experiencing abuse, especially in cases of severe or chronic abuse and among women with prior traumatic experiences.¹⁸ In addition, cultural attitudes toward seeking professional help for emotional or psychiatric problems prevent women from obtaining needed services.¹⁹

Step 4: Toward Financial Independence

The path toward financial self-sufficiency is difficult for nearly all battered women, but holds particular challenges for immigrants. For the African woman, the stigma attached to her status as a divorced woman and as a single parent further isolates her from the resources of her community. Her decision to leave her marriage, and perhaps to have involved government agencies or law enforcement, may lead her friends and even relatives to blame, deride, disown, or mock her.

Public benefits and social service programs designed to assist victims of domestic violence in the U.S. are not always available to immigrant women. Welfare changes enacted in 1996 sharply reduced benefits for non-citizens, and increased eligibility standards even for legal immigrants.²⁰ Foreign-born African women, particularly those who have not obtained legal immigrant status in the U.S., are often ineligible for state or federally funded programs such as cash assistance, food stamps, medical assistance, child care subsidies, and housing vouchers.

Specific exemptions to eligibility requirements were made for battered spouses of U.S. citizens or permanent residents under VAWA in 1994.²¹ Women with pending VAWA self-petitions can apply for state and federally funded benefits without jeopardizing their eligibility for permanent residency or citizenship.²² However, women who are abused by men who are not their spouses, or are

married to non-citizens who do not have permanent resident status, do not qualify for these exemptions. These victims, typically those women filing for u-visa status rather than a VAWA self-petition, remain ineligible for most benefits during the application process and for five years after achieving qualified immigrant status.²³ Those with children born in the U.S. may be able to apply for some benefits, including housing vouchers, food and cash assistance, and child care subsidies, on behalf of their U.S.-citizen children, but may not receive the benefits themselves.

For those women who are eligible for public benefits programs, cultural issues and a misunderstanding of the system may prevent them from seeking assistance.²⁴ Several women have told me they prefer not to seek government aid in order to leave the funds for those with greater need. In other instances, the complexity of the laws, misinformation by welfare workers, and the stigma of accepting public assistance lead women to forego the process or give up their applications along the way.

Racism also affects African women's ability to access programs and establish financial independence. Anti-immigrant policies and attitudes, particularly since 2001, further limit eligibility and negatively impact treatment by service providers, and may lead to further resistance to apply for and utilize these services.²⁵ AWEG members reported racist and stereotyped attitudes when applying for housing, living in community shelter, and attending welfare-to-work programs.

Undocumented immigrant women, particularly those with pending u-visa applications or VAWA self-petitions that have not yet been submitted, find themselves without the means to provide financially for themselves and their children. African men, who are accustomed to patriarchal laws and policies governing divorce and custody, are frequently enraged by their wives' attempts to secure financial support, and may become increasingly threatening, violent, or manipulative. Many find ways to circumvent orders for family or child support, such as moving funds into accounts outside of the U.S., avoiding service of court paperwork, or even leaving the country temporarily. Backed by other members of the African community, they are able to gain the support of employers, friends, relatives, and landlords in keeping their locations, income and assets hidden. African women report little or no support from their embassies or native countries in obtaining information about their spouses, and are hesitant to approach them for fear of being subject to African laws or policies that may cause risk to them or their family members. In addition, African women's own governments may be unstable, corrupt, or without the resources to track such information. For women whose spouses are employees of African businesses, or are foreign diplomats, the ability to pursue legal options for financial support becomes nearly impossible.

Step 5: Long-term prospects and outcomes

African immigrant women share a fierce determination, strong work ethic, commitment to family, and persistent pursuit of educational and work opportunities.²⁶ The vast majority of the women in the AWEG have taken classes, completed certificate programs, or pursued college degrees, even while working full-time and raising children with little outside assistance. They cite their faith, friendships with other single women, and an unwavering desire to succeed and provide a better life for their children as the greatest sustaining factors during their long struggle toward independence. In fact, while their ties to their culture, customs, and family may act as roadblocks in the early stages of their experience, it is these very bonds and connections that help them overcome the challenges and obstacles throughout their journey.

Ongoing financial struggles, lack of access to public benefits, and psychological issues remain the most difficult barriers to long-term stability and self-sufficiency. As with many minority groups, African immigrant women who are single heads-of-households experience significantly higher rates of poverty than Africans with traditional family structures.²⁷ Economic fluctuations, illness, mental health crises, and struggles with children who have academic, emotional, or behavioral problems can quickly destabilize a family with minimal income and savings, especially when fringe benefits such as health insurance and paid medical leave are not offered.²⁸

In addition to financial struggles, many African women continue to experience emotional and psychological symptoms of trauma long after their separation from their spouses or partners. A significant percentage of African immigrants come from countries where they experienced political unrest and instability, war, genocide, dictatorships, and social fragmentation.²⁹ They have been separated from family members, and have endured the inherent trauma of leaving their countries and cultures for a new land. Often, their standard of living has decreased, and many have experienced racism, gender discrimination, and negative attitudes toward immigrants. Combined with the trauma of domestic violence and spousal abuse, the effects on these victims can be overwhelming and debilitating.

The lengthy waiting period for obtaining legal immigrant status places an additional emotional and physical strain on immigrant women. In addition to the obvious obstacles presented to women who lack work authorization and access to public benefits, African women also experience high levels of shame, depression and poor self-esteem due to their forced dependence on friends, relatives, and community agencies. Many African immigrants are highly educated and were raised in prominent or elite African families. They are unaccustomed to asking for help, and came to the U.S. expecting to enjoy an even higher standard of living and greater prosperity.³⁰ Forced to live with friends or relatives and unable to assist with living expenses, they are often expected to contribute to the household by cooking, cleaning, or providing child care. They may be exploited and overworked, but feel they have no recourse or

alternative. Within the greater society, African women are particularly sensitive to the stigma of living in a country without proper documentation. AWEG members describe feeling “unwelcome” and “illegal,” and believe Americans see them as “inferior,” or as “thieves” or “terrorists.”

A central theme in the AWEG involves the effects of the violence, family discord, separation, and litigation on the women’s children. Children who witness domestic violence often exhibit difficult emotional and behavioral characteristics, and these can be exacerbated by cultural clashes and the social repercussions of their mother’s actions. For African immigrant women, who place an extremely high value on family and education, and who have been raised to show enormous respect to elders, teachers, and parents, the academic and behavioral acting-out of their children can be devastating and humiliating. As their children, whether born in Africa or in the U.S., adopt American attitudes and behaviors and challenge traditional African customs, these women’s parenting techniques and modes of discipline may become ineffective or may be viewed as harsh or punitive in American society. They find themselves hard-pressed to deal with their children’s often severe and unfamiliar emotional and behavioral problems, particularly without the support of extended family and the greater African community.

The bonds created among the members of the AWEG, their devotion to family and children, their unwavering faith, sustaining spirituality, and determination have helped them to set and achieve goals that at times seem unattainable even to non-immigrant survivors of abuse. A founding member of the group, who three years ago fled her home and job in another state and arrived without resources or documentation, has now completed advanced training in her field and is employed full-time, living in her own home, and reunited with two of her children who have arrived from Africa. A group matriarch, raised in a rural village of Cameroon and victimized for over 20 years by her husband before fleeing to the U.S., was granted asylum, earned a nursing certificate, found employment, and filed for visas for her 3 youngest children, whom she had been forced to leave behind with her husband. A Ugandan woman whose application for a u-visa is still pending nearly three years after she left her severely abusive husband, and who has suffered eviction, job loss, exclusion from her community, and temporary loss of custody of her daughter, earned a scholarship and has completed four semesters of college despite overwhelming odds. A survivor of the civil war in Sierra Leone, abandoned by her African husband and severely abused by her second husband, an American who is also a reverend, overcame debilitating symptoms of depression and is now taking classes and planning a career that will enable her to provide health and social services to women in her native country.

¹ *African Immigrants to U.S. Make Presence Known in Some American Communities*, Voice of America, May 2, 2005, <http://www.voanews.com/english/archive/2005-05/2005-05-02-voa50.cfm>.

² Center for Women in Government and Civil Society, University of Albany, *Building Bridges to Stop Violence Against Immigrant Women: Effective Strategies and Promising Models for Reaching and Serving Immigrant Women*, in *Voices for Change: Immigrant Women and State Policy*.

³ Sudha Shetty and Janice Kaguyutan, *Immigrant Victims of Domestic Violence: Cultural Challenges and Available Legal Protections*, VAWnet, http://www.vawnet.org/Category/Documents.php?docid=384&category_id=10.

⁴ I have facilitated the African Women's Empowerment Group since October 2005 at the Montgomery County Abused Persons Program (APP) in Montgomery County, MD, to serve African victims of domestic violence. More than 70 women have attended the group, representing 22 African countries. APP is a program of the Montgomery County Department of Health and Human Services.

⁵ Patricia Mahoney, Linda M. Williams and Carolyn M. West, *Violence Against Women by Intimate Relationship Partners*, in *Sourcebook on Violence Against Women*, 145 (Claire M. Renzetti, Jeffrey L. Edleson and Rawuel Kennedy Bergen, eds. 2001).

⁶ Shetty and Kaguyutan, *supra* note 3 at 1-3

⁷ Joyce Mulama, *Time for Action on Violence Against Women*, Inter Press Service News Agency, Nov. 2008, <http://www.ipsnews.net/africa/nota.asp?idnews=44806>.

⁸ *Id.*

⁹ It is common practice for African men to immigrate ahead of their spouses, or to establish themselves in the U.S. prior to marrying, and return to their native countries to select a wife. See John A. Arthur, *Invisible Sojourners: African Immigrant Diaspora in the United States*, at 46, 112 (2000). Arthur also cites a growing population of African women who arrive through other means, most frequently in order to pursue higher education, and marry American-born husbands. *Id.* at 20-21, 46. Research has shown that American men who abuse immigrant spouses typically exert power and control through the withholding of documentation, threats of deportation, and failure to comply with DHS. See Giselle Aguilar Hass, Nawal Ammar and Leslye Orloff, *Legal Momentum Immigrant Women's Program, Battered Immigrants and U.S. Citizen Spouses*, April 2006, <http://action.legalmomentum.org/site/DocServer/wwwbatteredimmsanduscspouses.pdf?docID=635>

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Arthur, *supra* note 9, at 112.

¹¹ *Id.* at 113; Hass, Ammar, and Orloff, *supra* note 9, at 3.

¹² Hass, Ammar, and Orloff, *supra* note 9, at 2-4.

¹³ *Id.* at 3-4. Hass, Ammar and Orloff describe these common patterns of abuse within the general immigrant population.

¹⁴ *Supra* note 2, at 12.

¹⁵ Shetty and Kaguyutan, *supra* note 3, at 2.

¹⁶ Mulama, *supra* note 7.

¹⁷ Celestine Nyamu-Musembi, *Addressing Formal and Substantive Citizenship: Gender Justice in Sub-Saharan Africa*, Pambazuka News, Nov. 21, 2008, at 10-11, <http://tinyurl.com/5sffok>.

¹⁸ Mary Ann Dutton, *Critique of the Battered Woman Syndrome*, VAWnet, September 1996, http://new.vawnet.org/category/Main_Doc.php?docid=375; Belleruth Naparstek, *Invisible Heroes: Survivors of Trauma and How They Feel*, 81 (2004); Mahoney, Williams, and West, *supra* note 5, at 169.

¹⁹ *Supra* note 2, at 22.

²⁰ Dennis L. Poole, *Welfare Reform: The Bad, the Ugly, and the Maybe Not too Awful*, in *Social Policy: Reform, Research, and Practice*, 98-99 (Patricia Ewalt, Edith Freeman, Stuart Kirk, and Dennis L. Poole, eds.1997).

²¹ Leslye E. Orloff, Leandra Zarnow and Yiris Cornwall, *Legal Momentum Immigrant Women's Program, Facilitating Access to TANF for Battered Immigrants: A Pilot Training Manual for TANF Eligibility Workers*, 36-39 (January 2000)

<http://action.LegalMomentum.org/site/DocServer/pb4.pdf?docID=498>

²² Janice Kaguyutan, Leslye Orloff and Negar Ashtari, *The Violence Against Women Act of 1994 and 2000: Immigration Protections for Battered Immigrants*, Domestic Violence Report, Vol. 6, No. 3, February/March 2001, at 47.

²³ Orloff, Zarnow, and Cornwall, *supra* note 21, at 41-42.

²⁴ *Supra* note 2, at 11-24; Shetty and Kaguyutan, *supra* note 3, at 1-3.

²⁵ *Supra* note 2, at 12-14.

²⁶ Arthur, *supra* note 9, at 112-119.

²⁷ *Id.* at 104.

²⁸ Gary Burtless and Timothy M. Smeeding, *The Level, Trend, and Composition of Poverty*, in *Understanding Poverty*, 59, (Sheldon Danziger and Robert Haveman eds., 2001); Doris Ng, *From War on Poverty to War on Welfare: The Impact of Welfare Reform on the Lives of Immigrant Women*, in *Work, Welfare and Politics: Confronting Poverty in the Wake of Welfare Reform* 5-8 (Frances Fox Piven, Joan Acker, Margaret Hallock and Sandra Morgan, eds., 2002).

²⁹ Arthur, *supra* note 9, at 25.

³⁰ *Id.* at 24-25.