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## Chapter 11

# Empowerment and intervention: perspectives of survivors and professionals

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### 1 Introduction<sup>1\*</sup>

The recognition of violence against women as a manifestation of historically unequal power relations between women and men has given rise to an obligation on states in international law to implement measures that aim at the empowerment of women (Istanbul Convention, article 18(3)). The concept of empowerment is linked to notions of power, powerlessness and oppression and to perspectives on social change (individual and collective agency), and has a long history. In a brief historical overview it is possible to track its use throughout the 20<sup>th</sup> century across fields as diverse as social work, management, psychology and development studies, both as a research topic and an intervention strategy for the improvement of individual and group strengths as well as the redistribution of power (Perkins & Zimmermann 1995; Sen 1994; Batliwala 1994). Feminists have also long engaged with the concept, specifically focused on the process of women's empowerment within the context of patriarchal domination.

Here, Sardenberg (2008) has identified two main perspectives, which she refers to respectively as liberal and liberating empowerment. The former is embedded in liberal notions of power that conceive of society as comprising individuals with free choice and free will, within a context of minimal state regulation and on the basis of a social contract. Hence, empowerment is seen as a range of individual competences and proactive behaviours that enable people to make individual choices if the legal environment is adequate. This perspective was deemed limited as it considered individuals as isolated units, and no account is taken of the social constraints involved everyday life arising from power relations based, for example, on gender, race, social class, sexual orientation and ethnicity (Stark 2005; Nussbaum 1997).

In contrast, the notion of liberating empowerment takes power relations as its central theme. While Jane Stein (1997) traces the term back to the “community organising” movement in the United States in the 1930s and others suggest origins in the Civil Rights Movement of the 1960s (Bruera & Gonzales 2006), from there it was appropriated, in particular, by Second Wave Western feminists. The aim was to shift the focus from vicimisation

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<sup>1\*</sup> Ana Filipa Beires Pinto provided important contributions to this chapter with her work in translation together with Maria José Magalhães.

to the empowerment of women and, through this process, to promote women's autonomy and self-determination as a means of challenging and eventually transforming patriarchal gender orders. The emphasis was on women's collective action while recognising the need for, and value of, personal empowerment to women individually. Some feminist scholars (e.g. Simon 1990; Gutierrez 1994 and 1995) have drawn on Paulo Freire's work (1987 and 1999) and his foundational claim that conscientisation, that is critical self-reflection of the individual in relation to society, is a necessary precursor to social change. Yet other feminists have critiqued this approach as too static (e.g. de Lauretis 1986; Alcoff 1994) and point to the importance of historical, social and political context when theorising empowerment. Even so, empowerment, and liberating empowerment in particular, certainly resonates with feminist notions of consciousness raising among women to deepen awareness of the political dimensions of personal problems and an understanding of how the exercise of men's power in the family is intertwined with gendered power relations in the wider society. Jeff Hearn (2012) argues that patriarchy does not only consist of men dominating women, but "may be seen as a system that also subordinates men to other men within society, using women as a commodity to do so" (Hearn & Whitehead 2006, p. 45). Empowerment thus served to contextualise the experiences of differently situated women under patriarchal power relations in both the private and public spheres.

For many feminists and anti-violence activists, the empowerment of women who have been subjected to violence stood at the centre of political mobilisation and woman-to-woman help. While this would seem to suggest that empowerment is an outcome, it is a continuing process. Although some scholars suggest that empowerment is both a process and an outcome (see, for example, Rappaport 1984; Perkins & Zimmerman 1995), during the CEINAV research process-oriented definitions proved more helpful for understanding the conditions which facilitate it, and also better capture the fluidity of conditions and outcomes. As Lee Staples (1990, pp. 31–32) notes, "just as there is no final synthesis, there is no final state of empowerment. Rather, the empowerment process strengthens the ongoing capacity for successful action under changing circumstances". Hence, we define empowerment as a continuing process by which interventions facilitate or impede where and when women are able to balance the dialectic of constraints versus autonomy increasingly in their favour. Our perspective acknowledges that empowerment is a dynamic and continuing process which connects the individual strengths, competences and proactive behaviors of women with the real (and changing) social and other conditions they face, including the impact of law and social policies and the possibilities or impediments they create for transformative social change in the lives of women survivors.

For women who experience domestic violence and trafficking for sexual exploitation, the process of rebuilding their lives free of violence is often long and complex. The following sections examine legal and social intervention approaches in the four CEINAV countries and the ways in which their implementation may facilitate or create barriers to women's empowerment. In our analysis we highlight three dimensions of empowerment. In doing so, we aim to take account of the importance of both individual and collective aspects of empowerment, as well as the structural conditions that aid or impede survivors' empowerment. These dimensions are:

- Critical consciousness raising (individual);
- Voice, participation and agency;
- Democratisation (encouraging, facilitating and enabling women's access to their rights) including material and symbolic resources improvement.

In promoting critical consciousness raising, the importance of individual empowerment will be considered as a means of extending our understanding of the social power relations

that are embedded in domestic violence and trafficking as well as in the social system that provides support and assistance services. Here we are concerned with those aspects of professional intervention that contribute to women's capacities to counter the negative impacts of violence.

Voice, participation and agency is a group or collective dimension where women are heard and participate in the strategies, decisions and actions to improve their own lives. It includes breaking isolation and forming coalitions with other women with whom they might share common experiences and exercise agency to enable social change. Active listening by professionals is key, reinforcing women's right to be heard and to express their needs. Voice, participation and agency is one of the first steps in a collective and interactive process.

Democratisation involves respecting and fulfilling women's rights, for example, to safety, protection and confidentiality, as well as rights to housing, access to training, health facilities and assistance in regularisation of residence status (Websdale & Johnson 2013). It also involves support for women through the availability of adequate material and symbolic resources. Hence, it will be considered in the context of policy decisions and their impact on service provision.

While professionals may thus contribute to women's empowerment, the judiciary, governmental and non-governmental organisations may also act in ways which impede empowerment. Again, we focus on three aspects of interventions that are experienced as disempowering, namely:

- Reinforcing prejudices, racism and discrimination;
- Silencing women (failing to listen to women's voice(s)) and (institutional) blocking of their agency;
- State failure in respecting women's rights and lack of resources (to support women).

Interventions that reinforce or fail to challenge prejudices, racism and discrimination add to the exclusion of marginalised social groups and promote stereotypes about deserving and undeserving victims and survivors, thus reinforcing the disempowerment engendered by the behaviour of perpetrators. Similarly, in silencing women and blocking their agency little account is taken of women's needs and wishes as expressed in their own voices. That happens when professionals assume that they know best. Finally, the failure of States to provide adequate resources to support survivors undermines respect for, and fulfillment of, women's rights and obstructs their journeys to a life free of violence.

What institutions and/or NGOs can do:

Promote empowerment	Intensify disempowerment
Critical consciousness raising (individual)	Victim blaming, prejudices, racism
Voice, participation and agency	Silencing women and (institutional) blocking of their agency
Democratisation (fulfillment of the woman's rights) including material and symbolic resources	Failure in respecting women's rights and lack of resources (to support women)

In this chapter, the voices of both survivors and professionals will be presented to provide a fuller picture of the support system. Women's stories of how they experienced intervention show the crucial importance of support on all three levels as well as the obstacles they encounter. Professionals reflect on their dilemmas and concerns, and talk about a support system that is not always reliable and organised.

The excerpts cited below paint a complex picture of both empowering and disempowering interventions. This is illustrated as the following sections address each of the above dimensions in light of women's experiences, bearing in mind the frequent overlaps among them.

## 2 Empowerment in the women's experiences

The following analysis of empowering intervention processes encompasses the experiences of survivors of both domestic violence and trafficking, and aims to highlight the specificities as well as the similarities between interventions against these two forms of violence against women<sup>2</sup>.

### 2.1 Critical consciousness raising (individual)

Critical consciousness raising processes are often explicit in women's narratives and in their responses to interventions. It may be the naming of abuse by professionals that marks the beginning of women's escape from violence.

*But the problem was I didn't realize my husband had raped me. I thought rape was being dragged down the back of an alley, you know. I needed someone from the NGO there to explain to me what rape was. (Lanika, DV-5, England/Wales)*

For another survivor acknowledgement by professionals was less about naming than about confirming that the violence was wrong.

*I actually did not quite know what was happening to me until they [NGO] said that it was not right what he was doing to me, that violence should be stopped. (Marija, DV-3, Slovenia)*

Critical consciousness raising processes also manifest themselves in a range of interrelated or overlapping dimensions, notably a) time to think about and for themselves (vs. femininity altruism); b) a rebuilding of the self and self confidence; c) a sharper and wider perspective on the (patriarchal) social system and an understanding of violence as a social problem (vs. individual); and d) a critical view of their communities of origin, although this latter aspect was more particularly evident among survivors of trafficking. Domestic violence survivors were more inclined to understand male violence as ubiquitous, in part no doubt because they often shared shelters with women from the majority population.

Many women expressed the ways in which they experienced progressive empowerment, facilitated by interventions that paved the way for them to focus more on themselves.

*The most important thing they told me at the NGO was that I had to love myself. First of all, love myself. They told me my homework was to take care of myself. It was a way to make me understand that I had to look after myself and I could waste time on myself. (Olivia, DV-8, Portugal)*

The process of rebuilding and gaining self-confidence can also be difficult and gradual but is similarly facilitated by interventions that afford women time and opportunities to understand and share their experiences, and to gain independence.

*I am better now because of all the help and everything. At the beginning they (NGO) did so much because I could not ... I went to the domestic violence group and this helped because before I had no confidence but they teach you how to become more confident and to learn how to do things on your own and slowly, slowly I have been learning. (Hakima, DV-4, England/Wales)*

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<sup>2</sup> In this Chapter the quotes from interviews are labelled with the pseudonyms invented for the publication of an anthology of stories (Hagemann-White & Grafe 2016).

*Before I was thinking "I'd rather not live anymore". And then I went to this counsellor and will never forget her, she completely built me up again. (Mary, DV-10, Germany)*

Critical consciousness-raising was also apparent in many of the narratives of women survivors of trafficking. As with survivors of domestic violence, it is rarely a linear or quick process but one which is aided when women are able to share their experiences with other survivors and receive appropriate support from intervention agencies.

*My case worker at the NGO helps me and I am becoming independent ... I get support here and I have friends. Friends are very important and stop me feeling very lonely ... they share with me same situation. (Ciwana, TSE-2, England/Wales)*

Some women also expressed views on the gendered nature of social power relations which they clearly understood to be related to patriarchal norms. These in turn, were sometimes perceived as stronger and more oppressive in their countries of origin. They begin to dare to express an opinion which can be different from that of others.

*I'm proud of my birth country but I'm not proud of those deep rooted customs. I would never want my daughter to return there, to live such a life. (...) Now there is slowly some progress, but our generation has suffered a lot. These customs should be abandoned. (...) the tradition is something else. Who wants to live with a violent person? It is something that should be rooted out, whatever people say. (Ljiljana, DV-2, Slovenia)*

*In my home country, the men, they treat us very bad. Why? Because that is our culture. You have no authority to doubt that, what ever you are facing in a relationship, you have to submit to that because you are a woman. (Victoria, TSE-7, England/Wales)*

While some women became more critical through the help of professionals, others were able to draw directly on their experiences in refuges to understand that male violence against women was not culture-specific and, indeed, rejected a stereotypical view of their and other cultures.

*In the women's refuge, I never felt that I was treated differently because of my origin, because there were so many women from everywhere. But I had never thought that so many German women – I must say it now, because I don't see any difference there, women are the same everywhere, and men are the same everywhere – but I had never thought that so many German men do this so often, too. In those women's refuges, I saw there were so many of them. That was a disappointment to me. Well, so I really said, men are men, the same everywhere. Well, no difference. (Leyla, DV-9, Germany)*

Culture presented a complex picture. Some women recognised that male violence is not only present in *some* cultures but everywhere (see chapter 9 on the concept of culture), while others continued to feel that certain cultures or traditions left them more vulnerable to violence.

From the above it can be seen that critical consciousness-raising can be one of the stepping stones to facilitate women's empowerment in their journeys towards a life free of violence. Professionals can assist in creating the conditions that enable women to contextualise their personal experiences, to start building new lives, and to gain confidence and independence.

## 2.2 Voice, participation and agency

One recurring theme is related to women's voices, be it voicing needs, wishes and requests, expressing themselves without language barriers, or using their voice as a tool for social change. It is central to women's participation and agency as decision-makers and experts in their own lives, individually and collectively, and is key to breaking the isolation that violence creates, more so when their marginal or minority status renders them particularly vulnerable.

Voice, participation and agency are among the first steps in a collective and interactive process. Professionals who created spaces in which women felt they were being listened to helped to counter the isolation and laid the foundations from which they could begin to rebuild trust in relationships. This, in turn, facilitated a process of empowerment that enabled women to take more control of their lives.

*(...) the most important thing I heard was 'we are here for you, you can count on us'. It is very important to hear this from someone because I was alone in this country; I had nobody, I had no friendships. (Maria, DV-7, Portugal)*

*(...) and she was careful with me, I think it took two years or so, and I was growing along with this "What is it that you want?" The more often we met, the more I was also disclosing from myself. And there was something that attracted me to her so much, she listened to me, and at the same time, I found myself and saw the way ahead. That was an amazing experience for me. (Sonja, DV-13, Germany)*

The following illustrates the importance of affording women time and continuing support to create a strong base from which they are able to participate in decisions, to reflect, to plan, and to consider their future.

*She gave me more than one hour of her time. She helped me to calm down and gave me the feeling that I had all the time in the world to talk about my problems with her and to find the focal points. And, as I just said, I felt surprisingly comfortable with her right from the start; (...) that showed me that they really wanted to help me. (Gabriela, DV-3, Germany)*

Continuity of support was important, underlining the process character of empowerment.

*She [counsellor] still helps me with legal matters and life in Germany in general. It is important to me to be supported and advised by her, while having the freedom to decide for myself. (Rose, TSE-5, Germany)*

Where women are afforded a voice and enabled to participate, their capacities for transformative change are also increased, both personally and collectively to act not just on behalf of themselves but also others.

Women feel stronger, more confident and know their voice and action can be important for others. As such, some express the willingness to protest, while others want to give back by helping those in the same situation.

*So now I can say, even though I have been trafficked, I have controlled that situation and now I want to speak out, I want to be able to help more women in that situation. (Patricia, TSE-6, England/Wales)*



*I don't understand why this is so unfair and I am outraged, if need be I will tell anybody that I will protest. I feel that the organisations fight but they also have many challenges, I know the challenges that they have. Things are getting very difficult. (Adelina, DV-1, Portugal)*

Being listened to and being heard, and being enabled to participate in decisions affecting their futures are important aspects of survivors' empowerment, validating their experiences and underpinned by continuity of support tailored to their needs. It is similarly important that women's rights are respected and that they are encouraged, facilitated and enabled to access those rights.

### **2.3 Democratisation (full access to rights) and material and symbolic resources improvement**

Respect for, and the fulfillment of, women's rights are important components of empowerment and decision-making processes in developing and implementing policies and services for survivors. This goes beyond rights on the books and means ensuring that women know they have actual and concrete rights which, in turn, enables them to build confidence and enhances their capacity for self-determination, including the right to say "yes" or "no" to proposed help. This is clearly illustrated in the words of one survivor.

*We have the rights. We've got rights to say, when I need help, you can help us. We've got rights. That's why our confidence is built. (Sabina, DV-7, England/Wales)*

This section will focus on rights whose importance emerged in the narratives of survivors, namely, women's rights a) to confidentiality, b) to information, for example, about legal processes, c) to access general support services such as health care, d) and the right to redress, including compensation. Here, women's experiences were mixed, often reflecting differences in the agencies acting as guarantors of those rights.

In the early stages of intervention, being assured of confidentiality was instrumental in women's sense of personal security and in enabling them to make often difficult and painful disclosures of matters they had kept to themselves, sometimes for long periods.

*And when I tell my inside feelings to my support worker, she has not shared this with another person and that is a good thing. It is good because they don't share and so my family, they don't know where I live. (Marah, DV-6, England/Wales)*

*They guaranteed that the NGO was 100% confidential and that was extremely important to me. It was as if I was in a confession booth. I was like a clam before. I was so closed off! (Maria dos Anjos, DV-6, Portugal)*

Yet these views were not common to all survivors. One woman in particular drew attention to the harmful effects of maintaining absolute confidentiality.

*I don't like being asked all the time about what happened to me. I remember that at the beginning all the time they say, tell me what happened to you, what happened, and all the time I cry, it's like you have a cut on your hand and it is making all the time again a new cut. I would prefer that they ask only once and then send information to each other, not ask all the time. (Ciwana, TSE-2, England/Wales)*



Such comments serve as a salutary reminder to professionals to approach women, not only as victims and survivors, but also as individuals, even when it seems a matter of principle.

With respect to information, there was broad consensus among women that this was vital throughout the intervention process. For citizens and non-citizens alike it was deemed a necessary prerequisite to embarking on lives free from violence. Yet for non-citizens, marginalised and minority women it was particularly important as they were less likely to be familiar with the ways and laws of the country in which they found themselves:

*As for the lawyers, yes, they are really positive because they have been very encouraging and because I had very little knowledge of the law and British laws and everything. So they have been guiding me all along. (Aafia, DV-1, England/Wales)*

Non-governmental organisations were often instrumental in affording women access to legal and other services. Without such assistance many women are unable to navigate complex welfare and health systems or fear the consequences of doing so.

*During the first years when I was illegal I never went to the doctor. I needed it but never went. It was just because I could be denounced, it is also because the fees are as high as in a private hospital ... I just really went to a doctor when I was legal. (Letitia, TSE-3, Portugal)*

*And we found a school, and they helped me get income support. Later they helped me apply for the child subsidy, that's a bit difficult to get here, and I didn't speak much German yet then. The women's counselling centre put me in touch with a good lawyer, and then they had him write letters to get me out of the joint rental contract with my ex-husband so that I could rent a flat of my own. (Daniela, DV-1, Germany)*

The right to redress is a more complex issue. While rights to confidentiality, information and certain services are often guaranteed and accessed through non-statutory agencies during earlier intervention periods, the right to redress is more typically linked to statutory, that is, government agencies insofar as it requires the provision of symbolic and, more particularly, material resources. As such it is often not regarded as a stand-alone right and tends to be more hidden. Affording women access to longer-term housing, training and education and child support often stretches the resources of non-governmental organisations, while the right to compensation and levels of compensation lies in the hands of the judiciary and government policy decisions; and for non-citizen survivors of trafficking in particular, accessing rights often depends on their residency status, which is entirely dependent on government bodies.

Thus, empowerment of women survivors of domestic violence and trafficking can be facilitated through interventions focused on a rights-based approach. Where professionals create the conditions for critical consciousness-raising, where they actively listen to women and facilitate their participation and agency, and promote the democratisation of their rights, backed by adequate provision of material and symbolic resources, women are enabled to begin the process of self-determination and in degrees achieve transformative change. Conversely, interventions which fail to do so impede women's empowerment and often reinforce the harms of violence, as the following section illustrates.

## 2.4 Disempowerment in women's words

Based on women's intervention stories we again focus on three dimensions, identifying and detailing a range of failures: a) reinforcing prejudices and discrimination against women; b) silencing women (failing to listen women's voice(s)) and blocking women's agency; c) failure to respect, ensure women's rights (the opposite of democratisation) and lack of resources. These various dimensions often overlap but provide a useful basis for analysis.

### (Reinforcing) prejudices against women and discrimination

Some women described disempowering experiences with professionals in the intervention system when they felt they were not recognised as a victim or were denied credibility and respect. This, arguably, could have been attributable to preconceived notions of the "ideal victim" (see, for example, Segrave et al. 2009).

*In the emergency accommodation I could not get a place to sleep, although I told them about my situation. I think the reason was again that I didn't look enough like I needed help. (Fatma, DV-2, Germany)*

Other women similarly described experiences of discriminatory practices that adversely impacted their sense of well-being and capacity for self-determination.

*I was very upset and when I was ill they accused me of acting, it was just like before ... I was too upset. I felt treated differently to the other girls there. (Lisa, TSE-4, England/Wales)*

*But I think in general people who are placed in the foreigners' office are hard-hearted, without pity, and racist towards blacks. They will not ask you what they do with you, because they feel it is their country and they will decide if you stay or not. The worst part is, they say "We give you three months, stay in this building, don't go out, don't go to City N, not even City D." You cannot work, you cannot go to school, you cannot do anything. We are just a different color, same eye, body, it's not so different. So treat me like a human being, not like an animal you keep. (Grace, TSE-4, Germany)*

A particular manifestation of racism is the sexualisation of black women. Such racism can be seen to intersect with sexism and the assertion of patriarchal norms and attitudes that further undermine women from marginalised groups. Moreover, sexualisation of immigrant (black) women can be seen as a trace of coloniality (Segato 2012). This connection emerged in some interviews.

*The police officer said, "he is in his country and in his home, if you are not well, go back to your country." The police officer also treated me as if I was a prostitute. The justice system here is very racist. (Beatriz, DV-2, Portugal)*

Some non-governmental organisations also expressed prejudices, as shown in the restrictions imposed on a Roma woman when given accommodation in a shelter.

*I had a social worker from social security and so I opened up to her. I told her I could not stand it anymore. I told her about what happened at school. She told me to meet with the staff of a shelter. When I went there they informed me of my rights and the assistance they could give me. However, my children had to stay behind. They advised me not to bring my children because they had had a Roma lady with her 10 and 12-year-old children and they called their father and the entire family went there. (Carmen, DV-3, Portugal)*

While it must be borne in mind that intervention practices vary and change over time, the above excerpts from women's narratives throw light on how failures in the intervention system can undermine or even directly impede efforts to escape from abuse and build lives free of male violence. Far from facilitating and creating the conditions necessary for women's empowerment, they serve to erect further barriers and reinforce the harms of violence.

### Silencing women (failing to listen women's voice(s)) and blocking their agency

Silencing is part of objectification. The failure to listen to and hear the voices of survivors, particularly those from subaltern groups, simultaneously reinforces a position of powerlessness and underpins a dominant male discourse. This may take various forms, such as failing to respond at all to women's concerns, or failing to recognise women as "knowers" in a world where only the professionals "know best".

Several women spoke of experiences in which professionals failed to listen to their concerns or denied them a voice altogether.

*I called the police on his account already in the other country. But they never investigated. It was like just another case. It happened really often that we were not heard at the time it happened, and then it was too late. I don't need help when I'm dead so take action before it's too late. (Katharina, DV-6, Germany)*

*About the judge I was disappointed too. I drew up a text about years of our common life together. Somehow I wanted the judge to read this before him, because I did not dare to tell him that what he did to me was wrong. The judge said, "What are you doing, what letters, what did you write? What are you thinking?" (Marija, DV-3, Slovenia)*

Elsewhere women described how their accounts were discredited, sometimes in favour of the account of a violent man, or how they were prevented from exposing their suffering.

*When the police came (sometimes after one hour), they were rude, offensive, sarcastic, lazy, indifferent, smart. Statement like, "I don't know, ma'am, it seems weird to me that your bruises are not visible!" Or, "yeah, you know, see, this is no witness because she is your mother". Then, "Madam, he only wants to talk with you, he would like to solve things." (Amelia, DV-1, Slovenia)*

*I had like a small interview. Then I had to wait for the afternoon to have another interview. In the second interview, there was an interpreter. I tried to show the woman my scars but she told me, don't do that in here, like it's not proper. (Mirela, TSE-4, England/Wales)*

Other women again drew attention to interventions which failed to respect them as "knowers" and which seemed to prioritise the system and professional knowledge.

*The observation by the authorities was stressing me out and I felt helpless, because I had to tell them about every aspect of my life and was not allowed to make my own decisions. And they question you, it's like you are a prisoner, a slave. This was slavery, you can't walk, you can't do anything, you have to depend. (Lina, TSE-5, Germany)*

*As for interventions, at the beginning they all wanted me to report ... to give a statement ... But I did not want this at all ... If there was a Roma woman there instead of that guy ... I would go. It's completely different if you have one of your own people, who understands and knows exactly what life is like, and how it will look afterwards. But not these empty promises. (Natasa, TSE-1, Slovenia)*

In some instances, the effects of such failures may be to prevent women from pursuing access to vital support and assistance.

*They accompanied me to an IPSS. However, when we started to tell our situation, they immediately said that they had to inform the authorities. I immediately gave up. I am absolutely sure that if I pursued a divorce he would kill me, I am certain of that. We see situations like that on the TV all the time. (Maria dos Anjos, DV-6, Portugal)*

The above excerpts illustrate the ways in which, at different stages of intervention, professionals may act to silence the voices of women. Such actions serve to reinforce a sense of helplessness and to effectively block their agency. These harms become more potent where interventions fail to respect and promote women's rights.

#### Failure to respect, ensure women's rights (the opposite to democratisation) and lack of resources

Interventions which discriminate against women, which silence their voices and deny them agency depart from a right-based approach and fail to facilitate women's empowerment. Where professionals do not inform women effectively of their rights, where they breach confidentiality, or restrict access to wider services and redress, the effect is to further disempower women. Sex trafficking and domestic violence are also recognised internationally as forms of gender based violence obligating States, inter alia, to protect women. In some instances, the failure to protect appeared to stem from a failure, or refusal, to recognise women as victims.

*And then one guy from the public prosecutor's once told me I wasn't the victim, but my husband. And "we just go by the police notes and only that is decisive for us." And in our village it's generally known that the responsibilities changed constantly, my counsellor figured that out, and they do not take action. (Jenny, DV-5, Germany)*

*During those 15 years I called the police and went to the station several times but when I got home I was already afraid because I knew I was going to get beaten up even more. I would ask myself why I even bothered seeking their help. The neighbours also called the police a few times. The police would get to the house and I would hear them talking and laughing downstairs. They didn't even check if I was dead or alive. (Adelina, DV-1, Portugal)*

Sometimes, the disrespect for women's rights is due to the perception of professionals that domestic violence in particular is not a crime, but something "normal" between spouses:

*I reported this to the police, but the public prosecutor brushed it off, allegedly because it is a marital dispute. Always "because of marital dispute", if it weren't a marital dispute, they would evaluate it very differently. But since it is a "marital dispute in a family" they always drop all charges. (domestic violence (Jenny, DV-5, Germany)*

With respect to trafficking it is similarly clear that professionals missed opportunities to identify a number of victims, sometimes on more than one occasion, which also resulted in a failure to inform women of their rights.

*Rights! Did we have rights? We didn't know our rights ... Nobody told me anything about my rights ... (Alexandra, TSE-1, Portugal)*

In the previous section, it became clear that, once in the intervention system, confidentiality was highly valued by most women. Conversely, breaches of confidentiality can serve to undermine women's trust and leave them feeling discredited.

*And there have been other problems, like when I became aware that my case worker was going to a meeting where all the professionals were going to discuss my situation. I would have been alright with that, if it had protected me and the kids to some extent. But my ex-husband managed to convince some of the people that he'd done nothing wrong and really it was all to do with me. The only way I could figure that they'd all spoken to each other was through that meeting. And that's what really got me; all these people who initially were so supportive ended up believing him. (Lanika, DV-5, England/Wales)*

Another common theme to emerge from the data concerns the adequacy of resources and, for trafficked women in particular, the delay in resolving immigration and residence issues. Most typically, the inadequacy of resources was apparent at the outset. Women had reached the often difficult decision to seek help only to find that places in shelters were not available.

*I had in mind the number of the NGO that my friend had given me. I thought I could always try and speak with them and ask them for help also and I did this. I was given an appointment to come and see someone. I told her about my situation. At that time there was no accommodation available and she said if I can wait they will contact me. (Aafia, DV-1, England/Wales)*

*He abused me physically, psychologically, also economically, and through the children. In 2011 me and my daughter finally decided to leave, but there was nowhere we could go. We called a safe house, but they did not have places, it was full. The problem was that I did not want to go without my daughter, but both of us could not be there. (Ljiljana, DV-2, Slovenia)*

Other women were concerned about the lack of access to wider services which were so important to their sense of well-being.

*I wanted to have counselling but the counselor was too busy ... This organisation, they have events but it would be better if they had more events. It's better because I forget about things and if I could go to school, spend at least half a day at school and then I wouldn't be so upset and lonely. (Ardita, TSE-1, England/Wales)*

As previously indicated, the uncertainty over residence rights was a key concern of trafficked women. The fear of deportation and excessive delays in decision-making adversely impacted women's health and well-being, and undermined their capacity for agency and self-determination.

*My immigration solicitor is a very clever women but I am worried that ... she can't help me stay in the UK. The Home Office (...) gave me a temporary visa which was extended. But I have not been granted indefinite leave to remain in the UK and I don't understand why. I can't imagine going back to my country. I know what's waiting for me there. My family wants killing me for honour and here the family of my husband wants killing me too. The Home Office people know I can be killed, and I am in danger so why is the decision taking so long? (Cirwana, TSE-2, England/Wales)*

*I had to wait for the decision for four years altogether and I found this time to be terrible. I suffered from hypertension, panic attacks, strong headaches and even had a stroke. (Rose, TSE-5, Germany)*

The above excerpts are clear examples of how justice delayed is justice denied with serious consequences for the women concerned. While there may not be a legal right to a decision regarding residence status within a specified time, all CEINAV countries have policies and legally binding guidelines on these decision-making processes and they form part of States' obligations to protect women and prevent violence. Similarly, it is the State which has a duty to guarantee the provision of sufficient resources to ensure women's rights to support services and redress. Failure to do so undermines respect for women's rights and, far from empowering them, serves to reinforce the harms of violence.

## 2.5 The possible dialogue between women's experiences and professionals' discourses

Interventions against domestic violence and trafficking often occur in different and complex situations. In order to portray this complexity, we draw on the metaphors of tuning, dissonance and noise to illustrate how at times the voices of both survivors and professionals are attuned, at other moments and places they are in counterpoint, that is, each with their objectives but still achieving a final harmony, and, at other times they clash so that the counterpoint is not resolved in favour of women's rights and needs.

First, it is important to note that intervention actors, when dealing with violence, are constantly called upon to make decisions based on their personal assessment of the situation. Thus, it is important to remember that the professionals who participated in the CEINAV research are not the same individuals as the professionals that the survivors referred to when they told us about their intervention experiences. When we bring together the perspectives of the two groups in the following section, we are exploring a realm of possibilities showing how they may intersect productively or unproductively or fail to meet at all.

Thus, this section aims to highlight some of the experiences told to us that occurred at different points in time, while also drawing attention to practices that are not deemed helpful. We focus on three aspects, namely i) democratisation and respecting women's rights, in which we will emphasise where and when professionals contribute to empowering women throughout the intervention process; ii) absence of, or support for recognising women's agency in the professionals' discourses, featuring actions that empower women's agency and those that can block it, even unconsciously, sometimes tangentially approaching epistemic violence (Spivak 1988); and iii) cultural encounters and women's empowerment, to make explicit how the process of combating these two forms of violence against women from diverse cultural backgrounds frames an intercultural dialogue, or runs the risk of reproducing prejudices against subaltern women through epistemic and symbolic violence.

### Democratization and respecting victim's rights

Professionals and survivors are positioned in different dimensions of hegemonic and symbolic power.

An important aspect of fully respecting the rights of women survivors of domestic violence and trafficking consists in the recognition by relevant professionals of the perpetrators' acts as crimes. This is less of an issue with respect to trafficking but, as was seen the previous section, there can be reluctance among law enforcement and judicial officers to recognise domestic violence as an offence rather than "an argument" or a family conflict. This point was raised by several professionals who shared with us that the statutory agencies still need some changes to consider women's rights *vis à vis* the violence committed against them, as one professional stated.

*First, for me, in this matter, a problem is raised when domestic violence is not perceived as a crime committed against women but as a conflict. In the Courts, domestic violence is still perceived as a family conflict. In my interpretation, Court decisions show that is a crime committed against a woman because she is a woman, but this violence perpetrated against her is very much overshadowed and it is not acknowledged. The substance of the crime was changed into a crime in the family context, in a family relationship, violence inside home that happens in family context. The fact that it is violence by a man is the assertion of power, violently against a woman is not usually taken into account. (Magistrate, DV, Portugal)*

Many professionals were also alert to effects of violence on survivors and the need to actively listen to women, particularly in the early stages of intervention.

*I often experience that it is very important that women do not have to do anything when they come to us the first time. They need to be listened to – what should they even do with self-determination? They have been dominated for years. They look surprised and overwhelmed when I ask them „What do YOU want? How are you?“ They often don't know. Maybe it never was there, it also may have been destroyed over the years. (intervention centre, DV, Germany)*

Other professionals highlighted the need to acknowledge women as experts in their own lives and to ensure their participation in decisions and plans for their future.

*(...) any intervention plan has to be done according to the woman's will. Because, in the end, we realise that women are the experts of their own risk, of the risk they are living. One woman who is beaten for 20 years and lives 20 years in permanent violence and comes to us, she considers that she can live and survive to that situation even if she made a complaint. She doesn't want to leave immediately and if there is not a restraining order for the offender, if they [the husbands] are still there in the family home, we have to be very cautious and do the risk assessment, and a safety plan (...) We wait that the victim does the complaint herself. (NGO women's centre, DV, Portugal)*

Other professionals again described the dilemma in particular for minority or marginalised women who may not have full, or any command, of the language of the country in which they are seeking assistance.

*Well if we have women [who don't speak German] it's usually nearly a one-on-one coaching, because we have to accompany her to every agency, every lawyer, every court hearing to quasi speak for her. And the dramatic thing is, the women often are not masters of the situation anymore, they live with the feeling "I have no clue what just happened." (women's shelter, DV, Germany)*

Here, survivors appear to have to cede agency and control to another in return for the support they require. In England/Wales language was less of a barrier, perhaps because of the existence of dedicated support services for minority women in which many service providers spoke the language of the survivor. Even so, an understanding on the part of professionals of the problems language barriers can pose may in itself lead to a more sensitized service delivery which takes better account of some of the contradictions and difficulties survivors can face.

This is further reflected in the view expressed by another professional who acknowledges that marginalised and minority women may not only have less awareness of their rights but may also feel less able to claim them.

*The difference in counselling [is] that the German woman knows her rights better and claims them more naturally even despite her possible limitations through the perpetrator. While a woman with*



*migration background, who is already exposed to very much pressure in various forms, pressure from the outside, from the government, more likely accepts it and has to be supported to make use of her right to self-determination, to recognise it. There is much more to transport; you have rights here, you don't have to do this and that. (lawyer, DV, Germany)*

Several professionals also drew attention to discrepancies in how the intervention system responds to women survivors, on the one hand, and perpetrators on the other.

*(...) it turns out that she (the victim) has been subjected to scrutiny much more than her partner, so in the reports you try to find good things and you also see the bad ones, and the bad ones are not left out, so in the end ... While the father was never under such scrutiny. And, in the end, you sometimes find it really hard to submit the report about the woman because you know that there will be no such report on the other side – but you can't leave out what the mother did wrong. So ... I think ... in the end, it seems that in our procedures they find themselves in a worse position than the perpetrators, who are seen only every so often. (safehouse representative, DV, Slovenia)*

*What you've [safehouse representative] pointed out is true. Every procedure then goes in the direction of discrediting the victim. And then you invest a lot of energy in refuting such claims, which are most often false, but you have to refute them – and you collect such reports to refute them. (...) The procedures really are unfair, but unfortunately the victim is still much less protected than the accused. (judge, DV, Slovenia)*

Democratisation, then, means that survivors not only have rights, but that professionals ensure they are informed of those rights and enable women to claim and make use of them. Many of the professionals who participated in the CEINAV project were acutely aware of shortfalls and contradictions in the intervention system. In part this was attributable to the financial pressures placed particularly on non-statutory agencies due to “austerity measures” imposed by some governments, notably England and Wales. Yet many professionals also acknowledged inherent contradictions as they sought to balance tensions between the different parts of the intervention system.

#### Absence of, or support for recognising women's agency

Many of the survivors who participated in the CEINAV research came to the attention of police or other agencies through their own volition. This was the case with respect to domestic violence but also, in particular, with respect to trafficked women who exercised such agency as they had to escape their abusers, rather than being ‘rescued’ by the authorities. This is consistent with other research. While women were undoubtedly aware of the harms they had experienced and the difficulties and dangers they faced, they did not necessarily see themselves as disempowered victims. This sometimes set them at odds with intervenors. Here, a number of professionals expressed the view that it was incumbent on women to acknowledge their victimhood, to identify as victims and thereby enable practitioners to help them. It will be recalled that in two countries, England/Wales and Portugal, this requirement is formalised through national referral mechanisms (NRM). Under the NRM women must self-identify as victims of trafficking as a pre-condition to accessing any level of support and assistance. Yet even in countries without a formal NRM, some professionals felt it was key that women should come to share that understanding of themselves as victims.

*Basically, we can only work through awareness-raising. She has to have a victim consciousness (...) This divergence, that we see her as a victim and she doesn't see herself as one, cannot be overcome.*

*It has to come from her (...). She has to cooperate with us and tell us what she has experienced and who is doing what to her and why. And then see herself as a victim, that is the essential thing. (public prosecutor, TSE, Germany)*

Similarly, in Slovenia, professionals felt they could only progress with their work and assist women if they acknowledged their victimhood.

*We do ... as much as we can but there's a problem regarding proof (...) There's enough of evidence if she speaks to us, in fifteen minutes I know enough, who is and who isn't [a victim of trafficking]. But only if she's speaking. If she doesn't want to speak about anything that's related to it, then it's really hard to infer something or guess. (police, TSE, Slovenian)*

Examples such as these illustrate the complexities facing both survivors and those working in the intervention system. It is not enough to know that women need and want assistance, they must first meet the requirements of the system to gain access to support services; and where these respective needs are in tension, it is the system which often prevails.

When professionals cannot reach some women to offer help, they may see “other cultures” in countries of origin as a barrier to intervention (see chapter 8). As Susan Brison writes from her own experience, narratives of trauma can “inadvertently perpetuate stereotypes of one’s group as weak and helpless”. Thus it is vital to reject “the dichotomy between victimization and agency” (Brison 2002, p. 35). Although observations of different customs in countries of origin can draw professionals’ attention to the structural factors that contextualise systemic disempowerment, it is also apparent that women do develop strategies of resistance that enable them to exercise agency, however circumscribed their choices.

Among these many structural and other factors are intervention processes themselves which derive from the laws and policies of the State in question. Many professionals acknowledged the ways in which these constrain not only the agency of women, but similarly impact their own abilities to facilitate women’s agency and empowerment. They drew attention to interventions, for instance, against domestic violence where, with the exception of Germany, it is typically the woman who is required to leave the residence and enter a shelter, irrespective of how disruptive this might be for her and any children. They further highlighted how interventions exclusively focused on women (and children) may in fact further victimise survivors.

*The woman is victimised by the perpetrator then victimised by every agency by having to leave her home. (health visitor, DV, England/Wales)*

*But I'd like to point out that I see the victim here as a victim of institutions. This mother is alone now, the husband withdrew, nobody follows him anymore, but we follow the mother with her children and we expect her to ensure housing for herself and her children, to ensure that the children do their schoolwork, that they're healthy. So here the story somehow extends from the physical violence to the violence of the institutions that put pressure on her – we expect her ... the teams, too. In the teams, we always deal with the problem of ... mothers without housing with children who are doing badly at school, mothers without housing with sick children, and so we put pressure on her and expect all kinds of things from her. (housing fund representative, DV, Slovenia)*

Thus, while the views and actions of some professionals are in tune with women’s needs and the conditions that facilitate their empowerment, on occasion intervention processes appear more as noises, incapable of achieving any harmonisation of the two. Sometimes this is the result of the actions of individual practitioners, but is also attributable to con-

traditions and tensions in the intervention system itself. Some professionals do recognise women's agency and seek to provide counterpoints and work with women's strategies of resistance to dismantle conditions, at least of individual disempowerment.

### Women's empowerment and cultural encounters

"Cultural encounters" was the central theme of the CEINAV research to understand how women from different cultural backgrounds experience intervention, as expressed in our initial proposal: "In a doubly comparative approach (within and between countries), the project will examine the methods and procedures of intervention employed to protect against violence under the 'magnifying glass' of their application to selected minority groups and situations of relative social exclusion, as paradigmatic test on which the thorny issues of ethics, legal philosophy, culture, and human rights theory can be studied."

As we have seen, the experiences and perspectives of both survivors and professionals in the intervention system are diverse. Here, we focus more specifically on aspects of culture as perceived primarily by professionals and how such perceptions influence their approaches to empowerment and disempowerment with respect to marginalised and minority women. In some instances, "culture" is clearly foregrounded in the discourses of professionals as meaning women from various ethnic or national origins other than those of the dominant group within any of the four CEINAV countries. In other instances it may manifest itself in more subtle ways as implicit in a range of assumptions and oversights in intervention processes. In many of the excerpts below, it will be seen that these two aspects are also often intertwined.

There is ample evidence in the CEINAV data of the multiple ways in which the dominant discourse can drown out and silence women's voices. Here, several practitioners expressed some frustration where women "failed" to make the "right choice" (by not leaving a violent man) and some even regretted not having legal power to force these victims into making "the right choice" (Coy 2015; see also chapter 10 on responsabilisation). In such circumstances, it was not unusual for professionals to find ways of putting pressure on women, typically through their children and the threat of removing them from the mother's care, to coerce them into taking action the professional approved of.

*From a nursing point of view, in an emergency department, what would lead me to try and find out if it's domestic violence due to the children involved, so it's a safeguarding issue. As a nurse my hands are pretty much tied with regards to the woman, but for the children I could go down that avenue. (emergency nurse, DV, England/Wales)*

While this may typify the "risk" approach prevalent particularly in England/Wales and relate more specifically to professional obligations under child protection laws, the question of domestic violence and the woman's safety has quickly receded into the background together with any consideration of her views and choices, thereby disempowering her and undermining her capacity for self-determination.

However knowingly or unwittingly professionals may act, such processes of disempowerment can be linked to epistemic injustice. The concept can be traced through the historical process of modernity, when a division was established between knowers (academics, scientists and other experts) and not knowers. Drawing on the work of Michel Foucault (1987), Gayatri Spivak (1988) identified it as harm inflicted through the marginalisation of subaltern voices specifically in Western discourse. Those who fall under the category of knowers have the power to select who the not knowers are, and the privilege and entitlement of deciding what is best for them. This may be reflected in the practices of many service providers, such as health, support and assistance and other social services. It in-

volves the silencing of other types of know-how and wisdom and there is an absence of reciprocity between those who are being cared for and those who are doing the caring, a dichotomy between scientific knowledge and “ignorance”. Pierre Bourdieu (1991) talks about violence through the belittling and delegitimisation of knowledge of those we work with/for; subaltern groups are perceived as less or as incapable and, to some degree, to blame for their individual failures. Ultimately, epistemic violence can be expressed through symbolic violence, the imposition of the “rightful” knowledge of institutions.

*I think (the NGO specialist) is right, lots of these people that we deal with do not understand that what they have been subjected to is domestic abuse for years if not decades. So a lot of the time those questions are asked, the answers they will give may not be what we would perceive as the correct ones because they do not understand. They've been subjugated for years, treated poorly for years and perhaps we don't as professionals deal with it the correct way. I don't think we should be relying on the engagement of survivors. I know it's easier with engagement but if you don't have it you don't have it. It's a bonus if you do have it, but we should be looking at what other information is there available to us as professionals to intervene, to protect not just her but the children. (prosecutor, DV, England/Wales)*

In some cases the epistemic injustice of intervention systems is visible. Minority women are pressured into situations in which difference can be erased, as if this *difference* was abject (Kristeva 1982; see also Butler 1993), as the following excerpt illustrates.

*We had a girl who had been temporarily removed, because she was going to have surgery and there were no conditions for her to recover at home, since the house had no conditions. And she was removed, temporarily. The mother came with the technician of the institution and with her to the appointment. And it was so curious! [The girl] no longer looked “Gypsy”. It was so curious, she changed, changed, she looked like another person [almost in tears]. She was very satisfied with the institutional care. She was very happy. We could notice an impressive jump in her development! (physician, DV, Portugal)*

Alternatively, women are either pressured to *be different but not too different* or are completely marginalised (Magalhães et al. 2015). The risk discourse in England and Wales, referred to above, may be said to exemplify such approaches, in that it appears to push professionals into this paradigm, as the almost exclusive factor in intervention decisions.

Epistemic injustice can also be seen in the culturalisation of violence when professionals, implicitly or explicitly, assume that violence against women is specific to, or normalised in certain cultures such that women fail to recognise it or simply accept it (see chapter 8).

*(...) there are cultures where violence against women and girls is more accepted than here. There are trainings at this school and the girls with headscarf also have to go and are trained a whole week and are told that they have a right not to be assaulted. It's very important to start early to explain them these are your rights and they work for you. It's a positive thing to live without violence. I think many of them don't know this. They are used to the violence and the mother was beaten up by the father and they don't know it differently. (judge, DV, Germany)*

The culturalisation of violence by some professionals can be contrasted with a much more nuanced perspective on culture in the discourses of survivors of both trafficking and domestic violence. Here, culture was not raised as a barrier to their recognition of violence. Instead, culture was perceived through the lens of gender and patriarchy as privileging men, both generally and specifically within intervention processes. Particularly with re-

spect to domestic violence, this was something several minority women recognised they shared in common with women from majority cultures. Yet intersections of race, ethnicity and gender can operate to further disempower minority and marginalised women and render them more vulnerable to epistemic injustice.

Explicit values and beliefs or implicit assumptions about the lives of marginalised and minority women may devalue the harms of violence and impose a dominant discourse which undermines women's own knowledge and capacities for self-determination.

*If we look at the statistics, 90 or 95 % of Romani children do not finish primary school. That's the statistics. So ... How are we going to help these families? ... We have to be aware of the facts. Why don't they go to school, for example? Because in Romani families school is not a value. As they explained at the lecture, for Romani parents, school simply isn't such a value as it is for Slovenian parents. So they won't say to their child: "Go to school, you have to go, you need to go to do this and that and the other." What I want to say is that, as you've already mentioned, these cultural characteristics are definitively important if we consider how we can help these communities, how we can cohabitate with them. We have to be aware of this. (social worker, DV, Slovenia)*

Yet some professionals were aware of additional difficulties faced by marginalised and minority women which might impede their access to effective support and assistance and their concomitant responsibilities to seek ways to dismantle those barriers.

*I can't see what the issue is with right and wrong, isn't it just that people need information about to make choices that might be informed by whatever cultural issues/baggage they've got going on ... it's making adjustments that you make for anyone that's not able to access the service. It's about finding ways to enable them to access the service for their benefit. It's seeing where the barriers are in place, whether that be language or cultural issues, and removing those barriers. (NGO, DV, England/Wales)*

*Perhaps there's a difference between educating people on what the law is within a country, and about human rights, and the more subtle cultural beliefs, perhaps we shouldn't be seeking to change those, but I suppose just giving them as much information as possible to make their own decisions. (domestic violence co-ordinator, DV, England/Wales)*

Thus, issues of culture can be seen to play a significant role in intervention processes. Where professionals fail to acknowledge the impact of dominant cultures and fail to question assumptions about knowledge, they may, directly or inadvertently, reinforce the harms of violence. By contrast, in challenging prejudice and making explicit the many assumptions underlying interventions, professionals are better placed to begin a process of recognising and valuing women's own knowledge about their lives and of creating conditions that facilitate their empowerment.

### 3 The limits of liberal empowerment

This chapter has sought to illustrate the ways in which intervention processes may facilitate or impede the empowerment of women survivors of domestic violence and trafficking. Different dimensions of empowerment have been highlighted and contrasted with disempowering and even harmful practices. These sometimes result from difficulties in balancing tensions between different parts of the intervention system, or from inherent

contradictions and institutionalised racism within the system or, at times, from the prejudices of some professionals within both the statutory and non-statutory sectors.

The narratives of women survivors show us that professionals were able to facilitate their empowerment where they created conditions conducive to critical consciousness raising, particularly as a way of enabling women to contextualise their personal experiences within wider social power relations. Yet a close read of women's narratives confirms that, in general, this aspect of potential empowerment is approached from an individualistic perspective so that collective and structural aspects tend to be overlooked. This may be a result of a focus on "one-to-one" methods of helping survivors that, in turn, may be coupled with liberal ideology and notions of "choice".

Women also spoke of the importance of being heard by professionals and acknowledged in their capacities as knowers. This provided a basis from which they were more able to counter the harms of violence and paved the way for greater participation and agency in decisions and actions affecting their lives. Conversely, where intervention actors effectively silenced the voices of survivors by failing to acknowledge them as knowers, or by undermining their credibility as speakers, they reinforced the harms of violence and impeded women's capacity for self-determination. Sometimes this could be seen as responses to perceived cultural differences and assumptions that women from different cultural backgrounds become habituated to violence. Elsewhere it could be seen to stem from prejudices related to structural identity which served to obscure women's experiences from their collective understanding. Professionals were elevated to positions as exclusive knowers of what is best and right, often synonymous with dominant cultural norms and values. This contrasted with more nuanced observations of culture expressed by several women, particularly with respect to intersections with gender and patriarchies.

For many survivors, having knowledge of their rights and being supported in accessing and claiming those rights proved to be a turning point in their journeys. Yet, this can also lead to a focus on individualistic or liberal empowerment and sometimes a failure to promote a sense of collective or liberating empowerment that could address structural and systemic aspects of disempowerment. In some respects this may again be linked to the expansion of neoliberalism and may be contrasted with feminist-led support and assistance services more typically associated with the latter part of the last century, particularly in Germany and in England/Wales where strong and independent feminist movements had emerged. In England and Wales specialised services for black, minority and ethnic women have been a major achievement but they, in common with services generally there and in the other CEINAV countries, have been impacted by financial cuts and a depletion of resources. Even so, it is clear from the CEINAV data that women greatly value these specialised services. Many women were able to take more control of their own lives, to make a greater range of decisions on their own behalf and to enjoy a sense of freedom which some had never before experienced. In this sense, women's organizations were able to act as "facilitators" in an empowerment process (Batliwala 1994).

Nevertheless, perhaps in the dimension of rights more than elsewhere, tensions within the intervention system became apparent. For trafficked women in particular, prolonged uncertainty about their residence status impeded their capacities for self-determination and agency and often negatively impacted their physical and emotional well-being. Similarly, with respect to domestic violence, where many professionals may perceive women as rights-holders, as evidenced in this and other chapters in this volume, their rights are often trumped by the rights of men and the rights of children. While these may be taken as examples of how an inadequate legal environment may inhibit liberal empowerment, more specifically it points to the limits of liberal empowerment itself insofar as an individualistic and even rights-based approach is insufficient to challenge the deep-seated inequalities of power embedded in patriarchal gender orders.



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