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TRANSCRIPT[°]

CONVERGE! REIMAGINING THE MOVEMENT TO END GENDER VIOLENCE

Interview—Caroline Bettinger-López and Marleine Bastien on the Fight to Stop Gender Violence: From Haiti to Miami

Caroline Bettinger-Lopez (Interviewer)^{†}*
Marleine Bastien (Interviewee)

BETTINGER-LÓPEZ: My name is Carrie Bettinger-Lopez. I direct the Human Rights Clinic at the University of Miami School of Law.¹ I have the pleasure of speaking today with Marleine Bastien, the

[°] This transcript has been edited from its original transcription for clarity.

^{*} Caroline Bettinger-Lopez is an Associate Professor of Clinical Education and Director of the Human Rights Clinic at the University of Miami School of Law. Professor Bettinger-Lopez is currently on a leave of absence serving as the White House Advisor on Violence Against Women. Professor Bettinger-Lopez focuses on implementation of human rights norms at the domestic level, principally in the United States and Latin America. Marleine Bastien is a licensed clinical social worker. Ms. Bastien is the founder and Executive Director of Fanm Ayisyen Nam Miyami, Inc. (Haitian Women of Miami), a group that provides desperately needed assistance not only to Haitian women and their families, but to the community at large. Bastien is the Chair of the Florida Immigration Coalition and the Vice-Chair of the Haitian American Grassroots Coalition. Bastien formed the Justice Coalition for the Haitian Children of Guantanamo, is a founding member of the Haitian-American Grassroots Coalition, the Haitian Neighborhood Center (Sant La) and many more community organizations.

[†] Caroline Bettinger-Lopez also participated as a speaker at the Converge! Reimagining the Movement to End Gender Violence Conference, that took place at the University of Miami School of Law on February 7-8, 2014. See Caroline Bettinger-Lopez et al., *Plenary 4—Mobilization*, 5 U. MIAMI RACE & SOC. JUST. L. REV. 487 (2015).

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¹ For more information, please visit University of Miami Human Rights Clinic, available at <http://www.law.miami.edu/human-rights-clinic/>.

Executive Director of FANM,² Haitian Women of Miami. Marleine is a longtime activist in our community and has gained international recognition for her steadfast commitment to promoting the rights of not only Haitians, but of all immigrants.

We will be talking today to Marleine about her fight to stop gender violence, a battle that traverses the hemisphere from Haiti to Miami. We will hear from Marleine about how she has used a human rights framework to address the problem of gender violence.

Marleine, could you tell us a little bit about your experience witnessing gender violence when growing up?

BASTIEN: Thank you, Carrie. Growing up as a little girl in Haiti, I was an eyewitness to life at the market. The women were the life of the market. Very early in the morning before dawn they would be coming down single file from the mountains, carrying baskets of fruits and food on their head. At the market the women were selling, they were cleaning the fish, they were cooking for the children. Because the children were there, they had to feed them. I was always surprised at how the men would come out of nowhere while the women would be doing all the work. They would bring big batons and would then start beating them. As a little girl, I would ask myself, “The women are doing all this work, where are the men? Who is standing up for these women?” This experience really had a big impact on me growing up.

BETTINGER-LÓPEZ: Tell us about your journey to the United States and how that experience of observing gender violence at such a young age became a formative moment.

BASTIEN: When I came to the United States in 1981, I volunteered at the Haitian Refugee Center. Women would come to the Center with black eyes. Pregnant women especially would come with big bumps on their tummy. I realized that there was a void in services because the Haitian Refugee Center would help them with their political asylum applications, but here they were being beaten up by their husbands and they did not know what to do. I had to take care of these women and find shelters for them and soon enough I found out that most of the women refused to go to shelters. When you call the police, they would not want to speak. Often times, when they called the police, the *women* were the ones getting in trouble. So I organized FANM, now known as Haitian Women of Miami, to fill this void, to provide the services I felt were missing from the Haitian Refugee Center. FANM is the creole name for women and stands for Fanm Ayisyen nan Miyami—Haitian Women of

² For more information, please visit Fanm Ayisyen nam Miyami, Haitian Women of Miami, *available at* www.fanm.org/.

Miami. Now as you can imagine, this created a big outcry: “Why are you calling the organization FANM? Are you trying to get the women to wear the pants in the family? To make decisions in the family?” The organization is called FANM because I wanted to show that women—the life of the market, the backbone of the Haitian family—were important. We must invest in women, respect women, and treat them with dignity. If we respect and treat women with dignity, the whole family benefits.

BETTINGER-LÓPEZ: I find the power of the human rights framework is that it allows for a focus on state accountability, a focus on how the government can prevent acts of violence and human rights violations. Have you observed governmental attitudes towards violence against women change over the years?

BASTIEN: Today in Haiti there have been some gains, things have changed a bit, but women are afraid even today to report acts of violence against them because of the fear of reprisals. During the earthquake in 2010, which killed hundreds of thousands of people, the women were the soul of their camps. They took care of everybody in the camp. They had to organize their own security, their own safety. Girls as young as 6-months old were being sexually abused. Even today women often times have to have security to get to court. When they muster the courage to bring their perpetrator to court, they need protection. So there have been improvements in Haiti because at least now there are authorities they can report to, but in terms of real protection, we still have a way to go.

In the United States, I can say from the time I came here as a young political asylee in 1981, I have seen a lot of changes. There have been a lot of gains. The court is more responsive and more ready to prosecute. There was a time that the abuser would be let go because our judges did not feel that women were important enough to be protected. I see a difference now. I see more and more women having access to protection under the courts. I see that there is more attention brought to the problem of violence, the prevalence of violence in our society.

I believe that we have had some gains, but we still have a way to go. I see that in some cases, the women do not receive the protection they deserve. When a woman tells the local authorities, those who were hired or elected protect her, that she feels that she is in danger, that her children are in danger, it is still the case that often times her voice is not listened to. So there is a necessity to give the women avenues so that women who are victims of abuse have an outlet locally, nationally and even internationally. So when they come to the authority, they can say “You see I presented my case. I was believed. I am a person and I am deserving of my human rights. I should not be forced to live in fear.”

BETTINGER-LÓPEZ: I think that the power of the human rights framework is that human rights bodies are a forum that we can go to

when our domestic systems are not working. If you have gone to the police or court and you are not able to seek protection or redress there, then you can turn to the international community because you have a problem with access to justice. The Inter-American Commission on Human Rights,³ or the United Nations, can hold governments to account when they do not address the human rights of their citizens. The other power of the human rights framework is that it gets to root causes, it gets to structural problems in our society and legal systems that condone or promote acts of gender violence. When we think about the role of the state, that is when we think about big pictures fixes.

BASTIEN: I agree. We are at a crossroads. In order for us to have the moral ground to dictate to the nations to respect human rights, the United States must uphold basic rights here.

BETTINGER-LÓPEZ: So, Marleine, lets take the case of a woman who has experienced severe gender violence. Does it change the equation for her to articulate the harm that she has suffered in terms of human rights?

BASTIEN: I do believe that for someone who is being abused to believe that as a human being it is her basic human right not to be violated, not to be abused, is important because in many societies women are not valued. Women are not valued; they are not protected because they feel that women are not important enough to be protected. Women are not important enough to drive. Women are not important enough to go to school. Women are not important enough to make their own decisions. So when someone who is being abused actually believes that I am a human being, that belief changes a lot. We have clients that come to our office after years of abuse, but when it is time for them to stand up and press charges, or do something about the abuse, they do not because they do not think that they are valuable enough. They do not believe that people will stand up for them. So we want to get to the point where women facing abuse believe, “I am a human being and am deserving; I have rights and it is a basic human right for me to be protected, for the state to protect me, for local officials to protect me, for members of Congress to enact laws to protect me.” If the woman who is being abused believes in her basic human right not to be abused, it is a huge step toward changing the course of her life.

When we organized FANM in 1991, we made domestic violence a big part of our focus. The first thing we did was to start a big campaign.

³ The Inter-American Commission on Human Rights is a body of the Organization of American States (“OAS”), whose mission is to promote and protect human rights in the American hemisphere. *What is the IACHR?* OAS.ORG. available at <http://www.oas.org/en/iachr/mandate/what.asp>.

The campaign was implemented in the community, within the “Chita Kozes” which are informal weekend workshops. We set up the “Chita Kozes” wherever we could set up a table, play music and share some Haitian food. We were at Sabel Palm, which is a housing complex. We were at Barry University. We were on the streets of Little Haiti. We were on the radio every week. Why? Because we were getting so many cases of women being victimized, coming with black eyes, and often times they were the ones being arrested. Children were being removed from the parent’s custody because of acts of violence against the spouse.

We felt that the women needed to understand their rights because in Haiti they do not have any rights. The moral of the campaign was to tell the women that they are human beings, they are valued, they have rights, they are living in a country with rights, and to understand that they are no longer children. Because until Michele Bennett was the wife of “Baby Doc” Duvalier, women were believed to be children, they had the status of children. Women could not inherit land. This was not that long ago.

So we implemented a campaign to inform women about the laws and how they work here in this country, and what kind of resources are available. Believe it or not when we were doing that in the early 80’s it was really difficult. Men would call threatening us with even death. Even women would call our radio show with the Bible in their hands claiming that sometimes women deserve to be beaten because they do not listen to their husbands, because the Bible says women have to be submissive and obey their husbands. Men told us, “Do not try to put all these bad ideas in women’s heads, telling them they have rights, because the Bible says that women have to obey and when they do not obey they get beaten.”

Fast forward twenty-four years, now we have both men and women coming to the Center to take anger management classes, domestic violence intervention classes, and join support groups. When the family is well balanced and safe, the children grow up to be safe and well-balanced, physically and emotionally. Most of the present population of abusers are men who were abused or whose father was abusive towards their mother. So we want to change that. We need to create a better society, a better environment for little girls to grow up to be responsible citizens so they can aspire to be whatever they want to be without fear.

BETTINGER-LÓPEZ: Let me ask you one more question. We are talking about the critical role of governments in promoting and protecting human rights. How does FANM interact with other government officials, representatives of social services, the Department of Children and Families (DCF), with elected officials and other individuals who represent the government of Miami-Dade County, Florida?

BASTIEN: We believe in being proactive. When I first came here I realized that we were dealing with a completely different system, and I needed to understand the system so I could help women that were being abused. I joined the Health and Rehabilitation Services Board. I was nominated to the board by the late Commissioner Arthur Teal. I was there for four years learning and then sharing what I knew with the community and going on the radio and saying “this is what is considered abuse; this is what happens here when you beat up on your woman; this is what happens if you are beaten or if you are abused; these are the things you can do.” In the case of elected officials we play an important role in educating them. They do not understand the differences in the family systems and, that immigrant families bring resources and values with them. Instead of always putting those values aside, or arresting them—I am not saying that in a few cases that is not what should be done, what is needed is education. We teach about Haitian culture, about how families are viewed, about the gender roles, and about the generation role differences. It is important for DCF to understand that.

We also organize our clients. This is what makes FANM unique. We not only provide services—domestic violence intervention, support groups, anger management groups, parenting groups—we also organize. We give a voice to our clients; they go to the County Commission and speak to the Commissioners. Commissioners need to hear from women whose children were removed. They need to hear from people who need affordable housing. We spent the night on the Miami Dade Commission Grounds to make a point that access to affordable housing is important to help women to get out of abusive situations.⁴ Access to child care and a living wage, not a minimum wage, is important. If you receive a minimum wage you do not even have money to pay for child care. Women are being punished because they are being good parents, strong courageous parents. This needs to stop. We need to create environments for women to be safe, to have access to child care, access to affordable housing, access to a livable wage, vacations, and respite care so women can breathe. Women are not donkeys; we get tired. These needs are linked to gender violence.

A society free of violence is a society that can thrive. It is a society that can aspire to peace. The full emancipation of women is a condition for peace and we aspire to peace. We cannot have peace when women are hostages in their own homes, when they are living in fear from those who are supposed to protect them and love them.

⁴ The clients and staff of FANM, Miami Workers Center (MWC), and other organizations were part of the event organized by MWC.