We Are Still Here: Re-Centring the Quintessential Subject of Intersectionality

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Abstract

This paper argues that "Black woman" should remain the quintessential subject of intersectionality as we are concerned that racialization has been submerged within intersectionality debates. Drawing on research and policy related to violence against women in minoritized communities in the UK, we (re)interrogate the explanatory power and effects of intersectionality.

Résumé

Cet article fait valoir que « la femme noire » devrait rester le sujet quintessentiel de l'intersectionnalité, car nous craignons que la racialisation n'ait été noyée dans les débats sur l'intersectionnalité. En nous appuyant sur la recherche et les politiques liées à la violence à l'égard des femmes dans les communautés minoritaires au Royaume-Uni, nous (ré)interrogeons le pouvoir explicatif et les effets de l'intersectionnalité.

Introduction

In this paper, we have two key aims. First, we explore some key developments in intersectionality theory and second, we focus on violence against women (VAW) in Black and minority ethnic (BME) communities in the United Kingdom (UK) context to illustrate the imperative of centring the experiences and knowledges of BME women in intersectionality studies. It is no coincidence that we focus on VAW, as this was one of the major tropes utilised by Kimberlé Crenshaw (1993) to explicate the dynamics of intersectionality. Crenshaw's (1989) work on intersectionality focussed on the experiences of Black women, defined as African American. In the UK context, Black is an oppositional political term, which refers to African and African-Caribbean women as well as women from visible minorities. However, to attend to the variety of cultural and ethnic communities this covers, the term Black and minority ethnic (BME) is normally used in policy and practice. Within this nomenclature, our paper primarily addresses the issues of VAW in (South) Asian communities (Indian, Pakistani, Bangladeshi, and Sri Lankan communities) and illustrates how some of these issues also have a strong resonance in African communities.

Since Crenshaw's (1989) original formulation of intersectionality, the debate on intersectionality has become increasingly abstract/theoretical and, whilst we consider it crucial to engage with this ongoing debate, equally important to us is the necessity of speaking to the lived experiences and material realities of BME women experiencing violence. Rather than viewing theory and lived experience as dichotomous, we argue that in keeping with the best traditions of feminist scholarship, theory and praxis should be constitutive of each other. In this way, the implications of our theoretical positioning are laid bare and ensure that our theorizing is grounded in, and resonates with, the experiences we seek to theorize. We therefore weave between theoretical debates

and praxis precisely to illustrate this complementarity and interplay.

Intersectionality Studies

Intersectionality studies has burgeoned in the last 25 years within feminist scholarship, the very domain that intersectional analysis sought to disrupt by challenging the absence of an analysis that moved beyond patriarchy/gender to also include other social divisions that shaped the experiences specifically of Black women. Both the precursors of intersectional analysis and its naming have been widely highlighted; the writing and activism of Black women in the US and UK emphasising the uniqueness of Black women's lived-experiences, as differentiated by race, gender and class, and Crenshaw's (1989) coining of the term "intersectionality" as part of the feminist debate about how to theorise "difference." Aimed specifically at exposing the erasure of Black women and of the processes that reinforced their oppression, intersectionality, as an analytical tool, sought to uncover and explain how intersecting axes of power and difference operate to re/inscribe marginality and privilege. Indeed, as noted by some, for Black women, intersectionality represented more than a theoretical development; rather, it evoked a deep emotional response to the centring of Black women's experiences and inclusion within feminist scholarship, as "it helped to erode the epistemological boundaries between those who 'know' and those who 'experience'" (Lewis 2013, 873).

Since the 1990s, intersectionality has pervaded most social science disciplines, as seen by the exponential growth in feminist research and writing (Cho, Crenshaw, and McCall 2013; Davis, 2008; Lewis 2013; Puar 2012, 2013). In attempting to account for this success, Kathy Davis (2008) has identified four key characteristics of a successful theory and hence the success of intersectionality: that it addresses the differences among women, a central concern of feminism; that it does this in new ways, hence offering a "novel twist" to address an old problem; that it appeals to broad academic audience of generalists and specialists; and finally, and of interest to us, that it is the ambiguity and incompleteness of intersectionality, which "allows endless constellations of intersecting lines of difference to be explored…intersectionality offers endless opportunities for interrogating one's own blind spots and transforms them into analytic resources for further critical analysis" (Davis 2008, 77). For Gail Lewis (2013) also, the success of intersectionality is a testament to the fact that knowledge produced at the margins by Black women can be applied beyond their issues and can become "part of a more generalizable theoretical, methodological and conceptual toolkit" (871).

Ongoing Debates in Intersectionality Studies

Since its beginnings, questions about what intersectionality is, what intersectional analysis enables, and how it can be applied have generated considerable debate as well as confusion, leading Sumi Cho, Kimberlé Williams Crenshaw, and Leslie McCall (2013) to assert that much of this writing betrays a lack of familiarity with intersectionality's origins and starting points. Debate about intersectionality has been particularly fertile in Europe and the US and, as noted by Nina Lykke (2010), much of this has been focused on "which intersections, power differentials and normativities should be given priority in which political contexts" (67). In other words, is there a normative subject at the heart of intersectional analysis, a question visited and revisited as a result of concern among some that intersectionality is increasingly used to address an ever-wider range of identities and indeed has become a catch-all approach. As articulated by Lewis (2013), questions about whether the subject of intersectionality should be forms and processes of structural inequality, identity formation, or a mode of analysis that centralises deconstructionism have been repeatedly posed–as a result of the ways in which intersectionality has travelled away from its origins and specificity and some of the unexpected dimensions of its travel (see also Phoenix and Pattynama 2006; Carbado 2013).

Indeed, debate has generally focused on the genealogy and trajectory of intersectionality. While it is not possible to trace this in detail here, some key aspects can be highlighted, which are important to our argument. These range from the origins of intersectionality in Black feminism and liberation struggles in the global South, its incorporation into feminist studies and the academy, to an increased critique of its appropriation and the displacement of structural inequalities and racialised power relations. Clearly, the trajectory of a theory cannot be predicted as it travels across socio-historical and geo-political space through process-

es that are far from seamless; travel can result in a loss of critical/radical potential, as argued by Edward Said (2000). Within the debate on intersectionality, not only is it possible to observe contention about its genealogy, reflected in some European liberal feminist claims that intersectionality was reflected in their work before its emergence within Black feminism (Lewis 2009), but also the appropriation of the concept has meant that it is utilised to examine different identities and subject positions as a catch-all approach (Tomlinson 2013). This has resulted not only in the marginalisation of Black women in such debates, but also the absence of an analysis of race and racism as argued by Lewis (2013). Indeed, Lewis highlights the paradox in the expansion of intersectionality studies, namely a lack of attention to the racialised relational dynamic among feminists with contrasting views and positions such that it has "neglected some of the very issues of inequality and differentiated subjectivities constituted in intersectional matrices as they are played out in the spaces of feminist infrastructure" (870).

Moreover, this appropriation and the integration of the concept into the academy has led to a loss of its radical potential, which focuses primarily on an analysis of the structural processes that re/produce power and marginality, albeit in complex and contradictory ways. Thus, a preoccupation with the potential of intersectionality to be operationalized beyond race/racism has resulted in an emphasis on subjectivity and identity politics and an obfuscation of an analysis of racialised structural inequality and power relations. In other words, there is an overemphasis on diversity, as signifying differences, rather than on inequality, which signifies "difference." The predominant focus on ways of seeing (identities), rather than ways of being (structural inequality) in much of the writing on intersectionality, has become a focus of concern for many (see Lewis 2013).

Much of the debate about intersectionality, as noted, has focused on the capacity of intersectionality to speak to other forms of differentiation beyond race/racism and the particularity of Black women. Within this, issues highlighted have variously included the utility of the metaphors used (road intersection, the matrix, and interlocking oppression); the additive and mutually constitutive nature of race/gender/class/sexuality/nation nexus; the number of categories and subjects to be included; and the static versus contextual nature of intersectional research (Cho, Crenshaw, and McCall 2013, 788; Crenshaw 2011; Yuval-Davis 2006). Since the 1990s, transnational and post-colonial feminists have also been perturbed by the nation-contextual specificity of intersectionality's central subject and an eschewing of imperialism and the transnational (see Patil 2013). Such critique has raised some interesting issues and added to the refinement of the concept, as it demands that attention be paid to imperialism and the global capitalist context in which racialised inequality is re/produced. More recently, Jasbir Puar (2012, 2013) has expressed further discontent, drawing on the tension created between theories that place the subject at the centre of analysis and those that expose the tenuous nature of the processes of subject formation, to argue that intersectionality has to be reconceptualised/supplemented by a notion of assemblage as the friction created between the two concepts is desirable. By so doing, she argues, a further dimension emerges, which offers a more nuanced understanding of the role of discipline and control in shaping individual identities and lifts intersectionality from the realm of mere identity politics to offering greater insights about the "possibility that for some bodies…discipline and punish may well still be the primary mode of power apparatus" (2013, 388). In pointing to "the ironic othering of WOC through an approach that meant to alleviate such othering," Puar (2012) highlights the ways in which the mainstreaming of intersectionality and its very invocation has increasingly begun to replace intersectional analysis itself among feminists (52-53). More than this, Puar's discontent with intersectionality goes beyond its decentring of the normative subject of feminism (that is, white women) to questioning the very "construct of the subject (which) is itself already normative" (63).

Building on a distinction previously made by Crenshaw (1989) between structural, political, and intersectional intersectionality and, in their attempt to develop a template for a field of intersectionality studies, Cho, Crenshaw, and McCall (2013) have identified three trends within intersectionality studies: first, applications of an intersectionality framework or an investigation of intersectional dynamics—*structural intersectionality*; second, debates about the scope and content of intersectionality as a theoretical and methodological paradigm, including "whether there is an essential subject

of intersectionality" (785) —*intersectional knowledge production*; and, finally, political interventions, which adopt an intersectional lens and seek to transform intersectional dynamics—*political intersectionality*. This distinction helpfully highlights the key ways in which intersectionality has been utilised over recent decades, though the trajectory within each one requires further exploration. Our argument is linked to the second, that the utility and power of intersectionality as a theoretical tool is significantly compromised and neutralised when the relational context of race/racism, and indeed Black women, are displaced from analysis.

Centrality of Power Relations

For our purposes, Cho, Crenshaw, and McCall (2013), along with others such as Lewis (2013), very helpfully re-emphasise the importance of utilising intersectionality as an analytic tool to examine structural power and inequality rather than diverse identities, arguing for the importance of looking beyond identities to those social structures and dynamics that work to create them in the first place. We regard relational dynamics as key to intersectional analysis; while subordinate and privileged locations/identities can be examined through an intersectional lens, we consider an interrogation of the relational dynamic of these as key to this exercise. For example, in a focus on the dis/location of white gay men, it is crucial to also "ask the other question" (Davis 2008, 70) and examine the privilege associated with being a white, gay man when compared to other differentiated social categories. Thus, we emphasise the relational power dynamics that result from structural inequality and give rise to the identity categories that have also been underlined as the project of intersectionality by others such as Lewis (2013) and Jennifer Jihye Chun, George Lipsitz, and Young Shin (2013). Moreover, the very spaces in which intersectionality has travelled are themselves constituted by power relations and cannot be overlooked. Thus, the concept of intersectionality and the responses to it "reflect structural relations that are dynamically constituted by the very forces being interrogated" (Cho, Crenshaw, and McCall 2013, 789):

> The recasting of intersectionality as a theory primarily fascinated with the infinite combinations and implications of overlapping identities from an analytic initially concerned with structures of power and exclusion is curious given the explicit references to structures…(797)

In other words, as asserted by Chun, Lipsitz, and Shin (2013), "intersectionality primarily concerns the *way things work* rather than *who people are*" (923; our emphasis). Within these arguments, while a focus on identity is not rejected, that such a focus should also address social relations of power is emphasised. Thus, when the question of the exclusion of white men from intersectionality is raised to point to the failure of intersectionality to address all subjects, for instance, it can be argued that the central concern of intersectionality—that of engagement with power rather than diverse identities—is missed. As argued by Cho, Crenshaw, and McCall (2013), far from limiting its claims to greater inclusion of Black women, intersectionality sought to address the "ideological structures in which subjects, problems and solutions were framed" (791). Moreover, if intersectionality is to be viewed as

> a way of thinking, an analytical disposition, then what makes an analysis intersectional … is its adoption of an intersectional way of thinking about the problems of sameness and difference and its relation to power. This framing—conceiving of categories not as distinct but as always permeated by other categories, fluid and changing, always in the process of creating and being created by dynamics of power – emphasises what intersectionality *does* rather than what intersectionality *is*. (795; our emphasis)

We use the above emphasis on what intersectionality does as a starting point for considering violence against BME women and explicating the material effects of the invisibility of Black women and race/racism from the debates on intersectionality.

The (Re) Erasure of 'Race' from Intersectionality

As noted above, the argument developed by Lewis (2013) is pertinent to this paper—that Black women, and indeed race/racism, have been displaced from feminist discussions of intersectionality in Europe even whilst race/racism remains at the centre of political and policy discourse. Incidentally, Puar (2012) also notes the abstraction of intersectionality from social movements (though not in the UK where it is closely linked). Troubled by such developments, Lewis (2013)

argues that race and racialised power has to be retained as the central concept in intersectionality studies.

This is illustrated well in relation to European Union (EU) policy regarding violence against women (VAW). From an EU perspective, intersectionality is widely used in policy documents, as in United Nations related bodies, but its use appears to be declining in VAW EU policies (Lombardo and Agustin 2014). Emanuela Lombardo and Lise Rolandsen Agustin's (2014) analysis of gender based violence (GBV) policy documents between 2000 and 2008 revealed that the quintessential subject of intersectionality ("Black woman"), as originally formulated by Crenshaw (1989), has virtually disappeared from policy considerations. There is greater consideration placed on, for example, gender-age, gender-class, and gender-citizenship-region, but with no attempts to explain or articulate how these intersect with race and ethnicity in relation to migrant women (Lombardo and Agustin 2014). Similarly, Nira Yuval-Davis (2006) has highlighted the analytic confusions that are evident in the utilisation of intersectionality within United Nations bodies. This confusion relates primarily to "the question of whether to interpret the intersectionality of social divisions as an additive or as a constitutive process" (195). Such confusion (particularly relating to additive understandings of intersectionality) contributes to erasures and illustrates the need to re-centre race/racism within intersectional analysis. One possible explanation for this silence relates to the growing anti-immigration socio-political context, which uses old, but still powerful, discourses, such as "too many," "taking our jobs," "taking our welfare," "alien cultures," to position and "fix" identities of new migrants as well as those who have been settled in the UK and other European countries for many generations.

Whilst the discourses are old, they have been re-circulated, taken up, and invigorated by the main UK media outlets, as evidenced in the growth in popularity of the UK Independence Party (UKIP), which has an explicitly anti-immigrant agenda. Rather than challenging this stance, mainstream UK (and other European) political parties have realigned their rhetoric and policies to conform to this agenda. Within this wider political context, it is necessary to combat the silence regarding Black women and race/racism, as illustrated in the European wide VAW documents and, simultaneously, to challenge the negative and pathologizing representations of migrant communities. This dynamic of "normalised absence/pathologized presence" was first conceptualised by Ann Phoenix (1987) and is a helpful intervention to understand the mechanisms of representation of minoritised communities in the UK. Given this context, and the evidence from the aforementioned policy analysis, it is highly appropriate to argue for the re-instatement of an analysis that attends to unequal social relations based on racialisation and gender as central to intersectionality if intersectionality is still to speak to the lived experiences of the very women who were at the centre of its original analysis.

Hence, Lewis's (2013) argument that racialised difference continues and is reinforced within and among feminists engaged in intersectional scholarship and policy work created by the displacement of race/racism as a focus of intersectional analysis appears to hold true. In a context in which intersectionality is considered to have travelled some way from its origins, Lewis poses the question: "how valued and recognised do the women who might claim to be among intersectionality's central empirical subjects feel themselves to be in the circumstances of the debate?" (873). To respond to this question, we focus on VAW as this has traditionally been a key site for illuminating unequal gender relations, campaigning for public policy and legislation to combat VAW, as well as responding to women and children who need shelter as a result of the violence they experience.

Austerity, Intersectionality, and VAW Services

The expansion of shelters in the UK, from the 1970s to the 2000s, can, in large part, be attributed to the campaigns of second wave feminisms and the acknowledgement that racism within UK society needed to be addressed. The 1970s saw legislation to eliminate sex and race discrimination: the *Sex Discrimination Act*, 1975 and the *Race Relations Act*, 1976, which have since been superseded by the *Equalities Act*, 2010. The bringing together of different forms of discrimination under one piece of legislation can be construed as an intersectional approach, but there is also a danger that specific forms of discrimination might become more, rather than less, invisible—as is argued below. The political climate from the 1970s to the 1980s was fuelled by optimism for the future and a belief that social divisions and inequality could be eradicated. From the 1990s onwards,

a negative shift in this optimism is discernible with the beginnings of the rolling back of the welfare state and the introduction of marketization, commissioning, and competitive tendering of welfare services, including shelter provision. The current context of austerity has made shelter provision much more precarious (Women's Aid 2014), coupled with a gender and race neutral framing of domestic abuse that appears to minimise violence against women. In summary, the direction of funding has shifted from an optimistic, open, and collective frame to a competitive, neo-liberal, and hostile merger climate and a preoccupation with the bottom line, leading to fragmentation and fewer opportunities for collective action (Carey 2008; Harris 2005).

Over the last 40 years in the UK, funding for women's shelters, including BME shelters, has primarily been allocated via local authority structures. Local authorities are responsible for safeguarding and protecting children and 'vulnerable' adults from abuse and harm and commission services such as shelter provision. In total, there are 418 local authorities in the UK. Most shelters are affiliated with Women's Aid, an umbrella organisation, which describes itself as "a grassroots federation working together to provide life-saving services and build a future where domestic violence is not tolerated."[1]

In 2008, the Council of Europe recommended one family shelter space per 10,000 of the population (Kelly and Dubois 2008). In the UK, this recommendation has not been fully realised, with women and children being turned away from shelters on a regular basis and with demand far outstripping the supply of shelter spaces (Women's Aid 2014).

In the UK, there has been a vibrant response by BME women to VAW with specialist shelters and organisations established by BME activists to respond to the specific difficulties encountered by BME women experiencing violence. In part, these were developed as mainstream refuges were unable or unwilling to adequately support minoritised women. However, in the current economic context of austerity, VAW services are facing an unprecedented challenge to their funding and to their fundamental principle of providing women only services. First, the economic climate has precipitated year-on-year cutbacks in resourcing the sector by 31% in 2010-2011 (Walby and Towers 2012) and a further 31% in 2012-2013 with ongoing cuts continuing into the foreseeable future (Howard, Laxton, and Musoke 2014). However, BME organisations have experienced disproportionate cuts of 47% to their funding (Imkaan 2012). Second, and relatedly, commissioners of services are rationalising and standardising services to a uniform service rather than funding specialist shelter provision. This has resulted in a loss of shelter spaces and an increase in the supported housing sector (i.e., generalist housing with non-specialist VAW staff). However, the supported housing sector does not have a history of feminism, activism, or specialist skills in supporting women and children with experiences of abuse. Furthermore, in complex cases of VAW (e.g. BME women), supported housing associations are referring women and children back to specialist women's services (Hawkins and Taylor 2015). Hence, the most complex cases of domestic abuse are poorly catered for by non-specialist providers. Many specialist BME shelters and outreach services have been shut down or, alternatively, "taken over" by mainstream providers. Such "take overs" increasingly result in a loss of expertise in responding sensitively and appropriately to Black women. These developments highlight the ways in which the marginalisation of BME women is re-inscribed, even within/between women's organisations, with an accompanying failure to examine the trajectory and consequences of such differentiation.

Mainstreaming Intersectionality

In a parallel move, some commissioners (see the example below of the London Borough of Ealing) have argued that BME services are discriminatory because they do not provide services for white women and/or they prevent cohesion and integration of minority women into mainstream society. The solution to this problem is posited as a generic VAW service to cater for all women, but with less resources and expertise. The supposedly 'race' neutral positioning of such sentiments has serious consequences for women attempting to access appropriate services.

A notable challenge to such thinking was made by two service users of a Black feminist organisation, Southall Black Sisters (SBS), which, in 2008, took the London Borough of Ealing (a commissioner) to court to challenge its decision to remove funding from SBS and instead to create a generic VAW service (*R (Kaur & Shah) v London Borough of Ealing* [2008]). The court

ruled in the women's favour and, importantly, the case has clarified that it is not unlawful or discriminatory for local authorities to fund specialist BME VAW services and that the Council failed in its duty to consider the impact on BME women experiencing VAW of the proposed change under race relations legislation. This judgement has been widely welcomed by the BME non-governmental sector as it asserts the right to their existence and acknowledges the value of specialist BME services. Whilst many women and children experiencing domestic abuse are routinely turned away from shelters due to underfunding, the situation for Black women is significantly more serious—not just because of the lack of shelter spaces, but because their experiences of VAW are mediated by their structural and cultural locations.

There has also been pressure on women's domestic abuse services from commissioners to take on additional services to support men in abusive relationships (Coy, Kelly, and Foord 2009, 22). Here, it can be argued that the mainstreaming of intersectionality has had some peculiar effects. Clearly, men in abusive relationships require support, but is this best provided by and from the women's sector? The history of the women's sector, including the BME sector, is rooted in the experience of struggle at multiple levels, of activism within and outside their communities, of challenging 'white' feminist thinking by providing an analysis of the necessity to work with multiple oppressions, of illustrating the paucity of a 'culturalising' frame to understand and respond to violence against women in BME communities, and of having the courage to shift VAW from a private matter to one of public policy. With a reduction in resources to the VAW sector, specifically BME organisations, it seems perverse to ask the women's sector to provide services to men. This request, in part, emanates from the growing 'gender neutral' framing of domestic abuse. The central argument here is of symmetry of abuse: that men and women are equally abusive to one another (see Kimmel 2002 for a detailed discussion of the problematics of this interpretation from the research data). However, the most robust evidence from the crime surveys for England and Wales clearly shows that women experience the most serious assaults with more repeat incidents over a longer period and suffer long-term impacts of abuse compared to men (see, for example, Office for National Statistics 2015). A handful of men's organizations (e.g. GALOP UK, Men's Advice Line) provide advice and help for men who experience domestic abuse—this includes men in same-sex relationships. Hester et al. (2012) has found that male victims in heterosexual relationships are often also perpetrators of domestic abuse.

In our view, it is a positive step that men's organizations are more involved in domestic abuse services and we would argue that this is potentially a better solution to responding to male victims of domestic abuse. Even at a very practical level, it is difficult to envisage, for example, mixed gender shelter provision for reasons of safety (actual or perceived). More fundamentally, such an agenda appears to discount not only the histories of the violence against women movement, but also the value that is placed on women only spaces by women who use domestic violence services to rebuild their lives and those of their children. However, the argument for separate provision for men and women also re-inscribes essentialised gender binaries, which work to overlook trans* people who are experiencing abuse. Provision for trans* people is extremely scarce and is, as yet, a largely unexplored area of UK research and practice. An intersectional lens is useful, precisely because it illuminates junctures previously hidden from view.

Replacements of Race: Culture and Religion

As argued by Lewis (2013), the displacement of race/racism across much of Europe is accompanied by the foregrounding of culture, religion, and ethnicity as the marker of essentialized difference. This makes it even more difficult to talk about race/racism and racialisation where race/racism is deemed to be of significance only to Black women, thus occluding the possibility that whiteness is also racialised. Such a focus on culture and religion serves to situate the problem with "othered" groups/communities/women themselves and emphasises the unspeakability of race/racism. For Lewis, this "process of displacement and disavowal" is of central concern:

> …for some feminists in some parts of Europe to seemingly uncritically reproduce the position that race is unutterable and without analytic utility in the contemporary European context can be experienced as an act of epistemological and social erasure—erasure both of contemporary realities of intersectional subjects (including racialization of

> whiteness) and of the history of racial categories and racialising processes across the whole of Europe. (886)

In relation to VAW, whilst BME services have been curtailed, there has been a simultaneous exoticisation of certain forms of VAW associated with particular communities, specifically forced marriage, honour-based violence, and female genital mutilation. The badging of these as "harmful cultural practices" in European policy is curious as it implies that these aspects of VAW somehow sit outside the power relations seen as central to VAW in majority communities. It also erroneously implies that despite its widespread prevalence, VAW in majority communities is not cultural. Further, such a construction overlooks the "everyday" experiences of VAW experienced by BME women, which are common to other groups of women such as domestic abuse. To compound matters, notwithstanding those BME women who also adopt such positions, some white feminists, under the rubric of intersectionality, have taken it upon themselves to "rescue" BME women from their "oppressive" cultures (see Razack 2004). The net result of these interventions has been the co-option of feminisms within racist immigration state structures, particularly in the guise of combatting VAW (Chantler and Gangoli 2011).

Other feminists have promulgated the notion of "multi-culturalism without culture" in recognition of the multi-ethnic, multi-cultural, multi-faith groups residing in the UK whilst also arguing that the essentialising impulse of such recognition should be resisted (Phillips 2007). The arguments regarding the essentialising of culture have been well-rehearsed so they will not be repeated here except to point out that, within this frame, BME women are constructed as completely culture bound, passive, and lacking in agency. This argument is particularly pertinent to our consideration of VAW in BME communities as illustrated below.

The conflation of religion and culture has increased in the post 9/11 context and public policy has moved from culture to religion (or faith) as the primary focus of intervention. Pragna Patel and Hannana Siddiqui (2010) write persuasively about the importance of maintaining secular spaces, particularly in relation to VAW, given the new approach to race relations since the July 2005 London bombings emphasises a "faith" and cohesion agenda. As noted by Patel and Siddiqui, the shift from multiculturalism to "multi-faithism" is evidence of a dual and contradictory approach to BME women, which, while appearing to tackle forms of VAW, also uses these issues to tighten immigration controls. However, at the same time, UK Government policy promotes a "faith" based approach, which contributes to policies aimed at recognising and protecting religious identity, which simultaneously reinforces unequal gender relations within minority communities. The resultant shrinkage of secular spaces, a necessary pre-condition for women's rights, poses a threat to the gains made by BME activists—"the accommodation of religious identity within State institutions, including the legal system, is undermining, albeit slowly and surreptitiously, the rights of minority women" (111). The focus on culture and religion also elides the importance of structural processes in understanding and responding to BME women's experience of VAW.

Structural Processes

As already noted, although important, an exclusive focus on identity within much of intersectionality studies further displaces the emphasis on racialized structural inequality in a world that continues to be deeply marked by such inequalities. To illustrate our argument, we draw on research to discuss two key structural complexities in the experiences of migrant BME women experiencing domestic violence— "no recourse to public funds" and seeking asylum on the basis of gender based persecution.

One of the recurring themes in research on BME women experiencing domestic abuse is the issue of no recourse to public funds (NRPF) (Anitha 2010; Burman and Chantler 2005; Thiara and Roy 2010). The NRPF rule means that women who have entered the UK as a spouse, civil partner, or unmarried partner (including same sex partner) of a British resident have to remain in the marriage or relationship for a period of five years to prove that the marriage was genuine at point of entry (Home Office 2012). This is commonly called the probationary period. If, during the probationary period, the marriage breaks down, for example, because of domestic abuse, the woman is entitled to support under the Destitution Domestic Violence (DDV) concession for a period of three months in the first instance. This concession has been in place since April 2012 and women have to apply for indefinite leave to remain on the grounds of domestic violence within the three-month

window. This concession was won after years of campaigning and research highlighting the harms of NRPF to women. It represents a major shift, but has stopped short of abolishing NRPF altogether. Significantly, the time frame for proving that a marriage or relationship is genuine has expanded from one year in the 1980s's to five years in 2012 (Home Office 2012).

Other than the very tangible material effects of being subject to NRPF, there is another dual process taking place. First, NRPF means that the incoming spouse or partner is financially dependent on her British partner (unless she has a highly paid job). As is well documented in feminist and activist writing, economic dependency can generate the conditions for VAW to flourish. By extension, we argue that the state is complicit in this arrangement via its five-year rule. Further, the incoming spouse or partner may well have to endure a range of behaviours, especially psychological and emotional abuse, and can do little about it as their immigration status is dependent on staying in the relationship for five years. The introduction of new legislation in 2015 to combat coercive and controlling behaviour might provide an avenue for claiming the DDV concession in cases of emotional violence, but it is difficult to know how this legislation will be put into practice. Cases of physical violence present better opportunities for evidence gathering, such as photographs of injuries, medical treatment, and notes, whereas for emotional abuse the absence of "hard" evidence means that the case will rest on whose word is more credible. Given the unequal power relations in heterosexual relationships in favour of men and the history of poor police response to domestic violence (HMIC 2014), it is difficult to see how emotional abuse can be effectively prosecuted.

Second, a significant concern is the way in which structural issues, such as NRPF, slip into the cultural domain. Instead of recognizing that BME women subject to NRPF have their autonomy severely curtailed by societal arrangements, such women's apparent lack of agency is assumed to be part of their culture. Clearly, culture has a bearing on VAW in BME as well as in majority communities, but VAW is often framed solely in terms of culture when it relates to minoritised communities, particularly in the global North (Chantler and Gangoli 2011). The construction of the South Asian woman as particularly passive and completely culture-bound ignores the very material effects of NRPF, denies the realities of her experience of domestic abuse, and undermines her sense of agency. In this process, majority cultures (and women) are re-centred and represented as superior/civilised whilst "others" are represented as backward. Such a positioning obfuscates the dogged determination and successes of the activism and campaigning of many South Asian women's organizations and fails to make connections between victims of domestic abuse from different ethnic groups, including majority working-class women. Whilst there are significant differences in the experiences of domestic abuse between minoritised women and majority women, there are also similarities in experiences, which can serve to unite women with experiences of domestic abuse. The culturalising frame that is deployed in relation to BME women, together with the anti-immigration context discussed above, renders such alliances highly improbable.

In addition to NRPF, the second structural concern relates to migrant women who escape GBV from non-EU countries and attempt to claim refugee status in the UK. Feminist analyses of personal (private) versus state (public) spaces are central to interrogating gender specific crimes as grounds for seeking refugee status. The Geneva Convention (1951) (which is used to determine whether or not the applicant meets the criteria for refugee status) does not recognise GBV under the terms of the Convention. In general terms, women are not perceived as being persecuted if they are escaping from VAW as this is considered to be a private family or cultural practice unless they can be shown to be members of a particular social group (Ismail 2010).

To illustrate what this means in practice, we draw on a study that one of the authors was involved in. Specifically, we highlight an account offered by Maria (pseudonym), a participant in the qualitative element of the study, which involved semi-structured interviews to explore needs, service responses, and gaps in services to hitherto under researched groups: BME women, men (regardless of sexual orientation and ethnicity), and transgender communities (Hester et al. 2012; further details about the methodology used in the study are available in the research report). Maria came from an African country, which had been in the grip of a serious civil war (name of country deliberately withheld to protect participant anonymity). She reported that

she had been forced into marriage and saw sex within the marriage as rape. Maria also experienced domestic abuse within her marriage and reported that there were no shelters or sources of support at either the community or state level to help her. Later, during the civil war, she was subject to gang-rape by rebel soldiers. She did not tell her husband or anybody else about the gang-rape for fear that she would be blamed for initiating the rapes. She also reported that she was very ashamed of what had happened and found it difficult to tell anybody. Eventually, she was able to make her escape to the UK where she claimed asylum on the grounds of forced marriage.

Throughout the asylum process, Maria had been questioned by men and had not felt able to disclose the multiple rapes by the rebels—even though this would have strengthened her claim for refugee status. At the hearing, there was a woman judge and Maria asked if she could have a private word with her as she thought that she would be able to disclose the rapes to a woman—despite the difficulty of speaking about them at all. However, the judge refused and Maria's asylum claim on the basis of forced marriage was refused. Importantly, we can see how opportunities to speak and give voice to her experience of gang-rape was silenced both in her country of origin and in the UK. Admittedly, it is unorthodox, according to the asylum systems in the UK, to ask to speak to a judge. Nevertheless, Maria's account illustrates that at crucial times she was not afforded the opportunity to speak—which reinforced the idea that gang-rape, even though a very public act, remains an intensively private matter.

On the other issue, that of forced marriage, this was not seen as a legitimate basis for a claim as Maria could not prove she was forced into marriage. The assumption made in this and other VAW asylum cases is that it is possible for Maria and other victims of VAW to resettle in their own countries rather than seek asylum in the UK. This invokes a particular notion of a "self," one that is based on the possibilities and opportunities available in the UK rather than the context of the asylum seeker. The legal, social, political and cultural milieu in many countries is such that it is not possible to live a safe and independent life as a single woman (Siddiqui, Ismail, and Allen 2008). To return to Maria, at the time of the research interview, she was being supported by a BME women's organisation and was appealing her refusal and bringing the multiple rapes into her claim.

Maria's case highlights the complexities of working with migrant women escaping VAW and the importance of services responding appropriately. As has been demonstrated above, the climate of austerity has a disproportionate negative impact on BME specialist services. The loss of such services means that women like Maria will find it increasingly difficult to access the emotional, material, and legal support required for her case. Further, the message in Maria's case is contradictory for she would be constructed as culture bound, accepting of the violence, and lacking in agency had she remained in her marriage. Her efforts to assert herself as a woman deserving a life free of the violence of a forced marriage were disbelieved, despite the acknowledgment that a forced marriage constitutes a breach of a person's human rights, according to Article 16 of the Universal Declaration of Human Rights. What both NRPF and Maria's case study clearly demonstrate is how structural issues mediate BME women's experiences of VAW.

Conclusion

Throughout this article, we have illustrated both theoretically and through an analysis of BME women and VAW how the erasure of race/racism and Black women from intersectionality is highly problematic. We, alongside others, are troubled by the direction of travel of intersectionality, away from its origin within Black feminisms and indeed the displacement of race/racism as central to the project of intersectional analysis (see also Lewis 2013). The replacement of race/racism with culture and religion at the expense of a structural analysis has also been problematized. Whilst it is commonly accepted that BME women experience similar and different types of VAW to majority women, highlighting structural issues throws into sharp relief exactly what "difference" means and why we must not lose sight of the quintessential subject of intersectionality: race/racism and Black woman. We recognise that we may be accused of presenting "Black women" as a monolithic category and of paying insufficient attention to diversity within the category. As discussed above, we see intersectionality as a process of explication of unequal power relations rather than one that is focussed on multiple and ever fragmented identities. Clearly, theoretically, intersectionality offers the potential of understanding and engaging with diverse forms of differentiation and

oppression, constantly bringing to the fore power relations that are unacknowledged and invisible, and this is the major strength of intersectionality. However, as our article illustrates, the quintessential subject of intersectionality is facing erasure in theory, policy, and practice. Like Lewis (2013), we argue for the centrality of race/racism and processes of racialisation in intersectional analysis and see race/racism as of significance not only for Black people, but as integral to whiteness itself. Lastly, our emphasis on what intersectionality *does* invigorates the significance of attending to both theory and praxis.

Endnotes

[1] See https://www.womensaid.org.uk/?gclid=CML0-IvJp80CFQoTGwodsnwD6g.

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