

The Silent Voices
Domestic Violence Against Romani Women in
Macedonia

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ABSTRACT

This thesis examines the barriers that hinder Romani women from reporting and seeking help when they encounter domestic violence in the context of Macedonia. For the purpose of this study I utilize intersectionality analysis of the Macedonian domestic violence law and policy in terms of intersectionality. I conducted twenty-two semi-structured interviews with Romani women victims of domestic violence, the representatives of Roma and non-Roma NGOs, and the staff from the Centres for Social Work. Relying on the findings from the analyzed domestic violence policy and law as well as the interviews, I argue that Romani women hesitate to report and seek help when they face domestic violence. I indicate that this is an outcome of neglect of their intersectional experiences by the mainstream service providers. The latter apply the universalistic approach “one size fits all” which often overlooks Romani women's individual needs and experiences.

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INTRODUCTION

Domestic violence as a worldwide problem is nowadays recognized as one of the most common forms of gender based violence and violation of human rights. It comprises sexual, emotional and physical abuse, as well as a systematic use of force by an adult partner with the intention to harm or control the other partner.

Jo Anne Langley Miller and Dean Knudsen, 1999

Women often use the phrase “nothing really happened “(Kelly and Radford, 1996:22) when they face violence. By saying that, they are denying their experience. This complexity of naming the partner’s violence as an abuse is influenced by the “romanticized public representation of intimate relationships, where the women is encouraged to see these forms of behaviour as a form of caring for her”(Kelly and Radford, 1996:27). Also some women take a long time to realize what was really happening to them as victims of domestic violence. It is not that these women accepted or expected abuse but at some stage they may lose their “strength , autonomy and sense of self” (Kelly and Radford, 1996:29). However, like many other women from ethnic minority groups, such as African-Americans, Hispanic-Americans, Asian - Americans also Romani women have difficulties in naming their experience as an abuse by the partner because of the perceived need to protect their community from the interventions by “white institutions” (Kelly and Radford, 1996).

This mistrust for the state institutions felt by women from ethnic minority groups result from ignoring the difference of the “other” by the majority group in societies. Feminist legal scholar Kimberly Crenshaw presented the concept of “intersectionality” in the context of violence towards coloured women. She claims that the violence experienced by the coloured women should not be seen separately from the racism, patriarchy, class oppression, and other types of discrimination (1991).

In Macedonia, similar to other parts of the world, domestic violence is a widespread social problem. Until fairly recently it has been rarely publicly mentioned due to the cultural notions that the relationship between partners is a private family matter. In 2004 the subject of domestic violence in Macedonia for the first time was regulated by the Family Law and Criminal Code. In the period between 2006 and 2008 Macedonian authority prepared a National Strategy for Protection Against Domestic Violence (2008-2011) based on the findings of the study “Life in a Shadow” conducted by NGO ESE. Later they also created a second National Strategy for Protection and Prevention Against Domestic Violence (2012-2015).

In Macedonia there live 53, 879 Roma constituting 2,66% of the country population (Amnesty International, 2007). Despite the fact that Macedonia is considered as a multicultural society where Roma enjoy the full rights as the majority, the situation of the Roma people is different in reality. Most of them face limited access to employment, health care, education and etc. On the other hand the situation of the Romani women is by far worse as a result of their intersectional discrimination, based on their gender, race and class. Alongside with this, Romani women encounter discrimination in education, employment, housing and become often exposed to domestic violence as an outcome of the still present patriarchal structure of a Romani family.

In spite the fact that the subject of domestic violence in Macedonia is very common among Romani and non-Romani women, according to much research done by Roma NGO¹ the rate of domestic violence is higher amongst Romani women but is not always reported. Thus, as a result of that, many Romani women's organizations started to speak publicly about the violence in the family. Yet some of the Romani NGOs strive to provide services to the Romani women victims of domestic violence but they can not effectively achieve this objective because of the lack of resources (Amnesty International, 2007:66).

According to the “National Research on Domestic Violence” conducted in 2012, it is noted that almost 72,2% of Romani women reported that they had been abused by their partners.² Following this alarming situation of vulnerability of Romani women in term of domestic violence in Macedonia, the aim of this study is to explore why Romani women in Macedonia are less likely to report domestic violence when they face it and what the barriers are that prevent them from seeking and receiving help. The reluctance of the Romani women to report domestic violence was also highlighted in the “National Research on Domestic Violence” in 2012. It demonstrated that, compared to other minority women in Macedonia, the Macedonian women are more likely to report domestic violence when they face it.³

The experiences of ethnic-minority women from the Anglo-Saxon context suggest that in order to understand the complexity and nature of domestic violence experienced by women from diverse background, the interlocking of race and class needs to be taken into consideration apart

¹ Roma Centre of Skopje, European Roma Right Center and Network Women's Program , Roma Women's Initiatives. (2006). “Shadow Report On the Situation of Romani Women In the Republic of Macedonia”. Pp1-54.

² For more information see: Ministry of Labour and Social Politic (2012):“National Strategy for Prevention and protection Against Domestic Violence (2012-2015)”, Skopje.p7

³ For more information see: Ministry of Labour and Social Politic (2012):“National Strategy for Prevention and protection Against Domestic Violence (2012-2015)”, Skopje.p7

from gender. In this light the answer of this study will be based on two aspects: (i) how Romani women victims of domestic violence relate to legal and police interventions in order to escape violence, and (ii) how the legal and policy framework are unfriendly to the intersectional disadvantage that is at play here.

In order to examine and address the complexity of domestic violence experienced by Romani women, this study consists of two stages. In the first stage I analyze Macedonian domestic violence legal and policy documents in terms of intersectionality and in the second stage I examine the narratives of Roma women on their victimization and coping mechanisms by conducting twenty-two semi-structure in depth interviews with key representatives of social services, providers and NGOs, and Romani women victims.⁴ The research took place in several places in Macedonia such as Skopje, Bitola, Prilep, Kocani and Kumanovo.

This study contributes to the limited scope of studies on domestic violence in terms of intersectionality in the context of Romani women in Macedonia. Many activists, NGOs and policy makers urge for intersectional research to be carried out. One of them is the Romani activist Angela Kocze, who highlights that the violence against Romani women should not be seen as racial or gendered, but as a complex interaction of both (2009). In this vain this research is dedicated to the Romani women victims of domestic violence with an aim to give them voice in their combat against domestic violence. The thesis is structured in the following way.

In chapter 1, I discuss the literature and works of scholars that explore the intersection of gender, race and class in the context of domestic violence and the theoretical contextualization of the domestic violence in Macedonia.

⁴ In this thesis I use the term victims, batter and abuse women because the majority of Romani women in this research did not succeed to escape their abusive relationships.

Chapter 2 presents the method, the fieldwork, the process of conducting interviews, the methods that have been utilized for the data analysis, the reflection upon my position as a researcher and finally some ethical considerations and limitations, at which I came across while doing my research.

Chapter 3 outlines the analysis of Macedonian domestic violence law and policy in terms of intersectionality. It is essential in order to understand how Romani women victims of domestic violence are addressed in order to seek help.

Chapter 4 demonstrates the analysis of the narratives collected from the interviews with Romani women who are victims of domestic violence, the interviews with the representatives of social services providers, and the Roma and non-Roma non-government organizations in order to determine the obstacles which prevent Romani women from reporting and seeking help. Finally, I conclude with discussion of the major findings from the data that I analyze.

CHAPTER 1

Theoretical Framework: Domestic Violence, Intersectionality and Romani Women

“Certainly there are very real differences between us of race, age, and sex. But it is not those differences between us that are separating us. It is rather our refusal to recognize those differences, and to examine the distortions which result from our misnaming them and their effects upon human behaviour and expectation”.

Audre Lorde 1984:115

INTRODUCTION

Like everywhere in the world, domestic violence⁵ in Macedonia is an everyday reality for many women, particularly for Romani women, among whom the still present gender inequality of power and control in the family is intertwined with poverty and the question of ethnicity. There is a range of Anglo-American literature and works of scholars that explore the intersection of gender, race and class in the context of domestic violence experienced by women of diverse backgrounds. This chapter focuses on findings and ongoing debates with the intention

⁵In this thesis I use the term “domestic violence” which implies that the violence is happening in domestic location. It can take many forms such as physical, psychological, economic and sexual. Despite the fact that the term itself does not articulate who is the victim or the perpetrator in terms of gender, however in the context of intimate relationships and within family it shows that the violence takes place in the private area and is manifested by the husband/father. Thus, the gendered frame of domestic violence remind us that women throughout the world experience violence just because they are women (Vargas, Beasley, Gyimah, K.Rajasingham, A.Schuler, P.Sewall and Vasan, 1996:1, Sally Merry Engle, 2009:27).

to examine the complexity of the nature of domestic violence experienced by Romani women in Macedonia. The second part of this chapter moves on to a theoretical contextualization of how domestic violence emerged as a public issue in Macedonia, to finally outline the situation of domestic violence related to Romani women in Macedonia.

1.1 DOMESTIC VIOLENCE AS A PUBLIC ISSUE

For a long time women were unable to speak openly about the violence perpetrated by their partners due to the belief that domestic violence is part of the private space and the state should not intervene. However, historically the dichotomy of “public” and “private” was seen as an important explanation of the gender roles, the private sphere being understood as the women’s sphere while the public as the men’s space. Besides the limitation of women’s participation in the public sphere, male violence against women was considered a private issue and the intervention on part of the law was absent (Schneider, 1991:37-38).

This sharp distinction of public and private spheres in the 1970s was challenged by many feminist activists who, with the emerging of the “battered women's movement” in the Great Britain and later in the USA, reinforced legislative changes and raised awareness. One of the crucial elements of the movement was the establishment of shelter/refuge centers and hot-lines, where abused women and their children were sheltered and taken care of (Dobash and Dobash, 1992, Schechter, 1982, L. O'Toole and R. Schiffman, 1997). Thus feminist activists advocated for the battered women under the slogan “The Personal is Political”, in order to eliminate the division of public and private and with that to allow for social and legal intervention in the field of domestic violence (Schechter, 1982, Merry, 2009:9).

However, mainstream feminists made a major contribution towards the recognition and understanding of the causes of domestic violence by challenging the earliest sociological and psychological theories that examined domestic violence (Sokolof and Pratt, 2005:2). They argued that the main reason for the occurrence of domestic violence is the gender inequality in the form of power and control in intimate relationships (ibid). The gender roles of masculinity as being superior and femininity as being inferior contributed to the patriarchal legitimization of violence toward women. According to the Australian sociologist Connell, men gain advantage from patriarchy in the terms of “honor, prestige and the right to command” (1995:82). On the other hand, the patriarchal definition of femininity as “dependence and fearfulness” (1995:83) has a negative impact on the abused women who have accepted the abusers’ definition of themselves as “helpless and incompetent” (1995:83), even if they are physically able to look after themselves (1995).

Despite the fact that gender inequality was taken as an explanatory factor for domestic violence, many scholars, survivors, lesbians, activists, black and post-colonial feminists etc. criticized the mainstream feminist approach of domestic violence (Sokoloff and Dupont, 2005:2). They asserted that there cannot be made a universal assumption about the experiences of all women (Mohanty, 1984), because domestic violence does not equally affect all women. Mohanty equally claims that Western feminists automatically created the binary category of “exotic”/other women by asserting and presenting the women from the Third World as monolithic subjects (1989). Even though the category of oppressed women is commonly used to explain the gender differences, the Western feminists homogenized the experiences of women of colour by using solely the category of gender as a reason for women's victimization (Mohanty, 1989).

1.2 FRAMING DOMESTIC VIOLENCE

Since domestic violence gain public recognition in the context of gender based violence and violation of human rights as a upshot of the feminist movement, domestic violence has become part of the public policy issue and its solution (Krizsán and Popa, 2011:7). However, it is important to hilighte that framing the domestic violence as a policy issue in term of gender equality in many coutries across the globe could be differently interpreted.

In the context of Eastern European post-communist countries Krizsán and Popa discuss two areas of gender equality policy frames; the “continuum from gendered to degendered policy frame” and “gender equality in policy contestation” (2011:9). Krizsán and Popa divided the continuum frames into “structural gender equality” and “individuals subjected to domestic violence” allongside with two sub-frames, “women-centered frame” and “implicit gender equality frame” (2011:9).

In the “structural gender equality frames”, the domestic violence is demonstrated as a form of gender based discrimination. Regarding these frames the causes of domestic violence are seen in terms of gender inequality. Women are mostly affected from this violence according to these frames (Krizsán and Popa,2011:9). In the diagnosis of “structural gender equality frames” the focus is on transformation of the gender stereotypes, which are seen as roots for occurrence of domestic violence, and on the victim's protection in the independent services such as shelters (Krizsán and Popa,2011:12).

Moreover, Krizsán and Popa suggest two sub-frames, the “women-centered” and “implicit gender equality frame.” Under those frames, women are articulated in gender-neutral terms. In the first sub-frame women are recognized as victims in the context of mother and

child, while in the last sub-frame the victims are presented in general terms, sometimes referring to children (2011:10-11). However, the solution for the domestic violence in the “implicit gender equality frame” is based on the broader gender inequality framework (Krizsán and Popa, 2011:12).

Opposite the “structural gender equality frames” is the “individuals subjected to domestic violence” in which the domestic violence is conceptualized and defined through gender-neutral language. The focus of this frame is on individual rights and in the symptoms of the problem (Krizsán and Popa, 2011:10). In addition to this, the gender and sex of the perpetrator and victim are not mentioned at all. Thus, the victims are presented within the frame as dependent and can be children, disabled people and elderly people but not women (Krizsán, Bustelo, Hadjiyanni, and Kamoutsi, 2007:148). The domestic violence here is seen as a universal issue and the economic dependency of the victims is presented as a barrier for returning back to the perpetrator (ibid). In the diagnosis of this frame the following solutions are proposed: in order for the victim to escape the cycle of violence it is proposed to include empowering strategies and prevention measures, while for the perpetrator there should be issued restraining orders and sanctions for the crime. Finally, raising awareness and education is proposed as a solution for prevention against domestic violence (Krizsán and Popa, 2011:11).

The second group of frame in “contestation” focuses on women victims from the perspective of shifting into perpetrator and family articulation. Krizsán and Popa make distinctions between four groups of frame: “family protection frame” in which the family as a unit is presented as victims of the domestic violence, and the solution is on prevention against domestic violence through conflict mediation and family support (2011:12-13). The next frame is “perpetrators rights” where it is highlighted that the protection and restraining orders against

the perpetrators and the real victims according to this frame are the perpetrators because of their further victimization due to the issued restraining orders (Krizsán and Popa 2011:12-13). In the “child protection frames ” the real victims are the children while women are excluded from this frame (Krizsán and Popa 2011:12-13). The last frame from the “contestation” is “externalizing frame”, in which domestic violence is not universal but rather particular for certain marginalized group (Krizsán and Popa 2011:12-13).

1.3 INTERSECTIONALITY

The concept of intersectionality was coined by the Afro-American legal scholar Kimberly Crenshaw. However, this concept, even before Crenshaw's conceptualization, had already been used in the work of many post-colonial and Black feminists as a result of their critic against mainstream feminists. One approach is to trace back through history, where the genealogies on intersectionality can be found, that is in the nineteenth century feminist and anti-slave movement in the USA, which central points were gender and race. On the other hand, the attempt of intersectionality can be noted in socialists feminist agenda in Europe in the nineteenth and early twentieth centuries, with the focus on gender and class (Lykke, 2010:76). After the deployment of this concept many scholars were inspired (McCall, 2005, Yuval-Davis, 2006, Verloo, 2006, Hancock, 2007) to use and conceptualize it in their work.

Intersectionality as a concept acknowledges that people have multiple identities deriving from their biological inheritance, social relationships, political struggle, socio-economic status and operation of structural power. (Lockhart and Danis, 2010:17). However some scholars believe that the aim of intersectionality is not to be searched for:

“several identities under one” rather to “analysis the differential ways in which social divisions are concretely enmeshed and constructed by each other and how they relate to political and subjective construction of identities”.

(Yuval-Davis 2006:205)

Thus, the meaningful element of this concept is the examination of the way how the culturally and socially constructed categories interact on multiple levels and how this contributes to the unique experiences of oppression, marginalization and privilege position in society (Lockhart and Danis, 2010:17).

McCall defines intersectionality as “relationships among multiple dimensions and modalities of social relations and subject formation” (2005:1771). She describes three multiple approaches that examine the complexity and intersecting of social relations: anticategorical complexity - based on methodology that denies the category. For this approach the categories are very problematic due to the inequality produced as an upshot of the difference. This approach, according to McCall, has been created throughout the discourses. The second approach is the intercategory complexity - or categorical approach, which focus is on the complexity of relationships amongst multiple social groups, but not on the complexity of single categories, social groups or both (2005:1786). The main point of this approach is the ontology of relationships amongst the social group and how they are changed but not the intersection of gender, class and race in single social groups. The last approach described by McCall is the intracategory complexity - which is situated between the anticategorical and intercategory approach (the first one uses the categories, while the second one rejects them). This approach does not fully reject the categorization, but rather focuses on the process of how this categories are produced, experienced and reproduced in the everyday life. The central point of this approach

is to examine the relationship between the inequalities and categories, and how they are located in the social groups that find themselves on a neglected point of intersection (2005).

1.4 INTERSECTIONALITY AND DOMESTIC VIOLENCE

There is not one pattern with which one can explain the different experiences of domestic violence by women of colour. Therefore the aim of intersectionality in relation to domestic violence is to help recognize and identify the multiple categories of identities as well as to make visible the various forms of discrimination and oppression as an outcome of interaction of these categories of identities (Lockhart and Danis, 2010:19).

Within the context of the USA Crenshaw argues how the experiences of battered women with diverse backgrounds were misrepresented by political initiatives and how the identity politics takes either feminism or anti-racism into consideration, but not both, and thus marginalizes the issues of violence against women of colour (1991). According to Crenshaw the experiences of Black women were absorbed into the collective experiences either as those of blackness or femaleness, thus gender and race were considered as mutually excluded categories, but not as categories that interact with each other and shape the multiple experiences of women of colour (1989). Therefore she asserts that intersectionality is a useful tool to emphasize the “need to account for multiple grounds of identities when considering how the social world is constructed” (1991:1245). Crenshaw distinguishes intersectionality between structural and political (1991).

Political intersectionality, due to Crenshaw, is given when coloured women face domestic violence and the feminist and anti-racist politics usually marginalize their experiences. The anti-racist movement uses race as an explanation for the contribution to the cycle of violence within the black community (1991:1258). Mainstream feminists take gender as a reason and deploy the universalistic approach that domestic violence affects all races and classes (Crenshaw, 1991). But this notion that domestic violence “could happen to everyone” according to Richie means that “It could happen to those in power” (2005:53). Thus, within the political strategy “everyone” assured the safety of white women, because they are in a privileged position when gaining help from service providers, while for the women with diverse backgrounds this meant limitation, because they did not experience violence on the same level as the white privileged women (Richie,2005:53).

In structural intersectionality Crenshaw demonstrates how the experience of domestic violence by coloured women is different from that of white women by pointing out what black women unlike the white women face:

“multilayered and routinized forms of domination that often converge in these women's lives, hindering their ability to create alternatives to the abusive relationship” .

(Crenshaw,1991:1245)

The notion of structural intersectionality in the field of domestic violence was extended with the work of Sokoloff and Dupont, who argue that the interpersonal violence is one level of violence toward coloured women, but the lack of institutional support is another level of structural violence. It coloured women face, as a result of their gender, race and class (2005:44). Under structural violence we understood:

“any form of structural inequality or institutional discrimination that maintains a woman in a subordinate position, whether physical or ideological, to other people within her family, household or community”.

(Manjoo, 2011:8)

Usually this type of violence is invisible and normalized, but followed by racism and poverty (Merry, 2009:5). Thus, personal and structural violence are intimately connected. On the one hand men's physical violence can be approved in society due to the gender ideology that men have the full right to control their women (ibid). On the other hand due the insufficient assistance and protection by the state institutions very often the victimization of women of colour is followed by their further revictimization, because it remains invisible and is not prevented. Thus intersectionality replaces the binary thinking about power by focusing on a specific context, experiences and the quality aspects of justice, discrimination and equality (Lockhart and Danis, 2010:20).

Although Crenshaw, in her canonic article (1991), talks about the intersection of gender and race, but hardly about class Bograd highlights that poverty may often overlap with race and gender in producing multiple disadvantages. Despite the fact that domestic violence occurs among all classes, for the women from the lower class their ability to alter their environment is compromised due to their lack of economic resources (28:2005). Albeit the experience of violence is shaped by poverty, poverty itself is shaped by gender and race. It is obvious that the experiences of domestic violence by poor urban Afro-American women would be different from the experiences of white poor urban women because poor Afro-American women are more likely to live in a neighborhood, where the rate of poverty and unemployment is higher than in the white women's. Also when poor white and African-American women have the same income,

their access to the service providers is significantly different (Coker, 2005:376). However, according to Lockhart and Danis the intersectionality as multilayered categories of identities also produces differences between and within these categories of identities as well as different forms of oppression and discrimination. For instance, the life experiences of an Afro-American woman who lives in an urban area and is educated as well as employed will substantially differ from that of the Afro-American woman who lives in a rural area and is without education and job (2010:20).

In addition to this Bograd points that women with diverse background can deny or not report the violence because of the social action strategies. This strategy as Bograd put it often focuses on the white middle class women while at the same time it reinforces the stereotypes of poor, battered minority women. Thus for the creation of adequate policy it is important to define “who is excluded and why?” (2005:30,31).

Also attention needs to be given to the culture as a fundamental part of the intersectional approach, because some scholars highlight that giving voice to the battered women from diverse backgrounds does not mean that the violence against women of colour should be explained just by "structural inequality" (race, class and gender). "Culture" is also important for understanding and combating domestic violence, in order to address how in different communities the cultural experience of domestic violence interlocks with the other forms of oppression such as racism, colonialism, economic exploitation, etc, (Sokoloff and Dupont, 2005:45). Usually when violence happens in racialized communities the culture is taken as an explanation for the occurrence of violence and the entire group is labelled as violent. However it is not conceptualized as a reflection of the individual behavior (Sokoloff and Dupont, 2005:46).

1.5 DOMESTIC VIOLENCE SERVICES

The aim of the domestic violence service providers such sheltering, police units, social services, special judges, etc. is to provide the victims with assistance and prevention in order for the victims to overcome the violence. Providing the victims with the adequate services means helping the victims with legal help, hiring professional personnel and representing victims to other bureaucratic structures (Vargas, Beasely, Gyimah, K.Rajasingham, A.Schuler, P.Sewall and Vasan, 1996:32). Some of the preceded service providers in which the victims might seek help would be discussed in this section.

1.5.1 Refuge House

The shelters as mechanisms that provide temporary accommodation to the victims of domestic violence promote safety as well as offer a variety of services such as assistance with finding jobs, housing, legal aid and counseling therapy (Merry Engle, 2009:52). These services can be founded by the state or can be independent. One of the issue with the refuge houses is that they have limited resources, and often the staff can make decisions whom they will see as a legitimate victim of domestic violence in order for her to be sheltered. Thus, this kind of decision according to some researchers can often overlook the needs of minority women as a result of stereotypes towards them (Moe, 2007:3). Moreover, in most of the cases the refuge houses are also less adequate for the needs of ethnic minority women (Merry Engle, 2009). As a result of the intersection of their gender, race and class, ethnic minority women often need different help-

seek routes which in some cases cannot be met by mainstream service providers (Nixon and Humphreys, 2010:148).

1.5.2 Social Services

The victims of domestic violence are most likely to approach the social services in order to obtain assistance about their safety and to be referred to appropriate agencies such as housing, employment, counseling etc (Moe, 2007:4). However, the access to these services for women with diverse backgrounds in the same cases can be difficult because of the cultural insensitiveness of social services staff (social worker, psychologists etc). Alongside with this, Dasgupta highlights that the stereotypical image of the colored women as inferior and exotic contributes to the assumption of “other” women, which allows the social services to overlook their needs and concerns (2005:60).

In addition Bograd argues that often the victimization of the minority women can be denied by the social services, when the violence is perceived as normal for the group that is different from the white culture (2005:30). Thus, seeing the domestic violence as “culturally relative” tends to ignore the complexity of domestic violence experienced by minority women (Bograd 2005:30).

1.5.3 Police

Some studies suggest that when women approach the police for requesting protection from domestic violence, they can be often denied (Moe, 2007:2). This can be a consequence of the particular situation such as the seriousness of the violence, the unwillingness of the victim to corporate with the criminal justice system etc. (ibid). However this might be more difficult for the colored women because of the police interpretation of these situations which will depend on

the race and class of the perpetrators and the victims (Moe, 2007:2). In this vain, Crenshaw asserts that battered women from diverse backgrounds can be denied the victimization because their experience is more likely to be labelled by the police as culturally normal for their community, referring to the stereotypes that African-American men are pathologically violent. Very often "race "and "culture" can be explanatory factors for not reporting domestic violence experienced by these women. This can be due to the general unwillingness of women for their privacy to be invaded by the police forces which are hostile, and also by the desire of women of colour to protect their home against racially hostile outsiders. This makes intervention more difficult for them in order to seek protection outside from their community (1991).

1.5.4 Courts

The criminal justice intentionally or unintentionally might ineffectively respond toward the perpetrators' particularity in the racialized community, where the perpetrators are not obliged to take responsibility for their violence (Merry, 2009:103). As an outcome of all this the victimization of women with divers background is often followed by their further victimization by the system of justice. Also the restraining orders issued against the perpetrator by the court can be problematic particularly for the minority women due to the lack of their reinforcement by the police. Thus , according to Merry this protective order does not have value because of no intent to improve the behavior of the perpetrators and because the victims life might be at risk (2009:53-54).

1.6 INTERSECTIONALITY AND VIOLENCE AGAINST ROMANI WOMEN

Intersectionality is a useful tool and recognized as an essential concept for analyzing the multiple forms of discrimination faced by Roma people, particularly Romani women. However there is a lack of knowledge about the applicability of this concept developed in the USA for the Romani women. This approach is essential for Romani women, because it shows how the intersectional identities are affected by the experiences of violence. Nevertheless, it is often deployed with limited applicability on part of the state policy and the particular manner in which Romani women face intersectional discrimination is not addressed.

According to Angela Kocze (2009) Romani women encounter different forms of oppression and discrimination compared to Roma men and non-Romani women, and this contributes to the disempowering and silencing of Romani women. Furthermore, she points out that the situation of Romani women in the recent years has been described in various ways such as double discrimination, multiple discrimination, double marginalization and multiple marginalization. But all these terminologies, as Kocze emphasizes mostly take into consideration the ethnicity/race and gender discrimination and leave out poverty and economic inclusions, which are essential in “shaping individual identities, group structures, and the reproduction of multiple social hierarchies of difference”. (2009:25).

Furthermore, Kocze highlights that the situation of Romani women needs to be analyzed and systematically observed through the intersection of gender, race/ethnicity and class. Leaving out one of these categories leads to inaccuracies which make invisible Romani women's experiences (2009:26). In addition to this she claims that Romani women are not a homogeneous group and very often policymakers and researchers do not recognize or conceptualize the

intersectional discrimination that Romani women encounter. Thus, the concept of intersectionality according to her is very essential for Romani women particularly for the researchers, who

“would not only gain a better language for designating those specific and complex situations that Romani women face, but also be pointed to the need for a deeper analysis of the social processes that create such situations” .

(Kocze 2009:28)

Regarding the violence experienced by Romani women Kocze highlights that often race and gender are taken as a sole category, but are not considered in light of the interaction of those. One noticeable example of intersectional discrimination faced by Romani women could be seen in trafficking of Romani women from Eastern Europe to Western countries. The Romani women coming from this countries often are more likely to be vulnerable and exposed to trafficking compared to non-Romani women due to their gender, ethnicity/race and class inequalities. However, many studies related to trafficking of women treat the trafficking as a consequence of gender inequality while dismissing ethnicity. This approach as Kocze claims does not promise comprehensive analysis and appropriate measures for Romani women (2009:41). The lack of intersectional approach towards Romani women was also noted in the cases of rape or sexual harassment during the armed conflicts, when the category of race/ethnicity was often taken as an explanation, while the intersection of race/ethnicity and gender was not taken into consideration (Kocze,2009:41).

Additionally, a study on domestic violence and Romani women(2007) carried out by Romani women NGOs in Serbia highlights the intersectional discrimination of Romani women related to domestic violence. In this research 75% of Romani women, responded that they have

been exposed to domestic violence by their partners or family members. Thus, Romani women who encountered domestic violence rarely seek medical help as a result of shame and hesitate to reveal to the practitioner that the perpetrator were their partners. Also the exclusion of Romani women from the refuge houses by the social services was explained as a reason of why Romani women victims of domestic violence can not access this service (Shadow Reports Serbia, 2007:4).

Moreover, the intersectional discrimination against Romani women in terms of domestic violence was also highlighted in the study conducted by ERRC and the International Charitable Organization Roma Women Fund “Chiricli” in Ukraine (2010). In this report out of 240 Romani women who have been interviewed, 112 claimed that they have been experiencing domestic violence by family members. However, Romani women often felt reluctant to report the violence because of fear and lack of trust to the authority. Another important issue which was presented in the report was the lack of action against perpetrators by the Ukraine authority and the insufficient help to Romani women victims by the service providers (2010:4).

Concerning the situation of Romani women and domestic violence in Romania the Romani feminist Alexandra Oprea, asserted that domestic violence is not unique just for the Romani communities, but the barriers that Romani women in Romania face disproportionately affect Romani women more than non-Romani women. Among the many obstacles that Romani women face it according to Oprea is the lack of legal help, the limited access to the shelter houses due to the racist attitudes towards Roma by the Romanian social service providers, and the insufficient assistance by the police when domestic violence is reported by Romani women (2004:37).

2.1 DOMESTIC VIOLENCE IN MACEDONIAN CONTEXT

As I already mentioned in the introduction of this chapter, this section is dedicated to the contextualization of the issue of domestic violence in Macedonia, since my research was carried out in Macedonia. Thus, in order to situate my research I believe that it is important to understand the context in which my project took place.

Although in the 1970s with the emergence of “battered women's movement” in many Western countries domestic violence was brought in public light and with that in the policy and legal agenda, in Macedonia the situation was different. Until 1990 Macedonia was part of Yugoslavia and the domestic violence was not regulated with the law, thus the domestic violence was considered as a part of the private sphere. After declaring its independence in 1991, in Macedonia there followed changes in the political system as well as an increase of the non-governmental organizations, particularly women's organizations which were founded by international organization (Nikolic-Ristanovic 2002:142). According to Nikolic-Ristanovic and Dokmanovic this period of transition from communism to capitalism in Macedonia contributed towards the women's vulnerability to violence in the family as a consequence of the “limited realization of the traditional gender roles” (2006:182).

However, the major steps related to domestic violence in Macedonia have been done by many women's organizations, due to the fact that until 2004 the authority did not take any step to address and regulate the domestic violence. In 1992 the Union of Women in Macedonia established the first SOS Hotline in Skopje and in 2005 this Hotline became the “National SOS Hotline for women and children” with the agreement between the Ministry of Labour and Social

Policy and the Union of Women in Macedonia (Nikolic-Ristanovic and Dokmanovic,2006:134). In 1995 the same women's organization founded the transit house at which the victims could be sheltered from 24 to 48 hours (ibid). Thus, from 2004 to 2010 in Macedonia there were opened ten shelter centres, among which seven are managed by the state institutions, while the other three are run by the non-governmental organizations (ESE,2010:6).

Furthermore, the women's organizations Association for Emancipation, Solidarity and Equality of Women (ESE) in 2000 conducted the first study on prevalence of domestic violence in Macedonia “The Dark Figure of Domestic Violence in Macedonia” (Nikolic-Ristanovic and Dokmanovic, 2006:22). Driven by the factual situation and the results of this study, ESE in this period worked into the lobbying of domestic violence with the intention to be put in the legal agenda. Finally, in 2004 the Macedonian Parliament made amendments regarding the domestic violence and it was defined and criminalized in the Penal Code and later included in the Family Law (study by ESE, 2006:4). In addition to this, in 2006 ESE conducted the second comprehensive study on domestic violence “Life in a Shadow” , in which 1,432 female respondents took place. In the survey there were included women from different ethnicities, locations, education and age. The results from the survey showed that almost 56,4% of the respondents had been victims of psychological violence, while 17,7% of the responders stated that they had been victims of physical violence and 10,6% victims of sexual violence. Regarding the ethnicity of the respondents, who were included in the survey, the highest number of physical and sexual violence was noted amongst Romani women 36,7% and the Albanian women 27,4% while the Macedonian 17,4% and other ethnicities were least threatened (study by ESE, 2006:37,76) .

Based on the findings of the study "Life in a Shadow" the Macedonian government with the non-governmental organizations and other important actors in the country and international organizations, in 2008 prepared the first "National Strategies for Protection Against Violence 2008-2011" (NSPAV, 2008-2011:3). Further, in 2012 in Macedonia for the first time there was conducted the "National Research on Domestic Violence". The finding of this research shows that women are more likely to be victims of domestic violence 39,4% compared to men 35,5%. Regarding the ethnicity and education of the victims, the domestic violence is mostly noted amongst minority women where 72,2% of the Romani women⁶ stated that have been victims of domestic violence and women with the low 1 second "National Strategy for Protection and Prevention Against Domestic Violence 2012-2015". However in the time of writing the thesis Macedonian authorities still are working on the regulation of domestic violence in a separate Law because at the moment the domestic violence is regulated under several laws.

On the international level Macedonia ratified many conventions. One of them is the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) which has been ratified in 1994 and in 2006 for the first time Macedonia submitted report to the CEDAW Committee (Orgocka and Kenig, 2012:19). In 2013 Macedonia submitted the second reports to the (CEDAW) Committee. In this report the Committee regarding the general recommendation No. 19 (1992) on violence against women urged Macedonian authority to encourage ethnic minority women to report domestic violence with particular accent on Romani women by raising awareness about domestic violence and offering appropriate protection and assistance to them (2013:5).

⁶ For more information see: Ministry of Labour and Social Politic (2012): "National Strategy for Prevention and protection Against Domestic Violence (2012-2015)", Skopje.p7

2.2 DOMESTIC VIOLENCE AND ROMANI WOMEN IN MACEDONIA

According to the 2002 census in Macedonia live 53, 879 Roma and that is 2,66% of the country population although the unofficial estimates show that between 80,000 to 135,000 Roma live in Macedonia and that is between 3.95 to 6,67% of the population (Amnesty International, 2007). Romani people in Macedonia are diverse group that speak different dialects of Romani language, practising different religion, and enjoying different social status. In addition to this the majority of the Romani population live in the urban area in Macedonia (ibid). However the Romani people in Macedonia still remain the poorest population in the country with the high rates of unemployment, low level of education, substandard infrastructure (RCS, 2005).

The situation of the Romani women in Macedonia is far more worst due to the multiple discrimination that they face based of their race/ethnicity, gender and class. As a consequence of the patriarchal organization of the family structure and the still present gender inequality, Romani women are very often exposed to domestic violence. Yet, Romani women generally move into their husband's parental home in marriage, thus in some cases besides the violence from their partner, Romani women can also be abused by members of their husband's family (Amnesty International, 2007: 64).

In the survey conducted by the Roma Centre of Skopje (2005) from 237 Romani women interviewed, 166 stated that they have been victims of domestic violence and usually the perpetrators were their partners, members of the family or their own parents. The report emphasises that most of the domestic violence cases remained unreported, because of the lack of trust to the state institutions and the fear of damaging the reputation of the family. Furthermore,

the report indicates that high level of racism influences the police authority to not intervene when a Romani woman seeks help as a victim of domestic violence.

Also the majority of Romani women, who once left their abusive spouses return back to their parents house. However many of them are forced to return back to their spouses due to the lack of economic support and housing alternatives. Further, many of them are reluctant to start the divorcing procedures because they fear that they could not live on their own and their children might be taken into care by the social services (Amnesty International, 2007:65).

The research done by the Association of citizen “Sumnal” in 2010 provides information about the prevalence of domestic violence and the Romani women's experiences. This study showed that majority of Romani women, who encounter domestic violence usually stay in the violent relationship and do not seek for assistance by the appropriate authorities. Further the study demonstrated that Romani women are less likely to report domestic violence when they encounter it because of the shame, fear and the belief that they can not receive adequate help. Also the study shows that Romani women lack information regarding the regulation of domestic violence.

3.1 CONCEPTUAL FRAMEWORK

Literature suggests to me that the main explanatory factors for why Romani women do not report when encounter violence are:

- intersectional experiences and
- intersectional insensitivity of policy framework

These can be captured through (as suggested from the literature) the experiences of Romani women. Following these experiences in this thesis I look to prove the usefulness of intersectional approach in the context of domestic violence experienced by Romani women in Macedonia. As such intersectionality shows that the domestic violence experience by Romani women is not just part of the still presented gender inequality in the Romani community, instead it is an interaction of gender with race and class. Thus, domestic violence is not monolithic subject, instead the intersectionality:

“colouring the meaning and nature of domestic violence, how it is experienced by self and responded to by others, how personal and social consequences are represented, and how and whether escape and safety can be obtained”.

(Bograd, 2005:26)

CHAPTER 2

Methods

“Women interviewing women bring to their interaction a tradition of “women talk”.”

Marjorie L. DeVault 1999:67

INTRODUCTION

In this thesis I intend to research why Romani women are less likely to report when they witness domestic violence and what the barriers are that prevent them from seeking and receiving help. In order to address my research question, qualitative approach was used for the data collection and data analysis, since the focus of the qualitative method is on “the subjective experiences and meanings of those being researched” (Maynard and Purvis, 1994:11). As such the participants in this research were able to narrate their experiences in their own meanings.

However, this study has been divided into two stages. The first stage of research analyses Macedonian domestic violence law and policy by using Verloo's critical frame approach in order to understand how intersectionality is done in these documents, what is the context and meaning of the intersectionality, which categories of inequality are excluded and how intersectionality may play a role in mechanisms of implementation of these policy. The second stage was

followed by the semi-structured interviews, since the open-end questions gave the respondents' full latitude to articulate the answers within their own framework (Aberbach & Rockman, 2002:674). As such I believe that I gain more in depth information from my interviewees.

While in the previous chapter the theoretical frameworks of domestic violence and intersectionality were elaborated, this chapter outlines the methods that have been deployed as a whole in this study. Firstly, the underlying fieldwork I describe and the process of conducting interviews, then the methods that I have been utilized for my data analysis, further I reflect upon my position as researcher and finally I address the ethical consideration and limitation, at which I come across while I was doing my research.

2.1 FIELDWORK

As a starting point for this project I decided to make the first contacts with the Centres for Social Work in the towns and cities in Macedonia where shelter centres were located.⁷ Thus, at the beginning of January 2014 I submitted to seven Centres for Social Work official request letters via e-mail. The aim of the request letters was to get the permission to conduct interviews with the employees (social workers and physiologists) that work on cases of domestic violence. In addition to this, my initial plan was, with the help of the employees in these shelters, to target and conduct interviews with abused Romani women.

⁷ Officially in Macedonia there are seven shelters, which are located in Skopje, Prilep, Strumica, Kocani, Bitola, Ohrid and Kumanovo (ESE, 2010). However during my research I found that just three shelter centres were active, and those are located in Skopje, Kocani and Bitola. All the shelters are run by the state and usually in these shelters the same staff are employed as in the Centres for Social Work.

However, when I got the permission to carry out the research in some of the Centres of Social Work⁸ I was told by the employees that they could not arrange meetings with abused Romani women, because it was very difficult or they did not have any cases recently reported or sheltered Romani women.⁹ Thus, in most of the cases I managed to conduct interviews with abused Romani women through the local NGOs, personal contacts and also by using the snowball sampling method. Before starting with the research I had also established contact over phone with some of the NGO representatives in order to ask if they were willing to take part in this study.

Most of the interviews with the social services staff and with the NGO representatives were conducted in their offices, just with one NGO representative the interview was carried out in a café. On the other hand in order to be more open and freely to express their story the interviews with the Romani women victims were conducted in the places where they preferred to be interviewed due to the sensitivity of the topic and in many occasions the interviews took place outside of the victims' homes because I was aware that their life might be put under risk – despite the opinion of some researchers that it is all right for the interviewee to be interviewed in their homes, because that way they can be observed in the place where they live and it would be easier to meet members of the family and to observe the interaction between them. In rare situations the safety of the interviewees can be under real risk, particularly for women (Weiss, 1994:58, 59). Therefore I set up the interview with the Romani women in a place at which they felt safe and comfortable to talk with me.

⁸ I did not get answer to conduct interviews from two shelter centres in Strumica and Kumanovo even though I called them several times and every time I was told that they will call me back, but actually they did not. Also from the Centre for Social Work in Ohrid I received a letter that the shelter centre is closed.

⁹ Even though through personal contacts I was told that in one of the Centres for Social Work they had cases of domestic violence recently reported by Romani women.

2.2 CONDUCTING INTERVIEWS IN MACEDONIA

The research started at the beginning of April 2014 and during this period I conducted twenty-two in depth semi-structured interviews. The interviewees that participated in this research were divided into three groups. In the first group of my interviewees were ten Romani women,¹⁰ who were from Skopje (5), Kumanovo (1), Bitola (2), Kocani (1) and Prilep (1), who all have been abused by their partners. The reason why I chose to conduct interviews with them is because I wanted to hear their life stories in order to gain deeper understanding of why Romani women so rarely report domestic violence. The majority of women, who took part in the interview were all physically and psychological abused, while one woman was economically and sexually abused, they were between 26 to 65 years old, they did not finish education, were unemployed and dependent on social benefits. However, the majority of them had contact with services providers (police social workers etc), just three of them did not approach them, while two of them were sheltered in one of the shelter houses.

The second group of interviewees comprised seven service providers such as social workers and psychologists employed in the Centres for Social Work in Skopje, Prilep, Bitola and Kocani, all of them being non-Roma. The same employees in these Centres run the shelter houses located in these places, however during the interview I discovered that one shelter was opened in 2009 and soon to be closed because of several reasons. All the interviewees have had experiences with domestic violence cases for two to eight years. The reasons why I conducted interviews with them was because as a service that delivers help and protection to the victims of

¹⁰ They declare themselves as such.

domestic violence, I was interested in their experiences and awareness to the needs of ethnic minority women and in their extent of cultural sensitivity.

The last group of interviews was conducted with the three representatives of non-Roma NGOs from Skopje such as *Association for Emancipation, Solidarity and Equality of Women (ESE)*, *Union of Women in Macedonia* and *XERA*. Interviews were also conducted with representatives of Roma NGOs such as *Daja* from Kumanovo and *Luludi* from Skopje. All of the NGOs have been working on domestic violence since 1993, some NGOs were established later. The reason for carrying out interviews with NGOs representatives was to find out how the laws, policy and practices related to domestic violence are implemented in Macedonia and how much they target Romani women, who face intersectional discriminations.

The interview guide with the victims, service providers and NGOs were constructed in a different way, in a sense that the interviewees were asked different question.¹¹ The interview with the all participants lasted between 40 minutes and one hour, even some times more, and it was conducted in Macedonian and Romani language.

2.3 METHODS OF DATA ANALYSIS

Critical frame analysis is adopted as a method in order to analyse in terms of intersectionality the following document: the Macedonian Family Law, the National Strategy for Protection Against Domestic Violence (2008-2011), National Strategy for Protection and Prevention Against Domestic Violence (2012-2015) and the Platform for Joint Action for

¹¹ See Appendix I,II,III.

Promoting the Social Status of the Romani Women in Republic of Macedonia The critical frame approach defines policy frame as :

“an organising principle that transforms fragmentary or incidental information into a structured and meaningful policy problem, in which a solution is implicitly or explicitly enclosed”

(Verloo 2005:18)

In terms of policy frame Verloo makes distinction between diagnosis and prognosis. The diagnosis show how the problem in this case the Macedonian legal and policy texts of domestic violence, encompass intersectionality while the prognosis shows what is the proposed solution in order to be addressed the problem by applying intersectionality (ibid).

The data from the interviews was analyzed by using coding and categorization . This method according to Saldaña enables us “to organize and group similarly coded data into categories or “families” because they share some characteristic – the beginning of a pattern” (2009:8). Thus, the process of analyzing the data started with the rereading the transcribes in order to get some sense about the issues that have been discussed by the participants, then I coded the data from each interview, and after I organized the code into categories and key themes.

2.4 REFLECTION ON MY POSITION AS A RESEARCHER

As a Romani feminist student focusing on gender issues I decided to study this topic because, as a member of the Roma community myself, I often wondered why the majority of Romani women remained silent and did not seek help when they encountered domestic violence. After reading and reflecting on this subject I began to wonder how adequately the needs of abused Romani women can be responded to in order for them to escape the violence. For that

reason I decided to undertake this study in order to be able to see how Romani women can be helped as victims of domestic violence.

I am aware that my position as a privileged educated Romani women, who researches upon abused Romani women, social services and NGOs representatives, it might influence my way of thinking, analysing and interpreting the data that I collected and the relationship between me and the participants. I have to admit that besides experiencing this subject as a challenge, in some cases it was very hard for me to be neutral and not empathetic particularly by the stories told by the Romani women. Borland emphasizes that during the narrative performance the narrator and the listener can be caught by the narrated story (1991:71). However, establishing close relationship between the researcher and the participant in some cases can be helpful for the researcher, but sometimes can be harmful for the close human attachment between the researcher and the person involved in the research and for the production of the research document (K. Zimmerman & Sprague, 1989:77).

The crucial element of the relationship between the researcher and the respondent is the issue of power inequality. Before starting with my fields work, due to the sensitivity of the topic, I wondered how the relationship between the Romani victims of domestic violence and me will develop; due to differences in class and education I wonder how the Romani women would perceive this, and whether they would be more comfortable and open with me during the interview or whether they would see me as an educated Romani woman with authority and that would influence their narration of the story.

During my fieldwork I noted that the women were free to talk with me just because they trusted the person by whom they were identified as victims.¹² Thus, the trust was a very crucial part in order to be able to obtain consent to conduct the interview with them. I witnessed situations when the Romani women were known as victims of domestic violence, but they did not want to be interviewed because they did not know well the person through which I was introduced and eventually those interviews were not successful.¹³ Thus, the unequal power relationship of educated/uneducated Romani women played a role here. Nevertheless, to my own surprise I had the feeling that the majority of the women, who took part in the process of interviewing, found the interview empowering, which was indicated to me through their claiming that after telling their stories they felt better.

Considering the racial and ethnic difference between the participants and the researcher, some researchers claim these differences do not affect the quality of the interview at the moment when the interview is taking place (Weiss, 1994:139). Probably I might agree with this researcher if the researcher was from white race, but what happens when the researcher is not? Before conducting the interviews there was a period of time when I was trying to establish contacts with the social service provides. During this period I was introduced through personal contacts to the social worker, who works in the unit of domestic violence. I was asked by this person whether I came there to report that I have been molested. With this experience I wondered if it was likely to be perceived as a Romani woman victim, but not as a Romani woman researcher, due to my skin colour.

¹² On several occasions I was told by the women that they are telling their story just because they trusted that person, otherwise they would not have shared their stories.

¹³ I talked with two women, who told me that "If I tell you my story you will go and report my husband"; thus I knew that they felt scared and I did insist on conducting interviews with them.

Thus, as a result of this situation, before conducting the interviews, I was wondering how the service providers and NGOs will perceive me as a Romani woman who is researcher, and this fact might influence the way how they will narrate or they might see me as a student/researcher whom they would like to help by taking part in the interview. Taking that into consideration, my identity in some situations probably had influence on the narratives of some of the participants.

2.4 ETHICAL CONSIDERATION AND LIMITATION

Before conducting the interviews several ethical issues had to be taken into consideration, such as the guarantee of anonymity and privacy to the participants, obtaining consent, and recognizing my limitation as a researcher in order not to harm the interviewees.

To address these ethical issues firstly, all the participants in the research were familiar with my position as a researcher and with my project. Also, before conducting interviews with the female Romani victims of domestic violence, the service providers and the representatives of the NGOs, I asked for their verbal consent to take part in the interview and explained to the Romani women that, in order to protect their anonymity and privacy, I would not use their real names in my thesis.

Taking into consideration the limited numbers of the interviewees that took part in this study, general assumption about the situation of Romani women in relation to domestic violence in Macedonia cannot be made. In addition, due to the sensitivity of the topic it was very hard to build trust with the Romani women from other towns, and for that reason the representative number of Romani women from other towns was small. Therefore my research cannot claim to be representative for the Romani women victims of domestic violence in Macedonia.

CHAPTER 3

Macedonian Domestic Violence Law and Policy: Are Romani Women “In or Out”

“The adoption of a more intersectional approach to the treatment of inequalities could thus promote the development of more inclusive and better quality politics”

Lombardo and Verloo, 2009:479

INTRODUCTION

This chapter will focus on the analysis of the intersectional effectiveness of the Macedonian policy and legislation, which are designed to address the needs of the victims of domestic violence. The key issue for analysing these documents is to view the intersectional application of this policy and legislation in order to uncover how Romani women are referred in these documents when they want to seek help, once they encounter domestic violence.

In the following section there would be analyzed the Macedonian Family Law,¹⁴ the National Strategy for Protection Against Domestic Violence (2008-2011), National Strategy for Protection and Prevention Against Domestic Violence (2012-2015) and the Platform for Joint Action for Promoting the Social Status of the Romani Women in Republic of Macedonia.

¹⁴Macedonian legislation frames domestic violence in two laws the civil legal protection of the Family Law and the criminal legal protection of the Penalty Code, but in this thesis the civil protection legislation is analysed.

3.1 FAMILY LAW

Even though the first effort for the illumination of domestic violence in the public sphere was in 1994 and initiated by many Macedonian women's organizations, only after a decade domestic violence was brought on the political agenda. Finally in 2004 domestic violence was regulated in the Family Law; after several changes were made. In this law, besides the domestic violence, marriage and family relationship, adoption, guardianship are regulated too.

According to the Article 94- b of this law, domestic violence is any form of physical, economic, sexual and physiological abuse. In the diagnosis of the law it is precisely highlighted that victims of domestic violence can be any members of the family: marital couple, parents, children and other family members who live in marital or extramarital union, former marital partner or person with whom the victim has a child, between siblings, elder members in the family and members of the family who are deemed as partially or fully lacking legal capacity (Family Law, 2013). In addition to this in the Article 94-v from this law the victim and perpetrator can be any individual, who is mentioned in the Article 94-b (Family Law, 2013) From this law we can note that they use “individuals subjected to domestic violence frame” (Krizsán and Popa,2011:10) where the victim and perpetrator are articulated in gender-neutral terms. As already has been discussed in Chapter 1 according to this frame the domestic violence is seen as a universal problem and women are not specified as a group that are more affected by this issue.

In the prognosis of this law as key institutions, which are obligated to provide measures of protections to the victims are the Centres for Social Work and the non-government institutions,

which deal with this domain. The Centre for Social Work can ensure temporary protection to the victims and also the victims can request sheltering; appropriate healthcare; appropriate psychosocial intervention and treatment; appropriate counselling services; assuring the continuation of school attendance for the children; providing legal help and representation of the victims; initiating a case in the court; and other appropriate measures for dealing with the problem” (Family Law, 2013, Article 94-g). Further, in the prognosis of the law it is mentioned that the authorized court can state restraining orders to the perpetrators such as: “prohibition to threaten the victim; prohibition to maltreatment, disturbance, or making contacts by phone or other means of devices with other family members; prohibition for the perpetrator to be near the work place, school or other place that is visited by the other member of the family; notice of eviction from the family home; confiscation of arms; obligation of the perpetrator to support the family; an order of the perpetrator to visit counselling; if the perpetrator is drug addicted or alcohol dependence can be ordered to undergo treatment etc” (Family Law, 2013, Article 94-e). All these intervention measures can be requested to the authorized court or through the Centres of Social Work by the victim. They can be initiated even if no legal action is taken against the perpetrator (Family Law, 2013, Article 94-d, z).

At the implementation level the analysis of these restraining orders and the temporally protections which are supposed to be issued by the judges they are with limited enforcement; sometimes they do not fit with the demand of everyday life; and in the cases when both parties request restraining orders and the judge issued mutual restraining orders in that cases both party when are together they are guilty for the violation of the law (Merry, 2009:58-59). In the light of this, Bistra pinpoints that in Macedonia the implementation of the restraining orders are rarely effective in the practices even when are issued, their implementation is the further obstacle. Yet,

some other interventions do not take place such as counseling and the mandatory medical treatment of the perpetrators as results of not having clear procedures in order to be issued. Even though when some of the restraining orders are issued, there is still lack of follow-up (2013:11).

Further, the legal help, which should be requested as one of the many temporary protection by the Centers for Social Work to the victims is accessible in theory. Nonetheless, in practice the Centers for Social Work rarely offer legal help, because of few or not enough staff with adequate qualification. Very often minority women and women from rural area are affected by this limited protection due to the lack of financial and family support (Bistra, 2013:9,10). Importantly the rate of Romani women employed in Macedonia is lower than the non-Romani women (UN Annual Results Report, 2012:11). It became clear that when they encounter domestic violence they can not afford this legal help, and very often they decide to not leave their abusive relationships. Thus, the play of intersectionality as a mechanism for Romani women victims of domestic violence is very crucial in this law, because it explains the interaction between the complexity of the experiences of violence by Romani women and the enforcement of this law. However, two issues emerged from this law first one is that this law shows lack of gender, thus gender inequality is not taken as a basis for the occurrence domestic violence. The second issue is the neglecting of ethnicity and class.

3.2 NATIONAL STRATEGY FOR PROTECTION AGAINST DOMESTIC VIOLENCE (2008-2011)

In 2008 the Macedonian government in cooperation with other non-governmental organizations and international experts working on the issue of domestic violence adopted the National Strategy for Protection Against Domestic Violence 2008-2011. In the country the Strategy was one of the first strategic documents in the field of preventing and eradicating the domestic violence. The aim of the strategy was to decrease the occurrence of domestic violence, improving the national capacity for preventing and addressing the domestic violence and providing the victims with the adequate service provision (Strategy, 2008-2012:21). As a part of the Strategy the following goals were set up:

- 1.Establishing multi-sectoral co-ordinative approach in the protection of the victims of domestic violence.
- 2.Prevention of the domestic violence through education.
- 3.Education of the service providers.
- 4.Improvement of the system of protection of the victims of domestic violence.
- 5.Improvement of the civil protection system.
- 6.Improvement of the criminal protection.
- 7.Introducing a system of documents and reporting on cases of domestic violence by the relevant institutions.
- 8.Establishing mechanisms for implementing the strategy.¹⁵

In the diagnosis of this document women, children and elderly people are clearly mentioned as victims of domestic violence. In addition to this, in the strategy it is mentioned that

¹⁵ Ministry of Labour and Social Politic (2008): "National Strategy for Protection Against Domestic Violence (2008-2011)", Skopje

women are mostly victims of domestic violence in comparison to men. Surprisingly the category of women is mentioned for the first time in this document, whereas in the law it did not appear. It is also mentioned that the causes for occurrence of domestic violence are the traditional values in the society, patriarchy, insufficient education of professionals, who work with the victims of domestic violence, insufficient capacity of the institutions to take prevention, insufficient information about the activities of NGOs etc (Strategy 2008-2011:8). Apparently this is the first document to acknowledge that gender inequality and the patriarchy are the location for the occurrence of domestic violence, while this was not mentioned in Family Law.

In the prognosis of this Strategy the target groups that need intervention are youth, children, elderly people, perpetrators and victims of domestic violence. One of the many proposed activities in this strategy was the social-economic integration of the victims of domestic violence with particular focus on marginalized group. (Strategy, 2008-2011, 26). The term “marginalized group” is problematic because it does not say to whom this is referring, because this terminology in Macedonia is used to refer to Roma and poor people.

Moreover, in this document the category of gender, while the category of race and class are excluded. In this regards Macedonian policy makers by designing policy that reflects the gender nature of domestic violence only ignores the multiplicative nature of cross cutting power such as class and race. It became obvious that Romani women were somehow invisible in this policy document as an outcome of the “one size fits all” approach (Verloo, 2006:223). According to this frame, Macedonian authorities designed policy that overlooked the inequalities as an impact of sameness and equivalence (ibid), in which Romani women were excluded. Lombardo and Verloo (2009) claim that the key element of defining policy is to target the people, who encounter multiple inequalities because by creating policy that “privileges the treatment of some

inequalities and ignores the fact that inequalities are mutually constitutive” (2009:479) the policy ends up by marginalizing some people while privileging others (ibid).

Based on this, the meaningful element of intersectional approach is to make the policy makers and the service providers to be aware of targeting and meeting the needs of women with diverse backgrounds as an upshot of their diverse experiences and different needs (Gill and Thiara, 010:42). Consequently, the intersectionality needed to be included in this policy document, as a mechanism which would meet the diverse experiences and needs of abused Romani women.

3.3 NATIONAL STRATEGY FOR PROTECTION AND PREVENTION AGAINST DOMESTIC VIOLENCE (2012-2015)

Based on the implementation and the results of the first National Strategy Against Domestic Violence (2008-2011), the Macedonian authorities and other international organizations prepared the second Strategy against domestic violence in 2012. Regarding the previously analysed National Strategy Against Domestic Violence (2008-2011), where Romani women were not named, in this Strategy there can be seen some attempts related to Romani women and intersectionality.

The principle objective of the Strategy is “improvement of the system of prevention, identifying and providing adequate protection to the victims of domestic violence through coordinative multi-sectoral approach on local and national level” (Strategy 2012-2015:29) In the Strategy the following priority areas are enlisted:

1. Prevention of domestic violence.
2. Protection, help and support of the victims.

3. Prosecution of the perpetrators.
4. Capacity building of the institutions and special units.
5. Implementation and monitoring of the evaluation.¹⁶

In the diagnosis of this Strategy it is mentioned that victims of domestic violence are women, girls, elderly women, and women that live in the rural area. Yet, the category of Romani women is mentioned by referring that the situation with Romani women is more worrying, because almost 72,2% of the Romani women in the “National Research on Domestic Violence” conducted in 2012 by the BRIMA-Skopje with the support of UNDP were abused by their partners or family members. Further in the Strategy it is mentioned that in comparison to women from other ethnic minorities,¹⁷ Macedonian women are more likely to report domestic violence when they encounter it (Strategy, 2012-2015:7). In the Strategy it is also highlighted that the perpetrators are mostly men, but in some cases other members of the family can be as well (Strategy, 2012-2015:6).

The causes of the domestic violence are explained with the unequal power relationship and the socio-economic status. Regarding the socio-economic status and the education level of the victims, it was noted that women with low economic status and educational level are most likely to be exposed to domestic violence (Strategy, 2012-2015:7).

¹⁶ Ministry of Labour and Social Politic (2012):“National Strategy for Prevention and protection Against Domestic Violence (2012-2015)”, Skopje.

¹⁷This research sample was designed by the National institute for Statistics in Skopje and included a representative number of 2100 people, both men and women from age fifteen, with 300 randomly chosen urban and rural regions. In each research unit, seven interviewees were selected and interviewed. The research was based on quantitative methods within accordance of UNODC-UNECE Manual on Victimization Surveys. The field research was carried out between March and April 2012 by conducting face to face interviews in the interviewees' homes. For information see: Ministry of Labour and Social Policy (2012):“National Strategy for Prevention and protection Against Domestic Violence (2012-2015)”, Skopje and The National Research on Domestic Violence 2012.

In the prognosis of this document the following solutions are proposed: raising awareness against domestic violence by organizing campaigns; organizing debates related to the traditional understanding of gender roles in the rural areas; organizing trainings about gender inequality, stereotypes and multicultural differences for the police officers, judges, practitioners, the staff personnel that work in the social protection institutions; economic empowerment of the victims through their employment and so on (Strategy, 2012-2015:46-57).

Thus, in the prognosis and diagnosis of this policy document the intersectionality is visible with the naming of the category Romani women, who are affected mainly by this issue and the proposed solution is the activity of organizing trainings about gender inequality, stereotypes and multicultural differences for the service providers. This is the first document that integrates intersectional approach. Gill and Thiara(2010) point out that the need of intersectionality is not only to be acknowledged in terms of the social division that creates different experiences among women of colour, but also the need for the “problematic unidimensional articulation of cultures and communities” to be challenged (2010:41). Therefore, this activity is very essential for the Romani women because the previous study on Romani women indicates that the service providers and NGOs fail to show cultural sensitivity in assuring protection and support for Romani women victims of domestic violence (Amnesty International, 2007:66).

In addition, it is mentioned in the Strategy that the discrimination towards particular groups is still widespread in the society and consequently, the activities that are included in the Strategy are directed particularly to the groups that face multiple discrimination (Strategy 2012-2015:27). However, the terminology “groups that face multiple discrimination” does not explicitly refer to whom it means. The ambiguity of this terminology is on invisibility of the category of gender, because the term itself does not specify if Romani women are included in this group. Following

this Richie (2005) argues that the victimization of the poor women of colour is usually invisible to the public, as a result of neglecting their gender identities and presenting them within categories such as class and ethnicity. Thus, degendering the experiences of coloured women is leaving them without access to claim their gender oppression (2005:53). The same situation can be noted here, so even these activities in some way target Romani women. However their gender is not considered.

3.4 PLATFORM FOR JOINT ACTION FOR PROMOTING THE SOCIAL STATUS OF THE ROMANI WOMEN IN R.MACEDONIA

In 2006 the Romani women NGOs created the Platform for Joint Action for Promoting the Social Status of the Romani Women in the Republic of Macedonia. This Platform was based on the Shadow Report on the situation of Romani Women in Macedonia which was carried out in 2005, and in the same year this report was submitted to the CEDAW Committee.

In the Platform the main problems that Romani women face were described within the areas of education, health care, political life, social policy, employment and domestic violence. In this policy the interaction of multiple forms of discrimination is documented where Romani women experience is mentioned. Regarding the domestic violence in the diagnosis and prognosis explicitly, it is shown that the intersectional inequality is based on gender and ethnicity by referring to the category of Romani women and girls as well as to the lack of trust for the state institutions.

Later this Platform was adopted by the Macedonian authority in the form of the National Action Plan for the Improvement of the Situation of the Romani Women in Macedonia.

According to the Shadow Report that was submitted to the CEDAW Committee in 2013 by the Roma Centre of Skopje, it was noted that the Macedonian authorities did not take any significant measures in order to implement the planned activities with the Action Plans, thus the situation of Romani women related to domestic violence remained the same.

CONCLUSION

This chapter has shown that the intersectionality as a mechanism related to domestic violence faced by Romani women did not appear in the analysis of the Family Law and in the first National Strategy Against Domestic Violence (2008-2011). However, the second National Strategy for Protection and Prevention Against Domestic Violence (2012-2015) and the Platform for Joint Action for Promoting the Social Status of the Romani Women in the Republic of Macedonia showed that there is some progress in terms of including the multiple forms of discrimination, with particular references to the category of Romani women. In the next chapter the implementation and the intersectional effectiveness of these policy and law on the empirical level will be addressed.

CHAPTER 4

From Law and Policy to their Implementation: Domestic Violence and Romani Women

“The goal – to end domestic violence against all women, not simply to provide programs for particular women – means making life better for individual women within the context of making life better to all women.”

Sokoloff, J. and Dupont, 2005:21

INTRODUCTION

This chapter outlines the narratives collected from the interviews with Romani women who are victims of domestic violence (10), the social services providers (7), and the Roma and non-Roma non-government organizations (5). These interviews are to be seen in the light of the obstacles that prevent Romani women from seeking help when they encounter domestic violence and of the intersectional feasibility in the work of service providers in the domain of domestic violence.

In this regard it is argued that Romani women are reluctant to report and seek help when they witness domestic violence due the invisibility of their intersectional experiences with the

mainstream services providers, who by implying a universalistic approach in domestic violence often overlook Romani women's individual needs. In this light the following sections display why Romani women's experiences of domestic violence should be seen through the lens of an intersectional approach instead of that of the one-size-fits-all approach (Verloo, 2006:22).

4.1 INTERSECTIONAL CONSTRAINTS

The popular discourse “Why Does She Not Leave” (Burma and Chantler, 2005:62) towards battered women implies that these woman always have a “choice” when they face domestic violence. However, in the reality of many women there are many obstacles that prevent them from seeking assistance and help by services providers. This is particularly problematic for ethnic-minority women, even though they encounter the same obstacles as the majority women in terms of housing, childcare, money etc. (Burman, Smailes and Chantler, 2004:335). However, minority women face additional obstacles, that compromise their ability to seek help outside from their community, such as racism, class difference, migration, language, nationality etc. (Gill and Thiara, 2010:44).

The following sections thus demonstrate, through the narratives of the participants, the barriers that keep Romani women from reporting and seeking help when they face domestic violence.

4.1.1 LACK OF PROTECTION AND ASSISTANCE BY THE POLICE

Study on minority women and domestic violence indicates that one of the problems which abused minority women come across is “getting the police to respond at all” (Coker, 2005:378). In many cases the police believe that taking intervention on reported domestic violence cases among a poor racialized community is unremarkable, as results of their cultural construction of the categories “normal” and “deviant” people, where the poor minority are put in the last category (ibid). In addition to this, even when the police take action to intervene among those communities, often they tend to reduce misdeeds towards the “legal seriousness on non-violent disputes” and treat them as “normal” or “unworthy for actions” (Rasche, 1988:159). During the interview with the Romani women it was emphasized in their narratives that the police officers are not always liable. In many situations when Romani women decided to approach the police, often their complaints ended up with lack of further protection and assistance. One of them was Kepsera (45), who described her experiences with the police officers after reporting that she was abused by her husband, who is an alcohol addict:

“They (the police) responded quick to my call, they came to my house and asked what was the problem, they asked for our IDs and wrote our names. I told them what happened they listened and told me not to sit next to him to go outside and wait for him to calm down.”

“Did you asked them where to go?”

“I did and they told me at this moment to go away, so I did go on the street with the children until 1 a.m., my son got ill from being outside in the cold and now I receive benefits.”

From Kepsera's narration it can be seen that for not having adequate protection by the police in many cases she was in need to look for a solution by leaving the house and not seeking for further assistance by the police officers. During the interview with Kepsera I was told that when the situation was getting very tense between her and her husband, she took her children outside

to the street and waited until her husband fell asleep in order for her and the children to be able to return back home.

In addition, in the narratives of the majority of Romani women it was stated that even when the police responded to their complaints in many cases they ended up with notification or imprisonment of the perpetrators for 24 hours and for that they felt in many situations discouraged for seeking help again because their safety was not assured. One of them was Lejla (26), mother of two children, who gives her reasons of why she felt discouraged to seek help again:

“He was beating me up all the time, he even stabbed me with a knife and I went to the police wounded and I was taken to the doctors, they (police officers) got my husband, but after 24 hours they released him and he came back home which made things worse as he beat me even more and he told me you are considering me as an enemy and report me to the police. Since then I have decided not to report.”

For Lejla obtaining help again was considered worthless because she was expecting the police officers to take further prevention on her best interests in order for her to be able to leave her abusive relationship. However, as a consequence of her insufficiently being protected by the police she was less likely to seek help again. After encountering this situation Lejla decided rather to stay in her abusive relationship instead of exacerbating the abuse.

This as an obstacle that was also mentioned in some of the narratives of the NGOs representatives, where it was stated that due to the lack of protective mechanisms by the police Romani women often decided not to leave their abusive relationships. Interviews with the representative of the NGOs Luludi and Daja revealed that even though the police does intervene when domestic violence is reported by Romani women, usually the police do not take additional protection that would guarantee the safety of the Romani women. A representative of the NGO

Luludi reported that the police usually intervened by coming and taking the perpetrator into custody for 24 hours and the next day the perpetrator was sent back home. Thus often Romani women withdraw from further procedure, because they do not receive any other option for the problem such as a different accommodation, and in many cases they have to reconcile with the perpetrator because they share the same house.

In an interview with the representative of the NGO ESE it was commented that usually at the police station the victims' complaints are most likely to be taken as an offence or complaint even though this act should be considered a criminal act. Thus, when violence is considered as such the police do not have mechanisms to oblige the perpetrator to come to the police station. Nevertheless, even in a case when the police consider this act criminal they also are less likely to send a criminal charge to the Public Prosecutions and without the criminal report from the police the victims cannot pursue justice (Bistra, 2013:10).

Based on these narratives it can be thought that due to the lack of protective mechanisms by the police this obstacle is not just encountered by the Romani women but also by the non-Romani women. However the situation of the Romani women victims of domestic violence is by far worst because of the lower level of education, unemployment and the lack of finances support from the immediate family and they are at greater risk of returning back to the perpetrator. In addition to this as a result of the insufficient help by the police in many cases they feel discouraged to seek further help which would meet their individual needs.

4.1.2 REAL VICTIMS

Another issue which was pointed out by the Roma women interviewees was the need of having a proof of injury in order to be considered a victim. This situation was also encountered by Resmija (41), a mother of four children who was in constant fight with her alcohol-addicted husband. She narrated her experience with the police in the following statements:

“Once when I went to the police station to report that I was assaulted by my husband the police officer told me you are just coming to complain here, for that you should have bruises. Also one of the police officers who knew me and my husband because I was complaining very often told me “send my regards to your husband”.”

After she got this respond from the police officer, Resmija stated that she was very insulted because the police did not take her case seriously, just because she was not considered a victim. According to some authors the police requesting proof of injury or wounds on the woman's body can be one of the obstacle that prevents the majority of coloured women to look for further assistance by the police due to the fear of not being considered real victims (Rasch, 1988:159). Such experience was also faced by Resmija, who, after receiving the response by the police officer, heard that she should have bruises on her body in order to be considered a victim, and felt discouraged from seeking further help .

This narrative about being a real victim also emerged in the interviews with the employees in the social services when it was said that not every victim can be considered a victim of domestic violence. The majority of the social service providers indicated that in rare situations they had so called ”classical domestic violence cases”. It was interesting how they considered who is the real victim, thus they were asked whether they had cases when Romani women came to report that they had been abused, and later they decided to stop the procedure. One of the social service providers answered the following:

“We do have, they come to us (Romani women) and often the first report doesn't necessarily mean that they will go to the end with the procedure. I often give them time to think, they can't decide at the first report if it's domestic violence, they aren't educated well and hence their understanding of domestic violence is often wrong.”

(Social Worker)

From the narrative of this social worker can be seen that Romani women cannot be considered real victims on their first reporting, because they cannot make their own decision of what it means to be abused. Thus, in order to be classified as the so called “victim of classical domestic violence case” Romani women’s complaints should be in accordance within norms of this social worker's framework. The literature suggests that the victimization of minority women, who encounter domestic violence is invisible and overlooked as an outcome of the discourses of “othering” (Burman, Smailes and Chantler, 2004:345; Bograd, 2005:30). Thus, seeing the domestic violence through this lens often reinforces the construction of racist – other (Gill and Thiara, 2010:45).

The construction of “otherness” in this context was also presented in the narratives of the interviewed social workers and psychologists, by asking the question how Romani women understood violence, to which the majority of these respondents gave the following comments:

"They are often uneducated, if you have education your understanding is different, these ones (Roma women) are either stupid or don't understand. Some behaviour is normal for them such as the swearing by their husbands, the arguments between them while we would consider that violence”.

(Social Worker)

“Usually they don't understand domestic violence because they don't see it as a problem”.

(Psychologist)

Unfortunately the victimization of Romani women is denied often as an outcome of the invisibility of their “socio-cultural contexts and their specific forms of abuse” (Gill and Thiara, 2010:44). Thus, taking into consideration these narratives from the social service providers it becomes apparent why Romani women are not able to prove their victimization, particularly if they do not have visible evidences on their bodies (marks, injuries). This issue was also discussed in the interview with the representative of the NGO XERA who revealed that in Macedonia the physical abuse is mostly taken as prove of domestic violence, while the psychological, sexual and economic violence is very hard to be proven. Thus, the economic violence to which Romani women are mostly exposed is not taken into consideration at all.

“The Romani woman is mostly exposed to economic violence because she can work the hole day, and when she comes back home, her money is taken by her husband, who spends it on alcohol.”

(Representative of the NGO XERA)

On the other hand the minority women would be considered victims when the situation reached the highest point of violence, which is obvious on the women's bodies (Rasche, 1988:159). Ajsel (33), a mother of three children, often had quarrels and fights with her husband because he was spending all the money on alcohol. Once she went to the near police station to report that she was bitten by her husband, but as she did not have any visible injuries she was told by one of the police officers that this was nothing, they were husband and wife and they would get back together. But when she went the second time she said:

“Can you imagine that when I went to the police station for the second time because I had head injuries, bruises, pulled hair from the attack I saw the same policeman who previously did not believe me, and I told him it's because of what happened previously when I tried to

report him and you supported him. He told me “You are right “, but what can you do if you don't have 'a back', it's hard “.

Having a “back” for Ajsel meant having somebody to protect you, because the first time she went to report the violence she was not considered a real victim, but after gaining visible injury on her body she was seen as an appropriate victim and this situation made Ajsel feel discouraged and powerless.

This finding shows that the universalistic approach of defining “who is appropriate” victim of domestic violence often ends with the exclusion and “othering” of Romani women . Thus, as a consequence of the racial attitudes towards Romani women by the service providers often their victimization might be denied, while this might not be encountered by non-Romani women victim of domestic violence. In this regard it is very essential for the service providers to consider the social-cultural context of their clients, in this case that of Romani women, in order to respond to their needs adequately.

4.1.3 DISTRUST TOWARD THE STATE INSTITUTIONS

In the findings it was also revealed that some Romani women did not approach the services providers because they did not believe that they could gain the appropriate help. Thus, the distrust for the state institutions by the Romani women was explained with the narrations that even if they went they would not get adequate help. This was also illustrated on Elvira (34) and Selma’s (54) comments:

“I didn't ask anyone for help, firstly I was scared of the police, secondly if I reported him he would come home again and beat me or the children.”

When she was asked whether she contacted the Centres for Social Work she stated:

“Where can the Social Services take me with six children? I want to take my children with me, I can't leave them with him to be mistreated.”

(Elvira)

"The police would not help me, they would tell me it's a Gypsy thing."

(Selma)

From these narratives it can be seen that Romani women feared that they would not get the appropriate help or they would be exposed to racist insults by the services providers. The Anglo-Saxon literature has shown that, throughout the history, Afro-American women have experienced the police as hostile toward the Black community (O'Toole and Schiffman, 1997:247) as already discussed in the Chapter 1. Based on this the same situation can be seen in the above narratives of Romani women, because among the Romani community the police has been historically perceived as somebody who tended to enforce the interests of the culture of the majority (*Gadje*)¹⁸ and not always to imply the law. As a result of that the police are perceived as hostile among Romani community. In this context from the narratives of these Romani women it can be noted that approaching the police for Romani women would mean a reinforcement of the stereotype of the Romani community being violent.

¹⁸ In Romani language this means “non-Roma”.

In this light, the stereotypical narratives towards Roma that they were violent or that the “Roma style of living was violent” was highlighted among the majority of social services providers’ responses:

“I don't know how you can name it, but it's a Roma way of living, amongst them the argument often erupts in the moment, they argue for nothing. We don't receive many reports. Even if we do they often withdraw them later. They often first report to the police and when we call them 2-3 days later they will have already reconciled. We then talk to the victim, who often withdraws her statement.”

(Social Worker)

“It's their mentality (Roma). They will report to the police and by the evening will have reconciled.”

(Psychologist)

Thus, by framing that the violence is part of the “Roma mentality” or as Burman, Smailes and Chantler name it “pathologised presence” (2004:341) in the minority culture, it became visible that as a result of the racist manner against Roma, Romani women do not trust that they would gain adequate help by these services providers. As already discussed in Chapter 1 it is very important that domestic violence not be justified with culture, instead that it be seen how the culture is shaped by the other structural forms such racism, economic exploitation, etc. (Sokoloff and Dupont, 2005:46).

Also in some of the narratives it was highlighted that when the interviewees were approaching the services providers they also feared further ill-treatments against their husbands by the authorities and for that they often withdrew from further procedures. This was commented by Aneta (28):

“When I went to the police they told me that my husband could be imprisoned from one to eight years if I decide to take him to court. I did not want to do that. He is my children's father and could not do that to him.”

Aneta's narration “could not do that to him” implies that she could not take her husband to further racist treatment at court. Thus, the literature suggests that for some coloured women the barrier to report the violence is not just the fear of the police that do not do anything, but it is also the fear of the police doing too much. As a result of that many coloured women are afraid of the treatment on part of the white institutions towards their partners, because they are in a dilemma of what would happen when he is arrested, in prison or at court (Rasche, 1988:160). Such an experience can be also noted in Aneta's narrative according to which she was afraid to start a procedure against her abusive husband as a result of the still existing prejudice against Roma, which could have an impact on how the court would behave towards her husband.

Nevertheless, this finding shows that due to the lack of cultural sensitivity on part of the service providers Romani women often do not believe that they would receive the appropriate assistance, and as a result of that many Romani women remain silent when encountering domestic violence, while this is not a case with non-Romani women victims of domestic violence. In addition to this the absence of cultural sensitivity by the service providers towards Romani women was also noted in the narratives of some NGOs that were interviewed. According to the representative of the Union of Women from Macedonia not all institutions are sensitive, even with all the trainings offered to them, not only from the NGOs, but as well by the government. According to her experience there is often a change in staff who work and are trained on this issue, thus when the new staff, who are not trained and educated to deal with the issue, arrive they are often easily able to manipulate the Romani women because of the lack of confidence and understanding of their rights. Also the majority of Romani women are

confronted with stereotypes and being called ‘come chaje’ (means girl in Romani language) by the police. Also police officers and social services are not educated well enough to understand the importance of respecting the person as he or she is.

4.1.4 EXPERIENCES WITH THE SOCIAL SERVICE PROVIDERS

The majority of the interviewed Romani women described their experiences with the services providers as discriminative and unbeneficial. In their narratives it was mostly highlighted that they felt that did not get the proper help when they approached the social services providers because of their ethnicity. One of them was Sabria (48), a mother of five children, who answered the question as to whether she felt that because she was Roma and because of that she did not get the proper help from the social service providers as follows:

“I felt that because I used to go and complain to the social services that I was beaten by my husband. Once I even showed them my bruises and they told me to go and stay with relatives, which I did, but he came even there and assaulted me by taking all my money.”

In this regard Bograd demonstrates that for minority women an obstacle can as well be the discriminatory and the punitive manner of the services providers. However, not only the prejudicial attitudes towards minority women can be intentional by the services providers, but it can also be followed by the excuses that their assistance should be within the frame of well-meaning social and legal programs (2005:32).

Alongside with this, an interview with the social worker revealed that when victims of domestic violence approached them. The social workers according to their procedures first assessed the victims in order to see if the victim's life is at risk. If they evaluate that the victim's life is at risk then the victim is entitled to be accommodated in one of the shelter centres. If the victim is considered not at risk then usually the social workers advise to the victim to be sheltered at a relative or friend's home. Thus, when Sabria approached the social services reporting that she was abused, the social workers, enacted that they should work in the frame of their legal program by advising Sabria to be sheltered in a relative's home because she was not considered a client whose life is at risk. Thus, the needs of Romani women, when approaching these services can be overlooked as a consequence of the stereotypical attitudes towards them.

Moreover, the Romani women commented that, because they were not treated well by the social service providers when they approached them, they decided not to pursue further help. This was also demonstrated by Senada (35), a mother of two children, who was in the refuge house and when she left it she was obliged to return back to her abusive partner because of a lack of housing alternatives and out of economic reasons. However, when she was asked whether she felt that sometimes she did not get the adequate help by the service providers because of her ethnicity she commented:

“Yes, because I was going to the unit of domestic violence in the Centre for Social Work to tell them that I was still abused by my husband, the social worker told me that I did not have the right to ask for help and I stopped to go. This one was different to the one that I knew and was not as nice”.

Regarding the experiences of Romani women with social service providers, studies on Romani women and domestic violence in Macedonia show that the number of Romani women who seek help from these institutions is very low, because they fear discriminatory and racist

manners toward them (Amnesty International, 2007:68). This issue was also emphasized in the narratives of the NGOs when they were asked whether the service providers responded adequately when Romani women approached them:

“No, the reason is discrimination. I personally witnessed when a Roma woman was discriminated against by the institutions and the police. As an example I had times when me or my colleagues would report to the police and they would say "Why don't you leave the Gypsies alone, they often fight and afterwards love each other". The social services also told me the same and got angry at the clients when they went back to their husbands after finding place for them in the shelters. They don't have a right to get angry with the clients, they are there to support the client through the process, and if they then decide to return back they might have a good reason for that. The institutions don't take Roma women seriously and I can say that they are discriminatory towards them because the Roma women – due to the traditional norms and the pressure from others and the children – return back home. Also the unemployment plays a role as a Roma woman does not have means to support herself if she leaves the home.”

(Representative of the NGO XERA)

From this narrative we can note that Romani women, as a result of the still deeply embedded systems of power and inequalities in these institutions, are not just subjects of violence by their husbands, they also encounter violence by the state institutions - “structural violence” which together compromise their decision to leave their abusive relationships. Thus, this finding reveals that because of intersectional discrimination against Romani women, based on their gender, race and class, Romani women are often reluctant to approach these services.

4.1.5 FAILURE OF THE SYSTEM OF JUSTICE

The ineffectiveness of the court practise was one of the issues that was also pointed as a barrier that prevented Romani women from seeking help. However, this as an issue was not considered by all participants, because not all of them prosecuted the perpetrators and went through a divorce procedure. An interview with the representative of the NGO ESE showed that the criminal proceedings towards the perpetrators in Macedonia took place in rare situations and if so then often the judges gave sentences with lower penalties to the perpetrators. Also the lack of sensitiveness about domestic violence on part of the judges was pointed out as an issue by the representative of the Union of Women from Macedonia. According to the following interviewees, the victims often withdraw their complaints against the perpetrators because they are told by the judges and lawyers to stop the procedure because it takes time. Sevdie (65) was one of the Romani women who had been sheltered for six months in one of the shelter centres in Macedonia. In her story she reported that she was very well treated by the staff in the shelter, but when she went to court with her husband and she commented the following:

“When I went to the court I had two hearings, I had my own lawyer and he had his. He then gave a statement that he would not carry out physical assault on me and signed it. Hence the court decided I should go back home, but I am still assaulted even nowadays. I had to return as he said he would not do it any more and he was fine for some time.”

Thus, for Sevdia this meant injustice towards her, because the court brought about a decision on her husband's behalf, who still molests and controls her. This was also witnessed when the interview with her needed to be set up. She asked the person through whom I met Sevdia to call her husband and to tell him that she was with her otherwise she said he could

question her where she was. In this light Sevdia was not just a victim on part of her husband, but she was further victimized by the Macedonian legal system.

As already discussed in Chapter 1, minority women are not just abused by their partners, they encounter further victimization by the institutions, because often the legal system is less likely to consider the perpetrators from the minority communities as accountable for their violence (Merry Engle, 2009). The lack of system of justice in Macedonia is not just an obstacle for the Romani women, but also for non-Romani women. However for the majority Romani women, pursuing justice is not always possible as a result of their lower level of education, economic dependency and racist attitudes towards them, while this is not encountered by non-Romani women.

4.1.6 ECONOMIC STATUS

One of the little surprising findings, being aware of the situation of the Romani women and their access to employment in Macedonia, was their economic dependence on their partners. In their narratives almost all Romani women stated their economic situation as reason for not leaving their abusive relationships. This issue was also discussed by Resmija (41):

“My family knew that he was beating me and they told me to leave him, but I didn't want to because economically we were dependant on him. That is how we managed. I currently receive social benefits, but it is not enough”.

During the interview with her she mentioned several times “He is my back.”, by which she meant that he was her financial support. By knowing that she does not have another solution for her situation, she decided rather to stay in her abusive relationship instead of seeking help. This

issue of poverty, which overlaps with gender and race, and influences minority women's ability to achieve protection outside of their community, was already presented in Chapter 1.

Alongside with this issue many researchers on domestic violence suggest that the economic empowerment is a crucial factor for battered women in order to alter their environment. In this context Coker argues that all laws and policies that address the subject of domestic violence should give priority to the improvement of women's access to the material resources, particularly to women who are mostly affected by intersectional inequalities (2005:370).

4.1.7 ACCESS TO SHELTERS

The primary idea of the shelters in Macedonia is to grant safety and accommodation to the victims and their children during a period of three months with the possibility to be extended to another three months. In the meantime there should be staff working with the victims in the refuge house as well, such as social workers, psychologists and pedagogues, who provide them with legal help, psycho-social therapy and other services. However, according to the study on shelters by the NGO ESE, the sheltering as a mechanism of protection in Macedonia is not available to all victims and not all victims are informed about the availability of the shelters (2010:30). Moreover, in the interview with the representative of the ESE organization it was mentioned that due to the lack of systematic work (counselling, empowering) with the victims by the shelter staff, who often also work in the units of Centres of Social Work beside running the shelter, large numbers of the shelter centres in Macedonia are closed now as a result of not having systematic solution.

Regarding the access of Romani women to refuge houses, the interview with the representative of the NGO organizations Daja and Luludi showed that when it comes to accommodating Roma women in the refuges they are often told by the Centres of Social Works that there is no place, and because of that the number of Romani women in refuges is very low. In addition to this issue the representative of the NGO organization XERA commented the following:

“We can't ask Roma women to be placed in a refuge because when we call the social services they need to question the victim again, then decide if she is at risk to be accommodated at the refuge. Often they decide not to and ask the victims to stay with relatives and they explore all possibilities where she can be accommodated. If we talk about the personal integrity of an adult person they should not offer her to go and stay with parents, relatives and so on, as the situation there might be worse she might be blamed, criticised, mistreated, psychologically suppressed.”

This issue was also discussed in the interview with the staff of the Centres for Social Work which also confirmed that they had procedures according to which they made decisions about whom to accommodate in the safe houses. However, when the social services that work in the shelter were asked about placing Romani women in their shelter I was told by one shelter that they had Romani women who were sheltered. But in the other two shelter centres I got the information that they had never sheltered Romani women and the reason for that was demonstrated in the following way:

"We do not have Romani women refugee or we did not send her anywhere. For some reason they have greater connections. For example if we have a Macedonian woman we look at all resources to be taken into consideration, for example if they have relatives we ask them if they can come and stay with them. But when we tell Romani women they need to find somewhere to go they say we will go and stay

with their parents, siblings, etc. without asking them, they have greater cohesion, they are connected and act protectively. Although often they return back to their husbands the Macedonian families are different.”

(Psychologist)

This explanation on part of the psychologist seems absurd because framing Romani women as a very “cohesive group” actually presents the Romani women as a monolithic subject, and as a result of that very often the needs of abused Romani women are overlooked. Concerning this Burman, Smailes and Chantler argue that the service providers make the assumption that the minority women “take care of their own” often referring to the “cultural privacy”, which shows that the social service providers should not engage with the minority women because they are perceived as the “other” (2004:344).

Alongside this interview with the staff it was noted that Romani women cannot be sheltered in all the safe houses because of the discriminative and stereotypical approach towards them. This is concluded as a result of the narration of one social worker who affirmed upon finishing the interview that namely Romani women cannot be sheltered because the location of the shelter was located closely to the Romani community and the social worker believed that if a place was given to Romani women they might go to visit the Romani community and the place would be easily discovered.

However, in the interview the Romani women were asked whether they knew what shelters were and whether they had been offered this service by the Centres of Social Work. As already mentioned two of the participants had already been sheltered in one of the shelters centres in Macedonia, while the other participants did not know that there were such, or they had been offered to be sheltered, but they did not accept because they did not feel safe there or

they thought that being in a shelter centre was not the solution which would help them. Anita (28) was one of the Romani women, who did not want to be sheltered:

“They told me that I can go to a shelter centre [.....], but I didn't agree, because I know where the shelter is, it's the outskirts of the town, surrounded by Albanians. I know that because I usually beg and go out to the villages, and I met a few women from the shelter who told me that they have someone (as guard) until 4 pm and afterwards they are left alone, so often Albanian men from other villages come and disturb and tease them. I even heard that one of the women was raped and no one did anything about it. Therefore for my safety and the safety of my children I decided to stay with my husband.”

Listening to Anita's story I wonder how this was possible because a victim of violence is supposed to be protected and not to be exposed to further victimization. However, a conversation with one of the social workers, who was running the shelter, showed that the location of the shelter, even though it is kept secret, many time was discovered by the perpetrators or by other people and often the location of the shelter needed to be changed. Also in a study carried out by the NGO ESE it was pointed out that not all shelter centres in Macedonia had staff or security for 24 hours (2010:11,12).

This finding demonstrate that Romani women do not have access to all shelter centres in Macedonia as a result of the stereotypical and discriminative manner of the staff towards Romani women. Moreover, not many Romani women know about this kind of service offered by the Centres of Social Work or if they knew they did not feel safe there because of their fear that they again might be exposed to violence by others.

4.1.8 AWARENESS OF THEIR RIGHTS

When the interviewed Romani women were asked whether they knew where they could seek help when they faced violence they all told me that they knew that they could go to the near police station or to the Centres for Social Work. When asked how they had found out they explained that they got to know about that from advertisements on television. Some of them even knew the number of the SOS hotline through which they can report domestic violence.

“I know from advertisement on television that domestic violence is regulated with the law.”

(Elvira, 34)

This finding indicates that one of the positive activities deriving from the National Strategy Against Domestic Violence was the public education campaign through which Romani women were also targeted.

CONCLUSION

The narratives in this chapter demonstrate the reasons of why Romani women are reluctant to report and seek help when they encounter domestic violence. From these narratives there have emerged several themes related to domestic violence experienced by Romani women such as the lack of protection and assistance by the police, the universalistic approach “who is a real victim”, deployed by the service providers and the construction of “otherness”. Moreover, the distrust of Romani women toward the services providers and the absence of cultural

sensitivity by these institutions, the discriminative attitudes of the social service providers against Romani women, the weak system of justice, the economic dependence of Roman women as well as ultimately the limited access and the safety reasons for approaching shelter centres by Romani women create obstacles. However, a positive aspect resulting from these narratives is the awareness of Romani women about domestic violence.

From the above presented experiences of Romani women who are victims of domestic violence it can be stated that Romani women are excluded by the mainstream service providers even though in the policy making, as analyzed in Chapter 3, Romani women were included. However, there is a lack in the implementation of this policy on ground level. In addition to this this issue was also commented by all NGO representative participants that Macedonia is very good at designing policy, while the implementation is not on a satisfactory level, and as a result of the weak mechanisms of protection and the insufficiency of the personnel, that works in the service agencies, often the victims of domestic violence are not protected or they are discouraged to talk about it.

In this context, the situation of the Romani women victims of domestic violence is by far more complex, because they cannot seek adequate help by the services providers as a result of their intersectional discrimination based on their gender, race and class

CONCLUSION AND RECOMMENDATIONS

“People within patriarchal society imagine that women are hit because we are hysterical, because we are beyond reason. It is most often the person who is hitting beyond reason, who is hysterical, who has lost complete control over responses and actions.”

bell hooks, 1997:279

This thesis intends to examine the barriers that hinder Romani women from reporting and seeking help when they encounter domestic violence. Concerning this, it is argued that Romani women hesitate to report and seek help when they face domestic violence as an outcome of neglect of their intersectional experiences by the mainstream service providers, who, by implying the universalistic approach “one size fits all”, often overlook Romani women's individual needs and experiences.

Alongside with this, in order to reflect on this argument, a critical frame analysis method is deployed with the aim to uncover how Romani women are referred to in the Macedonian law and policy documents in order to escape the violence when they face it. This is envisaged in the analysis of the Macedonian Family Law, the National Strategy for Protection Against Domestic Violence (2008-2011), the second National Strategy for Protection and Prevention Against Domestic Violence (2012-2015), and finally the Platform for Joint Action for Promoting the Social Status of the Romani Women in Republic of Macedonia. It is found that Macedonian

authority made positive steps in terms of giving visibility to minority women who encounter intersectional discrimination with a particular prominence of Romani women.

The implementation of this policy and law is carried out on an empirical level by conducting 22 in depth semi structured interviews with Romani women who are victims of domestic violence, representatives of NGOs who work in the field of domestic violence, and the staff from social service providers.

From the analysis of the interviews, it can be stated that Romani women's inclusion in previously mentioned policy and law is lacking on the implementation level as a result of the weak protective mechanism and intersectional insensitivity on part of the service providers, who often deploy the assumption of the norm of whiteness in their practices. This is demonstrated through the major finding that revealed that Romani women often felt discouraged to seek help due the lack of assistance and prevention by the police. In addition, because of the ethnocentric discussion of “otherness” and the lack of socio-cultural understanding by mainstream service providers, Romani women could not prove their victimization because they were not considered a “classic case of domestic violence”.

Romani women also expressed that they did not approach the service providers because they believed that they would not receive the proper help and feared that if they reported the violence they would face the racist and stereotypical manner towards Roma as violence reinforced. The racist attitudes towards Romani women were also noted in the narratives of the social service providers, who narrated the domestic violence as part of “Roma mentality”. Alongside with this, Romani women stated that many times they felt discriminated against when they approached the social services and as an outcome of this they decided not to pursue help again.

Additionally, due to the failure of the system of justice some Romani women encountered not only victimization by their husbands, but also by the legal system. Furthermore, one of the obstacles that were presented in the narratives of the Romani women was their economic dependence on their husbands. Thus, the Romani women commented that as a consequence of this they did not leave their abusive relationships and remained silent. With limited access of Romani women to the shelter centres as a result of prejudice towards Roma, Romani women did not have equal access to all refuge houses in Macedonia. Some of the Romani women pointed out that they did not want to be sheltered because they felt that they would not be protected there and feared that they might be exposed to further victimization if they went.

This study reveals that the domestic violence in Macedonia should not be seen just with under the sole category of gender, instead it should be examined how the systems of power interact and create subordination and marginalization in the experiences of domestic violence faced by Romani women, who are at the intersection as a result of their gender, race and class. As an outcome of that, this study demonstrates that intersectionality is an essential approach for Romani women, because it allows for the nature of domestic violence which they face to be examined, as well as how their needs can be adequately responded in order for them to overcome their abusive relationships.

The aim in this study was to give voice and visibility to the experiences of domestic violence encountered by Romani women with the intention to offer some insights of how changes can be brought about in their lives. In this regard and based on the findings of this study the following recommendations are given:

1. Education and training of the service providers about cultural sensitivity.

2. Employment of Romani women (as psychologists, social workers, police etc.) in units for domestic violence.
3. Designing policy that would target and respond adequately to the needs of Romani women who are victims of domestic violence.
4. Training and awareness of the service providers about the different needs of ethnic-minority women, in this case Romani women, in order to respond adequately.

These measures could contribute to the next steps of an improvement of the situation of Romani women and make them active agents in a situation of challenge on which they could be empowered to take ownership.

APPENDIX I

Interview Guide - Romani women

Age:

Name optional:

1. Are you employed?
2. Are you married/divorced or live with a partner?
3. Do you still live with your partner /husband?
4. Do you have children?
5. Have you ever been mistreated by your husband/partner?
6. If yes, what kind of violence have you encountered (physical, psychological or sexual) ?
7. Are you still abused by your husband/ partner?
8. Does your immediate family (parents) know about it?
9. Have you seek help from someone? If not, what was the reason for not seeking help?
10. Who did you seek help from?
11. Have you ever reported any domestic incidents to the police?
12. If no what was the reason for that?
13. If yes did they react promptly to your call?
14. Did they listened to you?
15. Did they offer you help? If yes what kind of help?
16. Did they register your case?
17. Did you contact the social services?
18. If not what was the reason for not contacting them?
19. If yes what kind of help did they offer you ?
20. How the professionals behaved towards you?
21. How did you find the offered support useful?
22. Did they offer you accommodation in women's refuge?
23. Did the social services offer you psychological support ?
24. What kind of legal help the professionals offered you?
25. Why do you think you wasn't offered any support from the institutions?

If the victim is accommodated in the refuge

1. How long have you been in the refuge?
2. What kind of difficulties do you face when starting a new life?
3. How the professionals from the refuge help you to start new life after leaving the refuge?
4. How safe of you feel now?

Do you have any other comments.....

APPENDIX II

Interview Guide - Social Services

Work position:

Work experience:

1. According to you what are the reasons for domestic violence amongst Roma population?
2. Can you tell me how Romani women understand the domestic violence? Do they know is regulated by law?
3. Do Romani women report domestic violence to you? If yes what is approximately the number of women who report that they are victims of domestic violence?
4. According to you what kind of help Romani woman needs? Does she needs particular help which will correspond adequately to her needs as a victim of domestic violence?
5. How do you bring decisions for accommodating the victims in the refugee , what the procedure is, do you have any criteria (age, gender, socio economical status etc)?
6. Do you have enough places in the refuge?
7. If the refuge has full capacity where do you accommodate the victims ?
8. Who is financing the refuge?
9. How many employees the refuge has?
10. What kind of support do you offer to the victims in the refuge?
11. Do you offer any trainings for increasing the victims economic status such as employment , re- trainings etc.?
12. Do you offer the victims of domestic violence legal help, filling forms etc? Do you accompany the victims when they have court hearings?
13. How long the victims can stay in the refuge ?
14. What does usually happens with the women when they leave the refuge after 3 months?
15. Do Romani women who are victims of domestic violence ask to be accommodated in the refuges?
16. Do you have cases of Romani women withdrawing her statement after initially reporting the incident? If yes what are the reasons for that?
17. According to you do the current laws (family, criminal and law for social work) fully protect women? If not how the current legislative can be improved?

Any other comments...

APPENDIX III

Interview Guide -NGO

Name of organization:

Position:

Education:

Work experience :

- 1.Can you please tell me what kind of activities /projects your organization currently have?
2. Does your organization is visited by Romani women?
3. According to you what are the reasons for the domestic violence amongst Roma population?
4. According to you does Romani woman victim of domestic violence experience it differently to non Romani woman? If yes, what are the differences ?
5. Does Romani woman encounters barriers when it comes to reporting the violence and seeking help from the institutions, social services, police, health centres etc. What are the barriers?
- 6.According to you what kind of help Romani woman need, does she need particular help which will corresponds adequately to her needs as a victim of domestic violence?
7. Do you believe that the laws and policy help the victims of domestic violence in the country?
8. Do you have any knowledge about Romani women accommodated on the refuges ? If yes do you know the percentage of Romani women accommodated in the refuges?

Any other comments ..

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