

The Feminist Research Institute Presents

“Women and Domestic
Violence in Latin America
and US Asylum Law”
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of History

Wednesday
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12:00-1:00pm
SUB Cherry/
Silver

In modern times, the rights of citizens to equal access to resources, legal standing, and protection are predicated on the Enlightened construction of the individual as the bearer of these rights. For women, however, the framing of rights as an individual possession can limit their status and their ability to protect themselves. In Early Modern Spanish America, women sued husbands for domestic violence. This was possible because of the specific Iberian fuero-based legal system that recognized collective rights and the ability of women to claim juridical identities as a specific social group. Latin American women lost collective identities in nation states founded on the authority of individual rights. This legal and cultural shift continues to leave women unprotected from violence in many countries in Latin America today because women are invested with less status as individuals. Recently, the United States has recognized domestic violence as grounds for asylum. Women are able to claim this asylum status, not as individuals, but because of their membership in a “particular social group.” As scholars and activists, thus, we must theorize about justice not only as a measure of individual rights but also as the protection of collective identities. This presentation will focus on women and domestic violence historically and in contemporary US asylum law, based on archival research and experience as an expert witness in support of Latin Americans seeking asylum in the US because of threats to their sexual identity and domestic violence.

