

ABSTRACT:

A Rights' debate in Canada –

Abuse is wrong in any language, except when you have no status

The Department of Justice Canada website proclaims, “Abuse is wrong in any language”, but this statement should be qualified further in that if you are a women without status in Canada, the infrastructure of protection may not be as accessible to you as for women with status. Women without status who are the survivors of domestic violence find themselves in a precarious balancing act when trying to decide whether to seek help. Calling the police may set in motion a series of events, which the woman is neither prepared for nor can she control. There is the threat of being counter-charged, loss of children, embarrassment in the community and added to this, being deported. Factors that further exacerbate the plight of these women can be dichotomized between the complexity of differences for white and non-white women. Non-white women are more likely to experience the systemically entrenched biases of the current infrastructure because of economic, political and social disadvantages than their white counterparts. Canada’s historical nation-building exercise in discrimination and exclusivity has set the basis for a mischaracterization of non-white women and feminist legal theorists have perpetuated these misconceptions by the adherence to essentialist thinking which further exclude the realities that non-white women experience. International and domestic law create a national obligation for the protection of all women who are survivors of domestic violence. Feminist legal theorist must reform their message as educators, so that the lawmakers and those that implement those laws ensure against the re-victimization of these women.