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Battered women find safety in the US

Thanks to the Obama administration, victims of domestic violence are now eligible for asylum in the US



- o **Maura Kelly**
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At a moment when liberals are getting on President Barack Obama's back for his disappointing reaction to the gay marriage debate (not to mention what they see as his failure to live up to promises made on the campaign trail about protecting the environment), his administration has taken some action that should be heartening for those hoping he will be progressive about protecting the rights of another embattled group: immigrants.

After more than a decade of legal wrangling over what the official stance should be on foreign women seeking US protection from domestic abuse, the White House has opened the way for battered females to receive asylum.

The administration recently submitted a cautiously worded legal brief – regarding the case of a Mexican woman identified only as LR – to an immigration appeals court saying that "It is possible" that LR "and other applicants who have experienced domestic violence could qualify for asylum."

Though the department of homeland security did not immediately recommend asylum for LR, its lawyers made it clear that battered women will be eligible for asylum if they can show that they are treated as little more than property by their abusers, if they live in places where domestic abuse is widely tolerated and if they

are unable to find sufficient protection within their own countries.

As Daily Kos put it, this marks "an important, if small, step toward a sensible immigration policy". It's also a welcome change from the Bush administration's stubborn refusal to consider asylum for battered women. But, as Kiersten Stewart, public policy director for the Family Violence Prevention Fund, told me: "We [still] need regulatory or legislative reform to make this change permanent." Another unfortunate limitation to the new policy: It doesn't currently include protection for women fleeing genital mutilation.

Regardless, the Obama team's move is laudable – and seems to me like another gesture that will help restore the United States' image as a country concerned with helping all people enjoy equal rights, and as a democratic safe haven for neighbours who need protection. It's also a common-sense extension of US policy, which states that anyone seeking asylum or refugee status must demonstrate a "well-founded fear of persecution" because of race, religion, nationality, political opinion or "membership in a particular social group". In this instance, of course, the group in question is the female gender.

And LR's horrifying experience helps make it perfectly clear why the US should save women like her from the men who torture them and the countries who turn a blind eye to their prolonged suffering. LR's abuser first assaulted her when she was a teenager and he was a physical education coach 14 years older than she was. As the New York Times has reported, the man continued to terrorise her over the years: forcing her to have sex with him by either putting a gun or a machete to her head; breaking her nose; and threatening to kill the children of her sister.

Though the man had impregnated her three times – and though she has raised his three children – he once tried to kill her after discovering she was pregnant. She barely manage to escape alive after he poured kerosene on the bed where she was sleeping and ignited it. When she asked local police to help her, they scoffed at her reports, saying the situation was "a private matter". A local judge was of no assistance either. Instead of intervening on her behalf when she sought his help, he attempted to seduce her.

The irony, however, is that even in the United States, battered women aren't completely safe. And even here, we should be doing more to protect victims of domestic violence. "The United States government needs to fully fund the prevention provisions in the Violence Against Women Act," says Stewart. Why? Because without money to pay for the programmes outlined in the act, and for proper enforcement of existing laws, the protections they provide will not be sufficiently realised.

Stewart also points out that healthcare should be reformed to "finally and completely outlaw insurance discrimination against victims of domestic violence, and provide more services to help victims of teen dating abuse, which is horrifyingly common." I second her on that – and also call for more states to use GPS technology to help protect victims of all ages.

While helping to make foreign-born citizens of the world more safe, we should also be working to improve the situation for American women who are suffering brutality at the hands of men they know all too well.

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