

**CHANGING ROLE OF SOUTH ASIAN WOMEN IN THE
UNITED STATES, 1965-2005**

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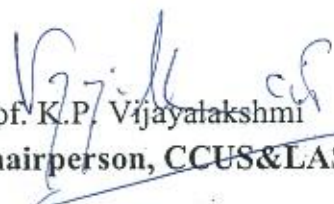
DECLARATION


I declare that the dissertation entitled "**Changing Role of South Asian Women in the United States, 1965-2005**" submitted by me in partial fulfilment of the requirements for the award of the degree of **MASTER OF PHILOSOPHY** of Jawaharlal Nehru University is my own work. The dissertation has not been submitted for any other degree of this University or any other university.


NEERJA BAL

CERTIFICATE

We recommend that this dissertation be placed before the examiners for evaluation.


Prof. K.P. Vijayalakshmi
Chairperson, CCUS&LAS


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Supervisor

PREFACE

The purpose of the research is to explore the settlement challenges and concerns faced by immigrant women of South Asian decent. South Asian, for the purposes of this research, includes women whose origins or ancestors would be from the Indian sub-continent, which includes the countries of Bangladesh, Bhutan, India, Pakistan and Sri Lanka. The objective of this research is to explore and document issues faced by immigrant women, to identify challenges in the settlement process of immigrant women, and to look at the changing role of the South Asian women in the American society and why this change has taken place.

The rationale behind understanding and studying the immigration of South Asian women to the United States is to focus on the various immigration laws and acts which directly or indirectly affect the women of South Asian origin and which affect the education, employment and assimilation of women into the mainstream American society.

The study focuses on the position of South Asian women in the United States since the initiation of the Immigration and Naturalization Act of 1965, as this act represents a significant watershed moment in the Asian American history, and gave rise to greater opportunities for family based and employment based immigration. The 2005 Violence against Women Act deals with the protection of battered and trafficked immigrants, and amended the drawbacks of the previous acts of 1994 and 2000, thus making it a significantly important law concerning immigrants. The study essentially focuses on the analysis of the Immigration acts of the United States which have impacted women of South Asian origin, women in the workforce and assimilation into the American society.

All of the above given aspects have been covered in four chapters and fifth being conclusion. A synoptic detail of the chapters is provided in the introductory chapter.

Acknowledgement

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Chapter 1

Introduction

South Asians are a very diverse population, which include, Sri Lankans, Bangladeshis, Pakistanis, and Asian Indians. They trace their origin to India, Pakistan, Bangladesh, Nepal, Burma, Sri Lanka, Bhutan and Maldives. Over three hundred languages are spoken throughout the South Asian region. Religious practices in these countries are also as diverse as their heritage, with followers of Buddhism, Hinduism, Islam, Jainism, Sikhism, Zoroastrianism, and Christianity being the most common.

South Asian subgroups have had the largest growth rates as compared to all other ethnic groups from 1990 to 2000. The Asian Indian, Pakistani and Bangladeshi populations increased by 133%, 151%, and 385% respectively. Nearly 1.7 million Asian Indians lived in the United States in 2000¹.

Over the past four decades, immigration has increased the racial and ethnic diversity in the United States. Once a mainly biracial society with a large white majority and relatively small black minority and an impenetrable colour line dividing these groups, the United States is now a society composed of multiple racial and ethnic groups. (Lee and Bean 2004: 221).

By the year 2002, the number of foreign-born people living in the United States exceeded 34.2 million, with the size of the U.S.-born second generation about 31.5 million, so that immigrants and their children accounted for almost 66 million people, or about 23% of the U.S. population. Unlike the immigrants who arrived at the turn of the twentieth century, today's immigrants are notable because they are mainly non-European. By the 1980s, only 12% of legal immigrants originated in Europe or Canada, whereas nearly 85% reported origins in Asia, Latin America, or the Caribbean. It is also predicted that by the year 2050 America's Latino and Asian populations are expected to triple, consisting about 25% and 8% of the U.S. population (Lee and Bean 2004: 221). America's newcomers have unquestionably altered the nation's racial and ethnic landscape. Samuel P. Huntington in his book

¹ NKI Centre for Excellence in Culturally Competent Mental Health, South Asian Americans (2009) <http://ssrdqst.rfmh.org/cecc/index.php?q=node/61>, accessed 23/1/2012.

“Who Are We” also expressed similar concerns, he says that American national identity and the possible cultural threat posed to it by large-scale Latino immigration, could “divide the United States into two peoples, two cultures, and two languages” (Huntington 2004) .

The South Asian community in the United States is extremely diverse in terms of ancestry, ethnicity, national origin, immigration status, economic status, religion and culture. The community is also experiencing significant increases in population growth. Between 1990 and 2000, for example, the Indian, Pakistani and Bangladeshi populations were the fastest growing segments within the entire Asian American community. The rapid growth of the South Asian community can be seen throughout the country. Metropolitan areas such as New York/New Jersey, the San Francisco Bay Area, Chicago, and Los Angeles have the largest populations of South Asians, areas with emerging populations include Atlanta, the Washington DC metropolitan area, and Seattle, according to the U.S. Census 2000 (SAALT Testimony 2007: 2).

The South Asian population in the United States being predominantly foreign-born frequently encounters the immigration system and confronts challenges. At the turn of the twentieth century, South Asians faced obstacles to migration and naturalization due to national origin quotas and restrictions on naturalization in the same manner as other immigrants from Asia. These restrictions were relaxed after the passage of the 1965 act, which gave rise to greater opportunities for family-based and employment-based immigration. After the passage of the act, South Asians relied heavily upon these new preferences and categories mentioned in the act to come to the United States. After 1990, a third wave of South Asian immigration occurred and even more diverse populations arrived in America, ranging from specialty occupations workers to working class families (SAALT Testimony 2007: 3).

Immigration policy in the United States reflects multiple goals. First, it serves to reunite families by admitting immigrants who already have family members living in the United States. Second, it seeks to admit workers with specific skills and to fill positions in occupations deemed to be experiencing labour shortages. Third, it attempts to provide a refuge for people who face the risk of political, racial, or religious persecution in their country of origin. Finally, it seeks to ensure diversity by

providing admission to people from countries with historically low rates of immigration to the United States (US Congressional Budget Office 2006).

Immigration has played a revolutionary role in shaping the demography of American life. Since 1965, more than 22 million legal immigrants have come to the United States (U.S. Department of Justice 1998). Immigration has demographically transformed the size and composition of many states. Contemporary immigration is the product of policy reforms, such as the Immigration Acts of 1965 and 1990 and the Refugee Act of 1980. These immigration acts have shaped the volume and composition of immigration; in addition, global social, political, and economic changes have led and continue to lead millions to leave their homelands and seek opportunities in the United States (Engstorm 2001: 499-500).

Although, different Asian ethnic groups in the U.S. have had diverse immigration and settlement experiences, two broad historical periods demarcated by the 1965 landmark Immigration and Nationality Act can be identified. The first period, prior to 1965, is characterised by a U.S. economy hungry for low-wage labour and a history weighed down by severe racial conflicts. In this period, Asian Americans faced much competition, racial violence, and discrimination. The second period, after 1965, reflects a growing need in the U.S. economy for an educated, skilled labour force and a relatively more tolerant racial environment following the Civil Rights movement. The Asian Americans have been recognised as ‘model minorities’ during the post 1965 period (It is most commonly used to label one ethnic minority higher achieving than another ethnic minority. This success is typically measured in income, education, and related factors such as low crime rate and high family stability. In the United States, the term is associated with Asian Americans (Xie and Goyette 2004: 3).

Due to its friendly laws of immigration, the United States is built on an enormous and ever increasing immigrant population. Furthermore, after the easing of the immigration laws in 1965, a large number of South Asian families started coming to the United States. In the 1960s, the South Asians who immigrated to the United States were professionals. This demographic composition changed in the 1990s. The cycle of “chain immigration” started wherein the South Asians who were U.S citizens sponsored their relatives to migrate to the United States. Recently the migration consists of professionals working in the information technology industry. There has

been a sharp growth in the South Asian population from 1990-2000 (Bhandari 2008: 44-45). Despite a long history of disproportionately male immigration, we find the sex ratio among Asian Americans either to be balanced or in favour of women.

At different times in history, various communities have been restricted or barred from entering the United States. The Immigration Act of 1917 (Barred Zone Act) restricted immigration from Asia by creating an "Asiatic Barred Zone" and introduced a reading test for all immigrants over 14 years of age, with certain exceptions for children, wives and elderly family members. Literacy tests were required of immigrants. Immigrants were required to read and write a language. This language did not have to be English. "A geographical criterion was used to exclude Asian Indians, because their racial or ethnic status was unclear" (Brazier 2000). In the 1920's, Congress instituted a series of "quotas" on immigration.

Based on the 1910 census, The Emergency Quota Act of 1921 provided that, three per cent of a European nationality that resided in the U.S. could be permitted to enter the country each year. Asians were still barred from entering the United States. The Immigration Act of 1924 followed this trend and aimed at freezing ethnic distribution in response to rising immigration from Europe and Asia. The Immigration Act of 1924 barred the Japanese from entering the United States².

The Immigration and Nationality Act of 1952 (or McCarran-Walter Act) relaxed the immigration from Asia, but at the same time, it also increased the power of the government to deport illegal immigrants. The ban imposed against Orientals was removed. It eliminated race as a bar to immigration or citizenship. Tighter restrictions were placed on immigrants coming from British colonies were placed under tighter restrictions in order to curtail the tide of black West Indians entering under Britain's generous quota.³

Quotas based on national origin were discontinued by The Immigration and Nationality Act of 1965 (or Hart-Cellar Act) and preference was given to those who had relatives in the US. The act also removed 'natural origins' as the basis of

² A Brief Timeline of U.S. Policy on Immigration and Naturalization., http://www.flowofhistory.org/themes/movement_settlement/uspolicytimeline.php/.

³ Ibid.

American immigration legislation and was structured as an amendment to the 1952 McCarran-Walter Act. The 1965 act abolished 'national origin' quotas and specified seven preferences for Eastern Hemisphere quota immigrants: (1) unmarried adult sons and daughters of citizens; (2) spouses and unmarried sons and daughters of permanent residents; (3) professionals, scientists, and artists of exceptional ability; (4) married adult sons and daughters of U.S. citizens; (5) siblings of adult citizens; (6) workers, skilled and unskilled, in occupations for which labour was in short supply in the United States; and (7) refugees from Communist-dominated countries or those uprooted by natural catastrophe. Since 1965, two million Asian quota immigrants, two million non-quota immigrants, and one million refugees outside the seventh preference have arrived (Lowe 1996: 16).

Under the Hart-Cellar Act, new immigration criteria was based on kinship ties, refugee status, and needed skills. Between 1820 and 1960, 34.5 million Europeans immigrated to the U.S., while only one million Asians mostly Chinese and Japanese immigrated. An inadvertent and unexpected, effect of Hart-Cellar was the rapidly increasing Asian immigration. From 1870-1965, 16,013 Indians immigrated to the United States. In the first decade following the passage of the 1965 Hart-Cellar Act, 96,735 Indians immigrated. For the most part, these new Indian immigrants entered under the needed skills preference of the 1965 law (Kolsky 1998).

The Immigration Act of 1965 was a catalyst for the emergence of mass immigration, though apparently few anticipated its sweeping impact. For example, at the signing of the act on October 3, 1965, on Liberty Island, President Lyndon Johnson remarked, "it is not a revolutionary bill. It does not affect the lives of millions. It will not reshape the structure of our daily lives, or really add importantly to our wealth or our power" (Johnson 1965)⁴.

The immigration Act of 1990 limited unskilled workers to 10,000/year, skilled labour requirement and immediate family reunification were major goals.⁵ These acts did impact the Asian community as a whole but nothing specific was mentioned regarding

⁴Lyndon B. Johnson, Remarks upon Signing the Immigration Bill (1965) http://wps.prenhall.com/wps/media/objects/173/177665/28_remar.HTM.

⁵A Brief Timeline of U.S. Policy on Immigration and Naturalization., http://www.flowofhistory.org/themes/movement_settlement/uspolicytimeline.php/.

women and majority women entered the country with their families and not independently.

The Personal Responsibility and Work Opportunity Reconciliation Act of 1996, a.k.a. "The Welfare Reform Act". This act represents the federal government's attempt to reform the welfare system by persuading recipients to leave welfare benefits and go to work. This act handed over the primary responsibility of administering the welfare system to the states. This act majorly constricted the women in getting benefits and in turn, they were now more vulnerable.

In 2001, the Immigration and Naturalization Act was amended by the USA Patriot Act to broaden the scope of aliens ineligible for admission or deportable due to terrorist activities to include an alien who is a representative of a political, social group whose political endorsements undermine the U.S anti-terror activities. A person who has used a position of prominence to endorse terrorist activities or to persuade others to support such activities, or a person who has been associated with terrorist organisations and intends to engage in threatening activities while in the United States (A brief timeline of history).

The REAL ID Act of 2005, created more restrictions on political asylum, severely curtailed habeas corpus relief for immigrants, increased immigration enforcement mechanisms, altered judicial review, and imposed federal restrictions on the issuance of state driver's licenses to immigrants and others⁶.

The Immigration and Naturalization Act of 1965 represents a defining moment in Asian American history. Reversing decades of systematic exclusion and restrictive immigration policies, the Act resulted in unprecedented numbers of immigrants from Asia, Mexico, Latin America, and other non-western nations entering the U.S. In the process, these new arrivals, particular from Asia, have transformed the demographic, economic, and cultural characteristics of many urban areas, the larger Asian American community, and mainstream American society in general (Asian Nation)⁷. South Asian women have played a significant role in shaping the Asian American

⁶ List of United States immigration legislation Information about List of United States immigration legislation, URL: <http://english.turkcebilgi.com/List-of-United+States+immigration+legislation>.

⁷ Asian Nation: Asian American history, demographics and issues. URL: <http://www.asian-nation.org/1965-immigration-act.shtml>

community. Often referred to as “model minorities”, women are considered to be the cultural carriers and the idea of reproducing culture is highly gendered and generally associated with women. They are responsible for shaping the future of their offspring. The second and third generations of South Asians are one of the most successful immigrant groups.

Post 1965, Immigration laws gave rise to greater opportunities for family-based and employment-based immigration. South Asians relied greatly upon the new preferences and categories set by the 1965 Act to come to the United States. The wave of immigration after the 1990 Act was even more diverse and included speciality occupation workers to working class families. However, this law had no specific reference to South Asian women and was gender neutral.

Various administrative and legislative policies were implemented that have had a devastating impact upon non-citizens of South Asian descent after September 11, 2001. For example, between September 2001 and February 2002, the Federal Bureau of Investigations and the Immigration and Naturalization Service (INS) detained approximately 1,100 individuals with supposed links to terrorist activities. Many were denied access to counsel and underwent secret hearings. Of those detained, the largest numbers were Pakistani citizens (33%) and the sixth largest were Indian citizens (SAALT, Congressional Testimony 2007: 3-4).

In June 2002, the Department of Justice instituted a program known as the National Security Exit/Entry Registration System (NSEERS), which included a domestic component known as “Special registration.” This program required males aged 16 and over from 25 countries with predominantly Muslim and Arab populations – including Bangladesh and Pakistan – to report to local immigration offices. While touted as a tool to fight terrorism, this program became an immigration enforcement measure as those who reported and were found to be out of status were immediately placed into deportation proceedings. South Asian individuals continue to be influenced by special registration in many ways. This deportation directly affects the women, as South Asian women are largely dependent on their spouses, deportation for the men means deportation for the women as well (SAALT, Congressional Testimony 2007: 3-4).

Migration theory attempts to explain the occurrence of immigration. Like European immigration at the turn of the twentieth century, much of today's immigration from Asia and Latin America is driven by economic, political, and social changes in sending countries and the continuing demand for immigrant labour in the United States. It is often noted that, advanced capitalist countries, such as Germany and England, send the United States few immigrants, whereas developing countries, such as Mexico and the Philippines, send millions. Neoclassical economics, segmented labour market theory, world systems theory, network theory, and cumulative causation, among others, have all been employed to discover and explain the macro, mezzo, and micro-causes and processes of immigration (Engstrom 2001: 500).

Douglas Massey, a seminal figure in the development of migration theory, reviews the major theoretical approaches to understanding international migration and explores the effort to develop a theoretical synthesis that accounts for multiple levels of causation. In his *Handbook* essay, *Massey* argues that any theory of immigration must factor in the structural forces that promote emigration and attract immigrants; address the motivation, goals, and aspirations of immigrants; and examine the economic and social structures that connect areas of out and in migration (Engstrom 2001: 500-501).

The family-based system is the cornerstone of South Asian immigration into the United States. In 2005, nearly 22,000 South Asians entered the United States through a family category and over 30,000 South Asians were sponsored and admitted as immediate relatives. In 2005, over 3,000 family-based applications were filed by Bangladeshis; over 15,000 by Indians; and over 3,000 by Pakistanis. Specifically, in 2005, India ranked fourth among the countries from where people submitted family-sponsored green card applications. Unfortunately, many South Asians continue to wait extraordinarily long periods of time in order to be reunited with their family members (SAALT, Congressional Testimony 2007: 4-5).

The immigration acts give no specific reference to South Asian women, and largely focus on the community as a whole. Women mostly immigrate along with their families as dependents, and are totally dependent on their spouses. The earlier immigration acts excluded the East Asian women in the Chinese exclusion act, but no such reference has been given to the women of South Asian women in the acts. Thus, making these acts very gender neutral.

At some time or the other, most of the immigrant communities were excluded from entering the United States, so were the South Asians. The situation improved after the 1965 Immigration and Naturalization Act. The South Asians are one of the largest migrating communities in the United States. After the 1965 act not only the men but women also migrated in large numbers. Initially the women immigrated as dependents, they followed their spouses and were mainly involved in household work and did not venture out of their houses for work. The man was the bread earner and the women took care of the house and children. Women were merely cultural carriers, whose job was to further their culture in an alien land through their children.

Though the status of women as cultural carriers and homemakers still prevails, this is fast changing. Women now enter the United States not just as dependents but as professionals and for the purpose of higher education as well. The number of South Asian women professionals has significantly increased in the past few years. Apart from the employment gate, women enter the United States through the education gate as well. A large number of South Asian women join American universities to gain higher education which in turn will help them to get gainful employment, and a few choose to go back to their home countries and stay on in the United States after the completion of their education.

The assimilation of immigrant groups is reviewed on four primary benchmarks of assimilation: socioeconomic status, spatial concentration, language assimilation, and intermarriage. The existing literature shows that today's immigrants are largely assimilating into American society along each of these dimensions (Waters and Jimenez 2005:105).

The 1990s ushered in a new period of American immigration characterized by a change in the destinations of immigrants. Although the overwhelming majority of immigrants still concentrate in traditional gateway states, such as New York, Massachusetts, Florida, Illinois, Texas, and California, the southern and mid-western states have seen unprecedented gains in their foreign-born populations. To be sure, these states were home to a number of immigrant groups during previous periods of American immigration, but the recent growth is unparalleled by any other period. (Waters and Jimenez 2005:111).

After nearly 40 years of mass immigration, primarily from the Latin America, and the Asian countries, research supports the belief that immigrants are being successfully incorporated into American society. Contrary to the belief of political scientist Samuel Huntington, who argued that, "Unlike past immigrant groups, Mexicans and other Latinos have not assimilated into mainstream U.S. culture", the United States continues to show remarkable progress in absorbing new immigrants (Waters and Jimenez 2005:121).

Domestic violence and the Violence against Women Act:

One of the most widespread issues among South Asian women in the United States is domestic violence. There are two major theoretical approaches in the study of domestic violence, first, family violence perspective and second the feminist perspective. In the former, family is considered to be the basic unit of analysis, whereas in the latter, the abused woman is considered as the unit of analysis (Abraham 1995:451)⁸. Some early psychological perspectives asserted the wife's psyche as the causal factor for marital violence and as such seem to adopt a "blame the victim" approach (Abraham 1995:451)⁹. The personal characteristics of the husband or the wife or the internal and external environment affect the family according to the family violence approach. Imperfections in the characters of the family members are also believed to be the reason for domestic violence. The causal factors of violence range from violent socialization during childhood or learned behavior in the male's family of origin to alcoholism, drug addiction, mental illnesses, or lack of self-control.

The feminist perspective on the other hand does not limit the causes of domestic violence to psychological and sociological factors, but considers global pervasiveness of violence and its acceptability. Rather than focusing on the family as the unit of analysis, feminist theorists emphasize the position of the wife as the victim and see wife abuse as a reflection of the social structure (Abraham 1995:451). The normative

⁸ Cited from: Kurz, Demi. 1989. Social perspectives on wife abuse: Current debates and future direction. *Gender and Society*, 3: 489-505. .

⁹Cited from: Snell, J., R. Rosenwald, and A. Robey. 1964. The wife-beater's wife: A study of family interaction. *Archives of General Psychiatry*, 11: 107-12.

structure that characterizes women as inferior, endorses dominance and aggression as positive traits in men, and under- represents women in all spheres of social, economic, and political life, does not consider wife abuse to be an act of deviance and a breakdown in the social order. Feminist scholars in the United States have neglected the domestic violence experiences of ethnic minority women, especially immigrant women.

Shreya Bhandari, analyzed a study of 160 South Asian women in heterosexual relationships in Greater Boston. The study revealed that 40.8% of the women were physically abused and/or sexually abused by their current male partner, 36.9% of them were reported to be victimized in the past year and 65% of them reporting physical abuse, also reported sexual abuse. About 30 to 50 % of Asian and Latino immigrant women in the U.S face domestic abuse from their intimate partners. Analyses of a research by Manavi, a South Asian women's group, points out that, 25-30% of Asian Indian women in the United States suffer abuse at the hands of their partners at one time or another (Bhandari 2008:44).

The Violence against Women Act of 1994 offered a big respite. It included the Violent Crime Control and Law Enforcement Act, which passed into law on September 1994. The Violence against Women Act of 1994, allowed an alien spouse to do a self-petition for unconditional permanent resident status or apply for suspension of deportation (Orloff and Klein 1995). With the improvements and changes made in the Act from 1994 to 2000 there has been an increase in the access of services by the battered women. An alternative view mentions that the passing of the welfare reform legislation in 1996 denied legal immigrants access to federal, state and local benefit programs (Abraham 2000). Proofs had to be given through police, hospitals and social service agencies of the physical abuse for her to become eligible for welfare benefits. Hence, the vulnerability of women increased due to the complex immigration policies, which were discriminatory.

There were a few positive introductions made in the Violence against Women Act (VAWA) of 2000. Two new categories of non-immigrant visas were introduced in the VAWA 2000- "T" and "U". "T" visas provide legal status for up to 5,000 victims of sex trafficking and forced labor each year. "U" visas are issued to immigrants who are either victim of or who possess information regarding many forms of criminal activity

like rape, domestic violence, and sexual assault. Both the visas provide nonimmigrant status, including work authorization, to the victims and certain family members. There was requirement of extensive documentation that the immigrant women would suffer extreme hardship if deported back to the country. As a result, women did not receive approvals of their self-petition cases. It required the help of attorney. With no requirement of documentation to prove, extreme hardship if deported back to the home country in VAWA 2000 made it easier for the domestic violence advocates to collect more evidence for other issues in VAWA cases (Orloff and Kaguyutan 2002).

Title VIII of VAWA 2005 deals with the protection of Battered and Trafficked Immigrants. The Violence against Woman Act of 2005 has taken care of a number of the above drawbacks in the 1994 and 2000 Act. Even though the 1994 and the 2000 Act had worked in the direction to reduce violence against women, there still were several categories of women and children whose lives were at risk. Many of them are still being deported and several others are still trapped by the abusers in life threatening situations (Bhandari 2008: 46-47).

In October 2000, the Victims of Trafficking and Violence Prevention Act of 2000 (VTVPA) was passed in the United States; VTVPA provides an immigration remedy to alien victims of crimes, including rape, torture, kidnapping, trafficking, incest, domestic violence, sexual assault, female genital mutilation, forced prostitution, involuntary servitude, being held hostage or being criminally restrained. According to the law, if victims report these crimes and participate in the prosecution, they will be eligible for a U visa. After maintaining a U visa for three years, a crime victim may be eligible to apply for permanent residence. The Violence against Women Act (VAWA) allows those married to a Legal Permanent Resident (LPR) or a U.S. Citizen (USC) to self-petition if they can prove that their spouse abused them and meet several other criteria (U.S. Department of Justice 2001: 1-2).

Congress originally passed this law partially because they recognized the consequences for an abused woman who returned to her home country. VAWA, however, does not apply to domestic violence survivors who are married to someone on a non-immigrant visa such as an H-1B or an F-1 student visa. It does apply to someone whose spouse is out of status. VAWA also does not protect people who are abused by partners to whom they are not married. The U visa would give these people

an opportunity to leave an abusive relationship and obtain an independent visa to stay in the United States. For South Asian domestic violence survivors, a U visa is one of very few options to legally remain in the U.S. However, its advantages remain only on paper; not many South Asian women (who have survived domestic violence) have benefited from it so far.

South Asian Women: Education and Employment Opportunities:

One of the primary spheres of concern and profound interest of South Asian women in North America is the procuring and maintaining of jobs. The rationale or basis for such disposition is embedded in the obvious role of money in the sustenance of life. It is an activity, to which every human is rightfully entitled for realizing a relatively comfortable mode of survival. Thus, in what ways are the average Asian immigrant challenged in finding and maintaining suitable employment? Fundamentally, there are three areas that affect South Asian women to find and maintain suitable employment: the belief systems and cultural expectations of the Asian family, the belief systems and cultural expectations of North American life and the individual's eventual decisions. Coupled together, the former two areas are what constitute the basis for the challenge; because they create a dilemma for the individual – a scenario directly related to the third area. This double-cultural influence is referred to as biculturalism, which is the experience of straddling two cultures, the balance between the home and host culture is an important part of one's identity. This balancing of cultures has been described as Biculturalism (Philip 2007: 69-70).

Among the South Asian immigrants in the United States, both men and women have high levels of education, and high proportions of women are engaged in professional work (Barringer and Kassebaum 1989: 505-510). In spite of this, there are large differences in the incomes of men and women among the immigrant community. The earnings of Asian American women per year of education are less than that of men belonging to their own ethnic group, and like other women in this country, they do more housework than their husbands (Stone and McKee 2002: 150).

Anthropologist *Johnetta Cole* writes, “By observing that, all groups of women in America do share some common forms of subordination, for example, women

typically work in sex-segregated jobs and receive less pay for comparable work than men, they generally have a greater share of housework and have less political power and are more subject to sexual violence than men.” (Stone and McKee 2002: 151).

Over the past few decades, female labour force participation has changed from being exclusively white women centered to more ethnic women centered. Though there is a positive relation between schooling and employment according to US census data, yet employment rates among Asian women are low when seen in terms of their level of education (Read and Cohen 2007: 1714- 1717).

Many immigrant women entering the U.S without immigration documents face many challenges. Many other immigrant women enter the U.S. with some form of immigration status, such as a student, work, or tourist visa. Yet, they can easily lose this immigration status and become undocumented when their visa expires.

For many immigrant women, the lack of documented immigration status and/or confusion over their status is a huge obstacle to accessing care, as access to publicly funded programs is usually subject to one’s immigration status. Moreover, lacking (or losing) immigration status endangers immigrant women because it makes them vulnerable to manipulation, coercion, and exploitation at the hands of employers, traffickers, smugglers, or intimate partners. Women who lack (or are unsure they have) immigration status are often forced to accept low-paying jobs where they are easily exploited. Domestic service, childcare, agricultural work, nail salons, and forced sex work are a few industries in which exploitation can occur (Glasford and Huang 2008)¹⁰.

Where on one hand women are marginalized in the workforce, by being forced to enter demeaning jobs, on the other hand in the new age of information technology, women of their own accord follow their spouses to United States in search of greener pastures. These women are highly educated and skilled, yet their values make them give in into the pressure of going after their families.

In the new information economy, special importance is assigned to IT researchers and developers, who belong to the global group of “knowledge workers.” In the post-

¹⁰ Women’s Health Activist Newsletter, URL: <http://nwhn.org/immigrant-womens-health-casualty-immigration-policy-war>

industrial era, IT workers have skills that allow them to compete in the global labor market. According to various sources, India provides 33% to 47% of U.S. high-tech employees with H1- B visas. The next-biggest supplier of IT developers is China, with about 9%, with Japan, Taiwan, Great Britain, Canada and South Korea providing 2% to 3% each. These nations are now becoming aware of the “brain drain” to the West (Gapova 2006:896).

The employment-based relocation of IT specialists to the U.S. is a highly gendered phenomenon. Spouses (and children) are only allowed to follow relocating programmers as “dependents” on H4 visas, which do not include the right to work. Overtly gender neutral, the system is based on the assumption that programmers are male, for their professional spatial mobility is more socially acceptable than women’s are. Men are not supposed to follow women as nonworking “dependents,” and such cases are rare. Thus, the H1-B system derives from the idea of a certain family pattern, reflecting and strengthening an underlying gendered division of labour. While IT workers (i.e., men) relocate as professionals, spouses (i.e., women) follow them as caretakers and providers of intimacy. Women’s consent to follow as “dependents” may be conditioned by several considerations, the most important being, first, their own professional status and career opportunities at home; and second, the age of children, of whom they take care more than men do. Wives with a (professional or advanced) degree and realistic career options view relocation as not bringing them personal professional gains, and such couples tend to reject the idea. Most women, though, being in their late 20s or early 30s, are too young to have developed a real career, so it looks like “there’s nothing to sacrifice.” The leap from a dual career to a single earner family, conditioned by the H1-B system, is justified by a much bigger male wage (Gapova 2006).

Gender imbalance in IT careers is well recognized. The impact of gender imbalance in the IT profession is significant. Fewer women in entry-level positions only worsens the disproportionate representation of women in middle and upper management, thereby reducing the pool of female role models and mentors. Underrepresentation of women in the IT workforce has been observed largely in developed nations such as the United States, Australia, New Zealand, and Ireland. According to a NASSCOM report of 2004, many Asian nations, such as India, China, and Malaysia, however,

have seen a greater influx of female talent, seemingly due to the explosive growth in their IT sector. Offshore outsourcing of IT jobs to South Asia implies that women from this region will be increasingly represented in the U.S. IT workforce virtually and directly. Jointly, these trends of declining female representation in the American IT workforce and the increasing presence of female talent from Asian countries has generated new diversity concerns for organizations that must manage the duality of race and gender in the workplace (Adya 2008: 602).

Three macro-level theories explain women in workforce, neo-classical, labour market, and feminist, which have been used to explain underrepresentation and related experiences of women in certain occupations. Neoclassical/human capital theories suggest that lower training and experience contribute to sparse female representation in the workforce. Labour market theories imply that markets are segmented and that “overcrowding” of women in certain professions tend to drive wages down, making these professions unattractive for men. More women train to be teachers at the primary levels. Finally, feminist theories attribute the disadvantaged position of women in certain occupations to patriarchy and women’s subordinate social position. Societal expectations of homemakers and care providers explain gender discrimination against women in the workforce (Adya 2008: 603).

Student migration is often the gateway for permanent stay in the country. This is eased by policies in many destination countries that allow students to convert their student status into a residence permit if they find a job within a certain time after graduation.

As per the findings of *The Institute of International Education*, India has been the leading source of foreign students in the United States since 2000-2001. In the 2007-2008 academic year, 15 percent of all foreign students admitted were from India, corresponding to almost 95,000 people. The majority of these Indian students pursue graduate studies, as did three out of four Indian students in 2006-2007 (Migration Information Source 2009)¹¹.

¹¹ Daniel Naujoks , (2009) “Emigration, Immigration, and Diaspora Relations in India” Migration Information Source, URL: <http://www.migrationinformation.org/Profiles/display.cfm?id=745>.

The highly skilled from South Asia, both men and women, have come to the USA through not only the 'employment gate' but also the 'academic gate' as students, and in the latter case, Indians, and to some extent the Pakistanis, have dominated the scene. In 2003-04 India has retained its No. 1 position in the US university enrolments (followed by China, Korea, Japan, Canada, and Taiwan) for the third year in a row, despite a decline of 2.4 per cent in the inflow of foreign students into the US campuses - 572,509 as against 586,323 in the previous year. India sent 79,736 students, which is 6.9 per cent higher over the previous years. Pakistan with just one-tenth the number of students also ranked number seven, despite a fall of 9.8 per cent in a year. Indians now account for 13.9 per cent of the foreign students stock in the US. A majority of 79 per cent Indian students pursue graduate studies, while 17 per cent are enrolled for undergraduate programmes (Khadria 2005: 7).

The participation of women and racial minorities in higher education has grown in recent years. More women and racial minorities are enrolled as undergraduate and graduate students. The enrollment of women in college increased from 6.4 million in 1983 to about 8 million in 1996. In addition, the student population has become more racially diverse, reflecting national demographic trends. In 1980, minority students (defined as Asian, Black, Hispanic, and Native American) were 18 percent of the enrolled undergraduate population. By 1995, minority students made up 27 percent. The fastest growth occurred among Asian and Hispanic students. Between 1976 and 1995, the percentage of Asian students tripled, from 2 to 6 percent. The gender and racial composition of higher education faculty is also changing, albeit more slowly. Women now represent 44 percent of faculty in higher education, but there is limited racial diversity. Asian Americans make up 5 percent of the faculty in higher education. More than 42 percent of Asian Americans aged 25 and older are college graduates, as compared with 26 percent for non-Hispanic Whites, 13 percent for African Americans, and 10 percent for Hispanics. Whereas Asian Americans make up less than 3 percent of the U.S. population, they earned more than 8 percent of the doctorates conferred by U.S. institutions of higher education in 1994-95. Such aggregate statistics have often been used to support the image of Asian Americans as model minorities with few problems. The exceptionally high investment in education by Asian Americans highlights the importance of research into the consequences of such achievements (Lee 2002: 696).

The high rate of education among the South Asian community is attributed to five major reasons, which drive the South Asian community towards quality education, first, Socio-economic background, second, ability; Asian Americans show a higher proficiency than their American counterparts. Third, community and identity, fourth, attitude, beliefs and values concerning education; and lastly to overcome the blocked opportunities, which are more easily available to the whites.

Choices over the uptake of post-compulsory education for South Asian young women are much more complex than for their male counterparts or their White counterparts. South Asian women's educational and employment choices are influenced not just by qualifications, but also by cultural expectations and family and community pressures. Therefore an understanding of the perceptions of community values and the general context in which these young women take decisions about marriage, family formation and employment is relevant and important. Factors such as religion, country of birth and the presence of children in the household are particularly relevant for South Asian women's decisions about education and employment (Bagguley and Hussain 2007: 3).

The number of Asian women coming to United States has been increasing steadily since 1990, Experts believe that there is a wide range of reasons for this shift, including political unrest, economic instability and social injustices in their home countries. Additionally, economic conditions in the United States are propelling female immigration. The aging American population is increasing demand for elder care workers and occupations in the health industry, which tend to be filled by migrant women as many South Asian women are trained nurses, thus making it easy for them to be inducted into the US healthcare industry, and more students are headed to the U.S. to study on student visas.

“Employment-based immigration is not a large part, but an avenue [of entering the U.S.]” *Aaron Terrazas*, a policy analyst at the Migration Policy Institute said. The Department of Homeland Security's Office of Immigration Statistics reported that in 2009, of all female migrants obtaining legal permanent resident status, only 11.2 percent of cases were based on employment. And that number is for the entire country, not just the state of New York. The most common reason for obtaining legalized status was being an immediate relative of a U.S. citizen. There has also been

an increase in the number of students obtaining visas to study in the United States. However, due to the economic recession, there aren't many companies that are able to offer these graduates employment with a visa sponsorship (Baig 2011).

Women of Asian origin are one of the fastest growing groups of women in the American labour force. Their total employment increased 46%- from 3.6 million in 1990 to 5.3 million in 2000 and is projected to increase further by another 42%. According to the report, this increase is due to "bilingualism" and "biculturalism". Both these are critical for the development of business as of the top 15 most frequently spoken languages 9 have their origins in Asia and biculturalism helps Asian women who have experience in Asian countries and act as connecting points to other countries which is crucial for global companies (Catalyst)¹².

The Issue of Identity and the Assimilation of South Asian women into the American Society:

Assimilation theories can be traced back to the Chicago school of Sociology. *Robert. E. Park* and *William Thomas* are to be given credit for the origin of this term.

Traditionally, according to American sociologists the adaptation of minorities to American society was from the perspectives of assimilation and human capital theories. Build largely upon the experiences of European white immigrants; these schools asserted that eventually, immigrants to the U.S. would assimilate into various aspects of American society with the help of education and acculturation. *Peterson* and *Sklare* suggested that, Human capital theory asserted that efficient use of education would assure economic assimilation.

Asian Americans were found to vary substantially in socioeconomic characteristics, both within and between ethnicities. Evidence suggests that these disadvantages are due to recency of immigration, and that older, better established Asian immigrants more nearly approximate the income earnings of whites. Despite high average

¹²“Advancing Asian women in the Workplace: What Managers need to know” Report of Catalyst, a leading research and advisory organization working to advance women in business.

incomes, Asian Indians were also found to be disadvantaged when compared to whites (Barringer and Kassebaum 1989: 503).

Looking at the theoretical aspect of immigration three theories, which directly affect the immigration process, are observed. Assimilation theory, in particular, deals with acculturation and social assimilation issues, which are poorly represented in census data. However, *assimilation theory* does at least imply that incomes of immigrants should increase over time spent in the host country, both in terms of years for immigrants themselves and over generations, eventually reaching parity with the incomes of dominant Americans. Likewise, *human capital theory* suggests that the higher the levels of education of immigrants, the greater the income parity with dominant Americans. Finally, *structural theories* suggest that structural barriers prevent immigrant minorities from converting either, time in residence or level of education to income parity with dominant Americans. All of the above assume control for other variables known to affect income (Barringer and Kassebaum 1989:502-504)

There are four primary benchmarks of assimilation: socioeconomic status, spatial concentration, language assimilation, and intermarriage. Today's immigrants are largely assimilating into the American society along these lines (Waters and Jimenez 2005:105).

After nearly 40 years of immigration from around the globe to the United States, immigrant assimilation paints a rather optimistic picture, according to *Waters* and *Jimenez*. They also point out that standard measures of assessing assimilation have been employed by social scientists. These measures are first, Socio-economic status defined as educational attainment, occupational specialization, and parity in earnings; second, spatial concentration, defined in terms of dissimilarity in spatial distribution and of suburbanization; third language assimilation, defined in terms of English language ability and loss of mother tongue; and lastly, inter-marriage (Waters and Jimenez 2005:105).

Hispanics and Asians display strong marital affinity for individuals from the same broad racial category, even if marriage partners are not from the same ethnic group (i.e., Puerto Ricans marrying Mexicans or Chinese marrying Koreans) (Waters and Jimenez 2005:108).

Understanding the experience of immigration is also crucial to understanding the South Asian experience in the U.S. South Asians experience a deep sense of loss upon immigrating, especially if there is no opportunity to return to their country of origin. The network of support by family and friends, central in many South Asians' lives, is often disrupted upon immigration. As one would expect, every successive generation becomes more and more acculturated. Asians in the U.S. are mediated by many factors. These factors include generation in the U.S., educational level, social class, identification with their own ethnicity and culture, and experiences with racism, sexism, and exclusion gradually, most South Asians in the U.S. function with a dual-identity.

The survey of today's historical accounts of immigrant and ethnic groups and of women in the United States shows that female immigrants are exceedingly marginal figures in most of them (Gabaccia 1991).

Those who study immigrant women continue to analyze them within a family context. Sources suggest that immigrant women, past and often present, generally identify with their families; and did not think of themselves as individuals. Asian women experience the marginalization common to all women of colour. Additionally, they experience discrimination based on characteristics attributed to Asians as a whole, and most appropriately described as discrimination based on race and national origin.

Evidence suggests that American-born children of immigrants face different challenges than their parents as they work to navigate between the values of their home culture with the values they experience at work, school, and in their personal life. Second-generation immigrants are likely to have greater difficulty negotiating values conflicts when they arise, and may experience identity crises that hinder the development of healthy self-esteem and ethnic identity.

The study of the first and second-generation South Asian women concluded that, while the first-generation of South Asian female immigrants faced conflicts around maintaining their culture, the second-generation faced an additional challenge of learning and maintaining their culture. It is further elaborated that, the stress associated with the acculturation process for the second-generation South Asian women in a pluralistic culture can lead to feelings of isolation, defensiveness and

inferiority. Another view on the subject of pluralistic culture suggest that, living on the border between cultures may offer second-generation immigrants unique benefits, rather than solely being a source of conflict, identifying with two cultures that vary widely in their values systems may allow one greater freedom to create a hybrid, or integrated identity (Stevens 2009:4).

The research questions that guided this dissertation are as follows:

1. How far have the Immigration laws of the United States helped in the Assimilation process of the South Asian Women in the United States if America?
2. At the end of the twentieth century and the beginning of the twenty-first century, social, economic, and technological changes have had profound effects on gender roles in all segments of American Society. How have these changes affected the Asian American families and the women in particular?
3. What are the various challenges faced by Asian American women in becoming a part of the labour force in the United States as compared to the white Americans?
4. What are the needs of different groups of young South Asian women prior to higher education, during their time in higher education and enabling their successful exit from higher education into viable careers?

The research work outlined above was premised on the following hypotheses:

1. American Immigration Laws since 1965 have been gender neutral and not women specific, which has influenced the social status of women.
2. The achieved status of South Asian women is determined not only by their qualifications but also by their ascribed status.
3. The social, structural and procedural constraints of the American Immigrant laws pertaining to domestic violence inhibit South Asian women from taking recourse through law and protect themselves.

The study takes into account the historical background of immigration of South Asian women to the United States. The study has carried out applying the historical and the analytical framework with qualitative and quantitative method based on available primary and secondary sources. The present research uses both descriptive and analytical method. Primary sources such as personal accounts of women have been consulted and secondary sources such as relevant books and articles from journals is consulted.

The dissertation in the present form is divided into three main chapters with concluding remarks at the end. The second chapter titled “Immigration laws and the violence against women act: implications for South Asian women” has explored and examined the various immigration acts of the United States from 1965-2005 and also the chapter focuses on the Violence against Women Act and domestic violence in the South Asian community. It examines aspects as to how far has this act helped in controlling domestic violence.

The third chapter titled “Higher education and Employment opportunities” has examined the immigration pattern of South Asian women in order to pursue higher education. This chapter especially focuses on the IT industry and the changing roles of women as regards the IT industry.

The fourth chapter is titled “Identity, Status and the Assimilation of South Asian women into the American society”. This chapter describes the changing roles of the South Asian women in the United States and examines how far have the women of South Asian origin been able to assimilate themselves into the mainstream American society.

Chapter 2

Immigration laws and Violence against Women Act: Implications for South Asian Women

“I once thought to write a history of immigrants to America. Then I discovered that the immigrants were American history.”

Oscar Handalin.

The United States of America is considered by many to be a melting pot, which signifies a perfect blend of different cultures and identities into one big pot, which is America. It is also been named as the Immigrant nation, and it is predicted that soon enough the immigrant population will take over the Native Americans numerically.

Immigration has played an active role in shaping the demography of American life. Since 1965, more than 22 million legal immigrants have come to the United States (U.S. Department of Justice, 1998). In 1970, about one person in 20, residing in the United States was foreign born; by 2000, the foreign born made up one out of 10 members of the population (Gibson and Lennon 1999)¹³. Immigration has demographically transformed the size and composition of many states. California, country’s most populous state, joined New Mexico and Hawaii as one in which the majority population is no longer identified as non-Hispanic white, largely the consequence of large numbers of Asian and Hispanic immigrants settling there. Contemporary immigration is the product of policy reforms, such as the Immigration Acts of 1965 and 1990 and the Refugee Act of 1980 that have shaped the volume and composition of immigration; in addition, global, social, political, and economic changes have led and continue to lead millions to leave their homelands and seek opportunities in the United States.

¹³ US Bureau of the Census 1999, working paper 29.

The South Asian community consists of people from India, Pakistan, Bangladesh, Sri Lanka, Bhutan, Nepal, and Maldives. They have been arriving in the United States since 1875. The Punjabi and Sikh agricultural workers were the earliest groups to arrive in the United States.

Social and cultural similarities bring the people of the South Asian region together in the United States and allow the U.S. public policy to treat this region as a bloc. Yet, men and women experience immigration in very different ways. Women face unique challenges that are often intensified by unintended consequences of immigration policies and practices. The reasons for migration for men and women differ. Women and men migrate for different reasons, use different channels, and have different experiences. Women migrate to ensure their livelihood and the livelihood of their families, and they face different challenges and need laws that adequately respond to these challenges. Immigration policy and reform is an area where a gender lens needs to be applied (R. Emerson Dobash and Russell P. Dobash 1992). While considerable progress has been made to bring dignity and safety to women, the civil society and the policy makers still have a long way ahead of them to make United States a better place for women (Amani 2011)¹⁴.

The late 19th century and then post- 1965 has seen major trends of immigration from South Asian countries. Although some Indians migrated at the turn of the 19th century, the 1965 Immigration Act opened the gates for immigration from South Asian countries as there was a shift from the focus on race and ethnicity to family reunification and an urge to meet the growing demands of the U.S. economy (Bhandari and Diebold 2010).

According to some the Immigration Act of 1965 “Has been canonized in history and social sciences as the apotheosis of post-war liberalism, cultural pluralism, and democratic mobilisation” (Ngai 2004: 227). This group of professionals arriving in the 1960s and 1970s were attracted to rewarding careers in the United States. These were the students who came to the United States to complete a graduate or doctoral education after an undergraduate degree in the field of science, engineering,

¹⁴ Elahe Amani, “Safe World for Women” Ending Violence Against Women Is Defending Human Rights and Dignity http://truth-out.org/index.php?option=com_k2&view=item&id=4911:ending-violence-against-women-is-defending-human-rights-and-dignity. Accessed: 13/4/2012.

management, or medicine in their home country. This group was fluent in the English language and highly educated. Consequently, they contributed to the technical and financial workforce and acculturated to the North American environment (Bhandari and Diebold 2010).

In the 1990's a group, comprising of families mainly from the merchant class, arrived in America. The lack of adequate education compelled these immigrants to move into blue collar work, became taxi drivers, or own local businesses such as small grocery stores or motels. This phase of immigration also marked the diversity in national origins. While Indians and Pakistanis still dominated the influx, a growing number of people from Bangladesh, Sri Lanka, and Nepal also started entering the United States. Globalisation and the strengthening of social bonds between and across societies was seen as the reason for the widening of the South Asian immigration. A decline in labour migration opportunities in the early 1990s led to an increasing number of people from Bangladesh, Pakistan, and Sri Lanka to seek alternative employment opportunities in other countries; North America was one of the top destinations (Kibria 2006: 207-208).

Further adding to the growing diversity of the immigration trend was the arrival of individuals who worked in the computer or information technology industry. Most of the people who immigrated to the United States to work in this industry had specialized skills in their jobs, especially information technology, and came under the H-1B visa (a three to six year visa filed by the employer for highly skilled and specialized professionals) (Kibria 2006: 207). Economically, this group has achieved great heights and has been successful in establishing itself in this 'land of opportunity'. These different trends of immigration clearly show that South Asians are a heterogeneous lot as they differ with regard to class, education, and occupation.

The earlier migration trends from South Asia mainly included men, and women who immigrated as dependents. As it was mentioned earlier that the 1965 Act shifted the focus of immigration to reuniting the families i.e. women were allowed to immigrate in order to be with their spouses who had come to the United States in search of better opportunities. Hence, the immigration policies after the 1965 Act focused to a certain extent on women, yet much opportunity was provided only with the male members and this trend did not change until recently.

Immigration Laws:

Throughout the history of the nation, maintaining its multicultural status, many immigration acts have been passed. The earlier acts barred the migration of Asians to America. This situation changed only in the 1950's.

The Act of 1882 levied a head tax of fifty cents "for every passenger not a citizen of the United States," and forbade the landing of convicts, lunatics, idiots, or of "any person unable to take care of himself or herself without becoming a public charge."

The Act of 1885 forbade the immigration of aliens under contract to labour.

The Acts of 1891 and 1903 made a number of further additions to the excluded classes (such as anarchists, polygamists, and epileptics), the latter Act raising the head tax to two dollars; but it was not before 1907 that this tax was raised to four dollars, and imbeciles, the feeble-minded, persons afflicted with tuberculosis, those physically defective, etc., were excluded. A highly desirable illiteracy test was favoured by the Senate, but stricken out by the House of Representatives. This was later implemented in 1917. Post World War 1; saw a drastic reduction and restriction on immigration with the quota system being introduced in the 1920s.

In 1882 the Chinese Exclusion Act was the first piece of legislation that limited immigration into the U.S. The 1882 Act called for a 10-year moratorium on Chinese entering the U.S. This act stemmed mainly from white agitation, much of it led by second generation Irish Americans in San Francisco and Los Angeles against cheap Chinese labour.

In 1882 and 1891, Congressional laws were passed which prohibited immigrants who were paupers, insane or had a contagious disease. The government also instituted a 50-cent head tax on each immigrant.

In 1885 the Contract Labour Law, which had allowed employers to bring immigrants into this country to work for cheap wages, was abolished.

In 1907 President Theodore Roosevelt signed a "Gentlemen's Agreement" with Japan to stop the import of Japanese labourers to America.

In 1917, literacy tests were required of immigrants. Immigrants were required to write and read a language. This language did not have to be English. The 1917 Immigration Act increased the entry head tax to \$8. In the 1920's, Congress instituted a series of "quotas" on immigration.

The 1921 Emergency Quota Act provided that, based on the 1910 census, three per cent of a European nationality that resided in the U.S. could be permitted to enter the country each year.

The 1924 Johnson-Reed Act lowered this quota to two per cent and used the 1890 census. It also provided that in 1927 no more than 150,000 immigrants per year would be admitted on a national origins basis. These quota laws favoured the Western European countries, such as England, France and Germany. No restrictions were placed on the countries in the Western viz. Canada and Latin America. Asians were totally barred. Another feature of selection, which the 1924 law provided, was the preference and non-quota status given to certain relatives of American citizens, preferences for fathers and mothers, children under twenty-two and husbands, and the non quota status of wives and children under eighteen.

The 1930's and 1940's found U.S. quotas going unfilled. This occurred because of the Depression and World War II. After World War II, Congress, upon the recommendation of President Truman, made special provisions to allow displaced or homeless war victims to enter the U.S. The McCarran-Walter Act of 1952, an immigration law passed that kept a quota system with strong provisions against aliens with Communist or rebellious backgrounds. The ban against Orientals was removed.

Current U.S. immigration policy is based on the Immigration Act of 1965, which ended the national origins quota system. However, the new law still had a limit on the number of immigrants that could be admitted in a single year. This limit favoured countries in the Eastern Hemisphere. The new act also provided for the quick entry of immigrants with vital skills, such as doctors and scientists.¹⁵

¹⁵ The Immigration Acts from the Act of 1882 to 1965 have been cited from, "A Summary of the immigration Laws of the United States from 1882: : <http://www.gjenvick.com/Immigration/LawsAndActs/SummaryOfImmigrationLaws.html>, accessed 22/4/2012.

The 1965, Immigration and Nationality Act did away with the national quotas and each nation could now send up to 20,000 immigrants per year together with people with special skills instead of quotas for individual nations. The Eastern Hemisphere, including Asia, was allotted an annual quota of 170,000 immigrants. As only Japanese, Chinese, Filipinos, and Koreans were counted as “Asian Americans,” Asian minorities from countries, such as India, fell into the census’s “Other” category¹⁶. Consequently, the total Asian American population was undercounted (Ewing 2008: 10).

The 1980 census revealed that the number of Asian Indians had risen to 387,223. This made them the fourth-largest Asian American community in the United States, after Chinese, Japanese, and Filipino Americans. The Asian American community grew at a rate of 48.26% from 1990-2000. Most Indians arrived in the United States attracted to the booming computers and electronics industry, and as compared to Asian immigrants from other countries, they had an upper hand, as they were fluent in English (Lutz 2011). The Immigration Act of 1990 expanded the immigration to America. This worked against Asian countries, as there were many potential immigrants. However, family members were still given preferences. Women were still treated as dependents till the 1990’s and did not enter the United States independently.

In 2001, after the September 11 attacks, the USA Patriot Act was enacted, which curtailed the entry of aliens into the United States severely.

In 2000, for the first time the U.S. Census Bureau recognized the increasing national diversity of Asian Americans and listed six different ethnic categories, as well as “Other Asians.” Moreover it was provisioned for the first time that, people could be listed as members of more than one racial or ethnic category, reflecting the growing significance of interracial marriages. Asian immigration to the United States continued strongly during the early twenty-first century (Lee and Bean 2004: 229-230).

¹⁶ The United States did not take into consideration the immigrants from the Indian subcontinent, and hence people from India, Pakistan, Bangladesh, Sri Lanka were left out from the category of Asian Americans.

In 2007, it was estimated that almost 13 million Asian Americans and 1 million Asian/Caucasian Americans were living in the United States, accounting for 4.7 percent of America's total population. Furthermore, Asian Americans have become more noticeable in all aspects of the U.S. society, including politics, economics, and popular culture. The United States continues to attract Asian immigrants, leading to a strong growth of Asian American communities (Asian American Centre for advancing Justice 2011: 6-18).

Origin of the 1965 Immigration Act:

The provisions of National Origins system regulated the immigration to the United States prior to the 1960's. The implementation of the National Origins system in 1924 limited immigration from Asia to token levels. These restrictions on Asian immigration were consistent with the overall political and cultural environment of the time that tolerated and even promoted nativism and xenophobia (fear of people from other countries) (Le 2012).

However, the new global political scenario, which was altered after World War II, brought in a new global political environment, which planted the U.S. into the position of an international superpower, with new commitments and interests around the world. The internal and external pressures led the United States to amend its restrictive National Origins policy to play the part of the new leader on the international stage (Le 2012).

The 1952 McCarran Walter Act altered the provision of absolute exclusion of immigrants from Asia, but it retained strict control over the number of arrivals per year.

In the middle of the cold war, President Kennedy saw it as an opportunity to use the immigration policy as a tool against communism. He wanted to prove to the world that American ideals of freedom, democracy, and capitalism were superior to that offered by communist states such as the Soviet Union, China, Cuba etc. He assumed that by opening up the borders to immigration, people would 'vote with their feet' and view America as a 'land of opportunity' (Le 2012).

The passage of the 1965 Immigration and nationality act led to a major shift in the demographic of the United States. The Act abolished the restrictive national origins system originally passed in 1924 in favour of a quota and preference system. Priority was given to "family reunification", it was the first time that South Asian women were allowed to come to the U.S. but as dependents only. U.S. citizens and permanent residents could sponsor the following types of immigrants in this order of preference: (Le 2012)

1. Unmarried children under 21 years of age of U.S. citizens
2. Spouses and unmarried children of permanent residents
3. Professionals, scientists, and artists "of exceptional ability"
4. Married children over 21 years of age and their spouses and children of U.S. citizens
5. Siblings and their spouses and children of U.S. citizens
6. Workers in occupations with labour shortages
7. Political refugees

These preferences encouraged U.S. citizens to sponsor their other family members as new immigrants. The architects of the act did not expect a large influx of new immigrants from the Asian countries, as it was believed that not many South Asians had immigrated to the U.S. prior to 1965 and so the sponsorship rate would be very limited. At the time, Asian Americans were only 0.5% of total U.S. population. However, the South Asian Americans saw this as a great opportunity to bring over family members, if they were U.S. citizens. Thus began the cycle of chain immigration and sponsorship. The massive influx of immigrants from Asia has led to many demographic, economic, and cultural changes in the South Asian American community and American society in general. Once mainly composed of the U.S.-born, virtually all Asian American ethnic groups are now predominantly foreign-born due to the influx of so many immigrants as a result of the 1965 Act. Among other consequences, their presence has contributed to the new developments of many Asian enclaves in several major metropolitan areas in the U.S. (Le 2012)¹⁷.

¹⁷Le, C.N. 2012. "The 1965 Immigration Act" *Asian-Nation: The Landscape of Asian America*. <<http://www.asian-nation.org/1965-immigration-act.shtml>> (July 22, 2012)

The immigrants from South Asia have contributed economically and culturally not only to their respective ethnic communities but also to the American society in general. The consequences of the 1965 Immigration and Nationality Act have been profound in many ways, with more developments likely to come as we move forward in the 21st century.

The United States known as the immigrant nation has always had a huge influx of immigrants from all over the world, and in order to check this immigration various immigration policies and acts have been formulated.

Impact of U.S. Immigration Policy on Women:

Immigration policy in the United States has historically been male-centric, built upon primary entry for males and secondary entry for females, who are generally wives and fiancées. Before the mid-nineteenth century, a woman's legal status in the United States was generally based on the principle of coverture, under which a married woman's legal rights were merged into those of her husband. Her rights were not seen as separate from those of her husband. She could not own property or sign contracts. Much to the contrary, "the husband was granted all power over his wife and children" (Abraham 2000). Even though the gender imbalance in the legal system has been addressed with activism, the immigration laws remain greatly affected by the principal of coverture. This increases the dependency of the women on the husband.

With the H1B visa resulting from the Immigration and Nationality Act of 1965, a typically male immigrant could sponsor his spouse on the H4 derivative visa¹⁸. Yet the H4 visa places enormous restrictions on its holder, usually a woman. The H4 visa does not permit the holder to work, and it does not assign the individual a Social Security number. Consequently, the individual is restricted not only from earning money but from leading a normal life in ways that most people take for granted. The individual is barred from opening or operating a bank account and even getting a driver's license without additional paperwork initiated by the individual holding the H1B visa. A woman holding such a dependent H4 visa is constrained by the visa's

¹⁸ An H-4 visa is a visa issued by the U.S. Citizenship and Immigration Services (USCIS) to immediate family members (spouse and children under 21 years of age) of the H-1B visa holders.

policy implications in profound ways. Not only is the woman's quality of life negatively impacted, but also in the event that she finds herself in an abusive relationship, she has little redress. Keeping in mind that immigration often imposes additional barriers on women, including limited English proficiency and cultural differences, the dependency on men created by the visa structure often reduces women to being little more than prisoners in their own homes (Abraham 2000).

The Immigration and Nationality Act of 1965 also enables a citizen or legal permanent resident (LPR) to sponsor his or her spouse for LPR status. However, this law also provides abusive husbands with an effective tool to use to exercise control over their wives. Community-based organizations and others serving battered immigrant women, including Manavi, have seen an increasing pattern of legal abuse. Lawfully married women often report their husbands unwilling to sponsor them for LPR status, resulting in the wife falling out of status and becoming completely dependent on the whims of her husband (Abraham 2000). This phenomenon continues to this day.

Severely constrained by this legislation, women's challenges are further compounded if their marriage breaks up and if children are involved. Custody issues arising from divorce typically place immigrant women in extremely vulnerable situations. Child custody judgments tend to favour the income-earning, financially stable parent who is westernized, fluent in English, and able to communicate clearly. Thus, typically, judgments tend to favour the husband. If these women have children born in the United States, even returning to their home country with their children is often not an option due to complications arising from removing children who are citizens of the United States without approval of the other parent.

Globalization has served the world well in relaxing national boundaries and enabling the mobility of labour, allowing labour to flow toward the demand for it and increasing the level of economic activity worldwide. However, the juxtaposition of globalization with a male-centric immigration system in the United States has created untold misery for countless immigrant women.

The immigration policies of America were initially not favourable towards women and were essentially male-centric. Owing to this women faced various difficulties in

America which included immigration to the United States as they were dependent on men, domestic violence, lack of educational and employment opportunities. This situation started to change after the passing of the Immigration Act of 1965. Various reforms came into place with the passage of this act, which made it much easier for women of South Asian origin in America, also with the passing of the Violence against women act in 1994 and its various amendments, women are in a much better position than they were earlier.

Current Immigration Trends:

The last 10 years have seen significant increase in the immigrant population, an overwhelming majority, around 85 to 90 percent of immigrants are from Latin America and Asia rather than Europe. The United States has seen a steady growth in the immigrant population in the last century with half of the immigrants being women (U.S. Immigration and Naturalization Services, 1997). As of 2008, a little more than one in 10 women in the United States were immigrants (U.S. Census Bureau, 2008). Economic changes and political turmoil at the global level has led people to find new ways to escape poverty or conflict situations, such as war and civil strife, in their home country. The United States has been the most sought after place to settle for people from developing countries who want to seek new opportunities and improve their living conditions (Bhandari and Diebold, 2010)¹⁹.

There has been a significant increase in the number of South Asian immigrants from 1990 to 2000. It may be noted that there has been approximately an increase of 106% in the Indian population and 248% increase in the Bangladeshi population (U.S. Bureau of the Census, 2002). The reason, which is attributed for such a dramatic and sudden increase among the Bangladeshis, is that they were the main beneficiaries of

¹⁹ Cited from: "Globalization and Domestic Violence Among South Asian Immigrant Women in the United States" by Shreya Bhandari and Alicia Diebold in the Journal of Global Social Work Practice, Volume 3, Number 2, November/December 2010

the 1990 Diversity Visa Lottery, which sponsored the permanent residency (green card) of individuals from countries that had sent fewer than 50,000 people to the U.S. in the previous five years. However, in absolute numbers, Indians are still the largest group of immigrants among the South Asians, with the U.S. 2000 census showing 1,899,599 Indian immigrants in the U.S., which is 88% of the total number of people from South Asia in the United States. In 2001 alone, the influx of Indian immigrants into the United States was about 70,000 (US census Bureau 2002).

It is clear that the South Asian immigrants reinforce the image of the model minority. The above statistics show that South Asian immigrants are educated, hold white collar jobs, and have incomes higher than native-born whites have. However, this image conceals many things. Through upholding cultural identity, the community leaders also tried to maintain that their community is free of all social problems, from addiction to violence to unemployment. The term “model minority” denies the diversity of the ethnic groups. Even though the Asian countries are distinct in all aspects, geographically, politically, and culturally, Americans tend to categorize all of them under one bracket. Many times race relations in the United States are seen in the context of black versus white; therefore, not as much attention is paid to the other ethnic minorities, such as South Asians (Bhandari and Diebold 2010).

South Asians are heterogeneous in terms of class: The upper class consisting of wealthy businessmen; the middle class consisting of college students and mid-range professionals; and the lower class consisting of low wage earners, blue-collar workers, and undocumented workers. At the same time, there is an entire segment of the population, such as illegal immigrants, which is overlooked. These groups are not even included in the census data. This makes it simpler to see the community as successful when there is distorted data on the problems of the population (Bhandari and Diebold 2010).

Domestic Violence and The Violence against Women Act:

The main perspectives that provide theoretical understanding of domestic violence are feminist and family violence. Feminist perspective regards the imbalance of power and control between men and women, with men being the custodians of patriarchal

culture as the cause of violence against women (Bhandari and Diebold 2010). Family violence perspective regards: Intra-individual, where the psycho-pathology of the abuser is blamed for violence (drug and alcohol abuse, mental illness); social psychological, where the interplay of the social environment and the individual are considered as the cause (frustration at work); and socio-cultural theories, where the larger oppressive social structure is the cause of domestic violence. To further understand the issue of domestic violence among the South Asian immigrant community, it is essential to have an in-depth understanding of the cultural intricacies and practices that promote violence against women such as “arranged marriage and dowry”(Abraham 1995: 451-452).

A third perspective is the ethno-gender perspective, which is based on the intersection of ethnicity and gender as a significant analytical category in the discourse on domestic violence. It posits a two dimensional approach in conceptualizing a framework for analysis, especially in the immigrant context. These two dimensions are gender and ethnicity. Here, gender is a social construction that defines and evaluates the roles and expected behaviour patterns based on one's biological sex. Ethnicity is defined as having two dimensions: One, as cultural differentiation based on some element of primordiality such as race, origin, history, and language, combined with cultural specificities such as distinct religious practices, nomenclature, particularized customs, beliefs, and values ,two, as a social Construct that is dynamic, manipulated mediated, and symbolically manifested in social interaction in situational contexts. Although ethnic minority women who are victims of marital violence confront problems on multiple fronts, based on their oppression on sexual, ethnic, cultural, legal, and economic grounds, this approach emphasizes the intersection of ethnicity and gender because cultural differences form an important basis for the social construction of a national culture in a foreign land. Ethnicity becomes the basis for group identification and solidarity in an alien country. At the same time, specific physical features and cultural habits remind the dominant group and the immigrant group of their foreign background-regardless of their previous socioeconomic class- thereby stereotyping, boundary marking, and restricting total acceptance of the immigrant by the mainstream (Abraham 1995: 452).

Acculturation theory is another perspective, which builds a context around the issue of domestic violence, as it involves an individual or a group to change their cultural patterns in order to adapt to the culture of the host country. This process can lead to an increased level of stress, which might increase the chance of domestic violence. This is mediated by several factors such as the period of stay in the host society, amount of similarities and differences between the host culture from the home country, and social support in the host country, among other factors. To be able to understand the issue of domestic violence among the South Asian immigrant women holistically, an ethno gender perspective, or intersectionality approach emphasizing the gender inequality and giving equal importance to racial/ethnicity challenges minority women experience through dual subordination, is required. This perspective advocates the intersection of gender, race, and ethnicity as cultural differences become important criteria for the social construction of a national culture in an alien land at the individual, organizational, community, and societal levels (Berry and Kim 1988: 207-236).

The South Asian community in the United States is viewed by many as a “model minority” however, the huge problem of undocumented cases of domestic violence, undermines their growing professional, social and economic success. Though South Asian women feel more liberated owing to globalisation, yet they are not immune from experiencing domestic violence. Living in a new cultural and ethnic environment, South Asian immigrant women struggle with contradictory expectations from their home country and from men, specifically spouses and their family. The issue of domestic violence is further escalated, with the attempts of the community to conceal it (Bhandari and Diebold 2010).

Domestic violence among the South Asian community is underreported, as women fear disclosing their personal lives due to language barriers, lack of trust in the law enforcement and immigration institutions, cultural norms of sacrificing self for the family honour. South Asian women tend to believe that marriage offers their husbands an unlimited access to their bodies. Therefore, marital rape does not exist as a concept to them. Another threat that has a tremendous impact on a South Asian woman is the accusation by her spouse or his family of betraying the culture of one’s own home country. Abusers use the culture as an excuse to abuse in both ways, either

if the woman is not abiding by the traditional ways or if she is not adapting to the western culture (Bhandari and Diebold 2010).

The men who migrate to the United States from the South Asian countries are usually from middle-class educational backgrounds and have been successful in their careers; hence, they are mostly conformists. They prefer getting married to women from their own caste and class background who will uphold the cultural values of their home country. Patriarchy is universal, and it is sad but true that women who come to the United States as graduate students before marriage are labelled as being from the “selective, non-conformist” families while the men are labelled as “traditional and conformist”. While many transnational arranged marriages are successful, the assumptions of obligatory heterosexuality and the control exerted by the husband or his family make the entire process of marriage very oppressive for women. The agony gets doubled if the woman migrates to the United States as a dependent with no support other than her husband. In spite of about 60% of South Asian women working outside of their homes, which offers them economic independence, their incomes, are far lower than that of South Asian men. Even women who have higher incomes and who are financially independent are not spared from abuse. Several researches and evidence has proven that violence not only affects dependent women, but also independent and well-educated women because South Asian men feel they are losing power and control over them (Bhandari and Diebold, 2010).

South Asian women are expected to actively engage traditional cultures represented through their clothes, food and family relationships as they are considered to be custodians of their culture. South Asian women immigrants succeed in maintaining the balance of traditional South Asian culture at home and integrating with the mainstream U.S. society outside of the home (Rudrappa 2006: 85-112). South Asian women are able to propound democratic gender ideologies in their families due to their financial contribution combined with their role as the cultural and religious custodian. However, this onus on the South Asian immigrant women to preserve their culture as well as the model minority image leads to the marginalization of the women who do not conform to these so-called community signifiers of dress, food, and culture, among other things (Dasgupta and Dasgupta 1996: 381-400). Because of this, the women who do not conform to the societal expectations, which in turn carries the

danger of eroding the model minority image are marginalised. This is seen in the South Asian community's hesitancy to accept the issue of domestic violence. However, statistics on domestic violence among the South Asian immigrant community show very clearly that the financial empowerment of women does not make them impervious to violence.

Migration makes women dependent on their intimate partners, employers, or sponsors, which makes them vulnerable to violence. Several institutional barriers including a lack of interpreters from local Indian languages; ethnic, class, and gender biases; and a lack of cultural sensitivity among these agencies act as impediments for South Asian immigrant women in seeking help for domestic violence (Erez 2000: 27-36). Women also fear reporting abuse and continue to endure it due to dependent financial and immigrant status as well as a lack of knowledge about their rights as immigrants. Women fear that they themselves or their spouses will be deported if they report abuse and this forces them to tolerate the abuse in silence. Often, lack of support from friends and family in the home country after marriage leads to shame and embarrassment with regard to not holding the marriage together. Going back to the home country does not seem to be a feasible option for many women. Also, it is extremely rare for South Asians to seek help from the police as they view law enforcement as an oppressive state system and consider it to be embarrassing if the police get involved in their private business (Bhandari and Diebold 2010).²⁰

Further, the lack of quantitative data on the prevalence of domestic violence in the South Asian community clearly shows that the community makes every attempt possible to conceal these issues and prevent them from becoming public. According to data collected by a women's social service organisation Manavi, it is reported that one in four of the South Asian women in America face violence at home. In addition, it has also been seen that only a small percentage of women actually report abuse, and that a large population of these women endure it in silence due to cultural, linguistic, legal, and other barriers. A study of 160 South Asian women in heterosexual relationships in the Greater Boston area revealed that 40.8% of the women were physically abused and/or sexually abused by their current male partner in their life time, 36.9% of them were reported to be victimized in the past year, and 65% of them

²⁰ Reporting a personal family matter to the law enforcement agencies is considered to be a shame on the family, thus women are hesitant in reporting incidences of domestic violence to the agencies.

who reported physical abuse also reported sexual abuse (Raj and Silverman, 2002: 111-114). Thus, even though it is difficult to give a national level estimate of prevalence of abuse in this community, these figures indicate that domestic violence is a serious social issue among the South Asian population.

Globalization offers some level of liberties to women, to the extent that they do not challenge the patriarchy. For example, women who get married and accompany their husbands to the United States give up their careers and financial independence because that is the duty of an ideal wife. A wife's financial and legal dependence on her spouse is viewed as "normal" and "harmless" as long as there is not any domestic violence in the relationship. Domestic violence in these relationships further complicates the issue because women fear disclosing abuse if their immigration status is dependent on their abusive spouses. As secondary and dependent immigrants, women are in a difficult situation and hesitate to disclose abuse in their lives. However, what families, including women, fail to understand is that such decisions not only make women dependent on their spouses, but also make women vulnerable to violence. At a larger level, anti-immigrant sentiments, especially post-September 11 attacks, aggravated the situation of immigrant women and they have developed fear to access services from police, the justice system, and social services (Abraham 2005: 427-451).

Violence against Women Act (VAWA):

The United States enacted the Violence against Women Act, in order to control the atrocities on women. The Violence against Women Act (VAWA) is a landmark piece of legislation that sought to improve criminal justice and community-based responses to domestic violence, dating violence, sexual assault and stalking in the United States. The passage of VAWA in 1994, and its amendments in 2000 and 2005, has changed the landscape for victims who once suffered in silence. Victims of domestic violence, dating violence, sexual assault and stalking have been able to access services, and a new generation of families and justice system professionals has come to understand that these are crimes that our society will not tolerate (The National Task Force to End Sexual and Domestic Violence against Women 2005).

The American Congress, in passing VAWA in 1994, envisioned a nation with an engaged criminal justice system and coordinated community responses. This act encouraged a Community-coordinated response that brought together, the criminal justice system, the social services system, and private non-profit organizations responding to domestic violence and sexual assault. It further recognised and supported the efforts of domestic violence shelters, rape crisis centres and other such community organisations. It provided protection for battered immigrants. Federal prosecutions of interstate domestic violence and guarantees of interstate enforcements were also provided in the 1994 VAWA Act (The National Task Force to End Sexual and Domestic Violence against Women 2005).

The 2000 Amendment to the VAWA Act improved on the foundation established originally in the act. This included identifying the additional related crimes of dating violence and stalking, it created a much needed legal assistance programme for the victims, it promoted supervised visitation programmes for the families experiencing violence. One of the most significant amendments was the protection of Immigrants by this act and the establishment of the “U” and “T” visas and the focus on human trafficking (The National Task Force to End Sexual and Domestic Violence against Women 2005)²¹.

In the 2005, Amendment to the Act the Congress took a more holistic approach to addressing violence against women. In addition to enhancing criminal and civil justice and community-based responses to violence, VAWA 2005 created notable new focus areas, which included provisions that exclusively serve to protect immigrant victims of domestic violence, also include immigration protections to alleviate violence against immigrant women that previous legislation had tried, but failed. Developing prevention strategies to stop violence before it starts, protecting individuals from unfair eviction due to their status as victims of domestic violence or stalking. Creating the first federal funding stream to support rape crisis centers. Developing culturally-

²¹ The "T" nonimmigrant status, also known as the "T" visa, was created to provide immigration protection to victims of a severe form of human trafficking. The "U" nonimmigrant status, or "U" visa, is designated for victims of certain crimes who have suffered mental or physical abuse because of the crime and who are willing to assist law enforcement and government officials in the investigation of the criminal activity.

and linguistically specific services for communities. Enhancing programs and services for victims with disabilities. Broadening VAWA service provisions to include children and teenagers²².

VAWA addressed the widespread problem of abuse in immigrant communities. Prior to VAWA, some abused immigrant women remained in abusive relationships because an abusive family member can hold a vital key to their immigration status in the United States. The US's immigration law, until the enactment of VAWA, permitted US citizens and lawful permanent residents to petition for lawful status for certain relatives through a "family visa petition." A non-citizen without legal status can be deported anytime and cannot get permission to work legally. This situation is now changing.

Too often, abusive spouses use the family visa process to control the undocumented spouse. Some refuse to file the family visa petition. Others threaten to withdraw the petition or even call immigration authorities to deport a spouse who leaves, objects, or calls the police to report the abuse. Immigration laws should not be used as a weapon in an abuser's arsenal, and so VAWA was created to permit victims in this situation to gain lawful status on their own without having to rely on abusive spouses to start and complete the process.

Under VAWA's major provision, an abused spouse or child, or even an abused parent of an adult US Citizen son or daughter, can self-petition for lawful immigration status in the United States. Once a self-petition is approved, the self-petitioner will have some protection from deportation, will be qualified to work legally in the United States, and can receive pretty much the same government aid that lawful permanent residents do.

Battered immigrant women face many barriers to seeking and receiving assistance. The barriers are cultural, economic, practical as well as legal. The Violence against Women Act of 1994 and its 2000 and 2005 amendments have provided immigrant battered women with new tools to achieve safety and effectively brought awareness of domestic violence in immigrant communities to the public. These legislative

²² Cited from: Violence Against Women Act URL: <http://www.thehotline.org/get-educated/violence-against-women-act-vawa/>

protections have also helped bring their abusers to justice while reducing domestic violence in their communities. Moreover, these critical pieces of legislation ensure that the citizen children of immigrant parents have the opportunity to live lives free of domestic violence. The Violence against Women Act has positively affected victims and those working to prevent and respond to such crime. VAWA has had a significant impact on ending violence. Since its initial authorization in 1994, reporting of domestic violence has increased and all states have passed laws making stalking a crime and have strengthened rape laws (Shetty and Kaguyutan 2002).

Increased numbers of abused immigrants are coming forward acknowledging that domestic violence is a crime and that it shall no longer be tolerated. Since March of 1996, the INS has received more than 11,000 VAWA self-petitions, and has approved over 6,500 (Shetty and Kaguyutan 2002)²³.

While advocates continue spreading the word, policy makers and national domestic violence organizations are making sure that addressing the needs of battered immigrants is an important part of their national agenda. A great deal of education is required within both immigrant communities about the problem and potential solutions and immigrant serving programs about the needs of immigrant women and their families and the barriers that keep them from seeking or receiving help.

²³ This has been cited from Shetty, S. & Kaguyutan, J. (2002) *Immigrant Victims of Domestic Violence: Cultural challenges and available legal protections*. project of the National Resource Centre on Domestic Violence/Pennsylvania Coalition Against Domestic Violence. from: <http>

Chapter 3

Higher Education and Employment Opportunities.

“The American dream that has lured tens of millions of all nations to our shores in the past century has not been a dream of merely material plenty, though that has doubtlessly counted heavily. It has been much more than that. It has been a dream of being able to grow to fullest development as man and woman, unhampered by the barriers which had slowly been erected in the older civilizations, unrepressed by social orders which had developed for the benefit of classes rather than for the simple human being of any and every class”.

- James Truslow Adams

The American Dream is a national ethos of the United States; a set of ideals in which freedom includes the opportunity for prosperity and success, and an upward social mobility achieved through hard work. In the definition of the American Dream by James Truslow Adams in 1931, "life should be better and richer and fuller for everyone, with opportunity for each according to ability or achievement" regardless of social class or circumstances of birth. The idea of the American Dream is rooted in the United States Declaration of Independence which proclaims that "all men are created equal" and that they are "endowed by their Creator with certain inalienable Rights" including "Life, Liberty and the pursuit of Happiness."(Library of Congress)

The migration to the United States is based on the American dream for many. People from all over the world migrate to America in hope of a better life, and America accepted them keeping in mind its ethos of the ‘American Dream’. The Asian Americans who are regarded as the model minority fit the bill for the American dream as they represent all that is inculcated in the idea because of their culture. Women have to work twice as hard as men to fulfill their dream, as the same culture that promotes men to go further and accomplish their dreams and aspirations, holds back the women. Though the declaration of independence talks about equal opportunity to

all men, racial issues in America have always been present and there are still many employers and individuals who discriminate against other races.

Asian Americans are continually being portrayed as a “model minority” in media since the mid- 1960s. The term model minority represents a minority group, which exhibits middle class characteristics, and gains some success on its own without special programmes or welfare schemes. The social, economic and educational success of Asian Americans, despite having faced the discrimination and prejudice by other racial groups, and not resorting to violent measures against the majority groups; strengthen the image of the model minority. The success of the minority is proof enough that the American dream of equal opportunity to the capable and to those who conform and who are willing to work hard is being realised.

South Asian immigrants to America in the nineteenth and the early twentieth century comprised mostly of labourers who would eventually return home after making as much money as possible. Most however stayed back in the United States. The early 1900’s saw an influx of immigrants from South Asia. In this influx of immigrants, the Asian Indians formed the majority, usually taking low-paying farming and labouring jobs in the western states. Strict immigration laws imposed after the First World War closed off immigration from these countries and until 1960’s most immigrants were the wives or family members of the men already in the United States.

The new and recent migrants from South Asia comprise of many well-educated middle-class professionals (often doctors, engineers, and nurses). It is also observed that the ethnic, national, and class backgrounds of South Asian immigrants have broadened greatly. Despite a few instances of prejudice and intolerance, the resettlement of the south Asian immigrants in the United States has mostly been smooth.

South Asian-Americans form a heterogeneous population of different cultural groups exhibiting a wide variety of life-styles and adaptations to life in the United States. Regardless of the considerable differences in the subgroups, Asian Americans are unique as a whole, especially when compared with all U.S. adults, whom they exceed not just in the share with a college degree (49% vs. 28%), but also in median annual

household income (\$66,000 versus \$49,800) and median household wealth (\$83,500 vs. \$68,529) (PEW research centre 2012)²⁴.

The stereotype of model minority suggests that Asian Americans are more academically, economically, and socially successful than any other racial minority groups. Unique Asian cultural values, which emphasize hard work, strong family values and a strong belief in the American meritocracy, are responsible for Asian American students being more successful than their counterparts (Wu 2002: 39-40).

Males often lead the migration from South Asian countries to the United States because men are usually encouraged to pursue further studies and jobs abroad. Women from South Asian countries usually enter the U.S. as legally dependent wives, daughters, and, in some cases, mothers or sisters. Since the 1990's an increasing number of women have started coming to America to pursue higher education (graduate education) and as independent professionals, as opposed to the women immigrating just to get married. A comparison of Indian men and women in the United States who hold professional degrees shows 41.9% of Indian men with postgraduate or professional degrees, whereas only 27.7% of Indian women have similar degrees (Bhandari and Diebold 2010)²⁵.

Asians have made remarkable inroads into the institutes of higher education, inspite of this remarkable feat achieved by them; it is often observed that education brings lower returns for them than it does for the other groups. Gender differences and foreign-born status account for some of the largest income discrepancies and dampening effects on education.

New educational, professional, and personal opportunities have opened up for women in different parts of the world as an effect of the changing gender roles, despite these opportunities, immigrant women often find the United States to be especially liberating in this regard when compared to their home countries. However, gender disparities exist. Immigrant women in the United States earn lower wages than either native women or immigrant and native men. Women are far more likely to be a

²⁴ PEW Research Centre: Rise of Asian Americans, URL: <http://www.pewsocialtrends.org/asianamericans-graphics/>

²⁵ Originally cited from Kibria, N. (2006). South Asian Americans. In P.G. Min (Ed.), *Asian Americans: Contemporary trends and issues* (pp. 205-227). Thousand Oaks, CA: Pine Forge Press.

“dependent” visa holder (the spouses or children of workers receiving visas) than men, as opposed to the “principal” visa holder (the workers themselves). Immigrant women are more likely than immigrant men to enter the country as immediate relatives of U.S. citizens through the family-based immigration system. Nevertheless, presently the new immigrant women in the United States have entered a variety of occupations and achieved higher levels of independence than at any time in the past, at par with their native counterparts (Pearce 2006: 1).

Migration and Feminization of Labour:

Feminization of the formal workforce has been a conflicting experience for most women. On the one hand, economic independence gives women more choices to do what they want with their lives, and on the other it forces them to face the ‘double burden’(managing the house and the profession at the same time) as it becomes extremely difficult for working women to merge their family life and professional life together. What professional life and economic independence means for women is that, they are not answerable to any man, but the success in the professional world means longer working hours and mostly at lower wages. This makes caring for the house and children very difficult. For some women joining the workforce means sacrificing family life and for some it means neglecting the family they are trying so hard to feed.

The female immigration to the United States is driven by the economic conditions of the country. The demand for elder care workers and occupations in the health industry has suddenly seen a rise due to the aging American population. These health care industry positions generally tend to be filled by immigrant women. In addition, more women migrants are entering America in order to pursue higher education. Industries such as finance and construction have also been affected by recession, which generally employ men (Baig 2011).

“Employment-based immigration is not a large part, but an avenue [of entering the U.S.]” Terrazas said. The Department of Homeland Security’s Office of Immigration Statistics reported that in 2009, of all female migrants obtaining legal permanent resident status, only 11.2 percent of cases were based on employment. The most common reason for obtaining legalized status was being an immediate relative of a

U.S. citizen. There has also been an increase in the number of students obtaining visas to study in the United States (Baig 2011).

The United States of America has always been a nation of immigrants, a land of opportunity where newcomers can, through hard work and perseverance, achieve better lives for themselves and their families. However, in today's world, realizing the American Dream is now almost impossible without at least some college education, and many immigrants face significant barriers to gaining access to and succeeding in higher education. Higher education for immigrants is not an issue narrowly focused on the well-being of these immigrants as individuals but has major implications for the nation as whole. As the United States moves into the 21st century as part of a global economy in which postsecondary education is a key to economic competitiveness, it is imperative to develop policies at the federal, state, local, and institutional levels to help immigrants gain access to and succeed in higher education. Without such policies, the nation may find itself with a workforce that does not have sufficient education to enable the United States to remain economically competitive (Erisman and Looney 2007: 4).

The dominant narrative about Asian Americans in higher education is that they are a model minority—a racial group with disproportionately high levels of educational attainment attending only the most selective four-year colleges and institutions and facing no challenges in attaining degrees. (Wu 2002: 39-77).

Migration empowers women in a multidimensional ways. This includes both groups of women who have arrived here as dependent of their spouses as well as the ones who migrated to the United States independently. Since the 1980s, a growing number of women started coming to the United States to pursue graduate education or as independent professionals. Large percentages of women of South Asian origin contribute to the labour force in the United States and are holding highly paid jobs. According to the 2000 census, about 66% of women from Nepal, 69% of Sri Lankan women, and 60% of Indian women were in the work force. This shows that the women from South Asian communities are significant economic contributors. Paid labour compensates women with independence and greater negotiating power. This economic empowerment enables the women to negotiate an equitable division of household responsibilities with their husbands (Kurien 2003: 162).

The flexible education system in the United States, gives the women an option of pursuing higher education, which allows them the flexibility to take courses as per their schedule, unlike in their home countries. In South Asian countries, it is very common that women from the middle class are not allowed to pursue their careers. However, once in the United States, away from the interference of the extended family, these women get an opportunity to explore and widen their horizons by undergoing further education or by gaining employment to establish themselves professionally (Rayrapol 1997).

Influential social networks, allow higher educational institutes to provide opportunities for social mobility. It enables people with a higher education to improve their social status and class position; those with a college education can increase their status and class position, expand their social and cultural resources and enhance their earnings over a lifetime. Accordingly, it can be said that, if knowledge and degrees are power then disempowered groups like women and historically disadvantaged racial and ethnic groups can benefit by higher education.

Among Asian Indian immigrants, both women and men have high levels of education, and large proportions of women are engaged in professional work. There are close similarities between men and women's education. On the contrary, there are large differences on virtually every occupational comparison between male and female incomes. Men are most frequently engineers, managers, chemists, physicians, pharmacists and computer programmers.

With the high number of postgraduate and professional degrees, the median earnings of the South Asian immigrants are higher than those of native-born whites. The median income of Indian Americans is the highest, which is around \$45,000 and the median household income of an Indian American family is \$65,637. The median household income for native-born whites is \$51,056, and is lower than foreign-born Indians (\$65,637) and foreign-born Bangladeshis (\$54,000) (U.S. Bureau of the Census, 2008). In addition, only 6.4% of foreign-born Indian families are below the poverty line, compared to 13.2% of all families in America (U.S. Census Bureau, 2008). The reason for this difference in incomes could be that a large number of Indian men have jobs in the professional sector as compared to others. Moreover, there is an extremely high concentration of South Asian immigrants in the Science

and Engineering workforce (National Science Foundation, 2000). Similarly, a handful of South Asians have appeared on the Forbes' list of billionaires and has been the heads of technology companies (Forbes, 2001). This data clearly shows that South Asians, particularly men, are excelling professionally and financially in the United States. South Asian women are fast catching up with their male counterparts.

South Asian Women and Higher Education:

International students studying at U.S. colleges and universities also are now most likely to come from Asian countries, roughly 6 in 10, and some of them are able to live and work in the U.S. after graduation. Asian students, both foreign born and U.S. born, earned a plurality (45 percent) of all engineering Ph.D.s in 2010, as well as 38 percent of doctorates in mathematics and computer sciences and 33 percent of doctorates in the physical sciences (PEW research centre 2012). "Like immigrants throughout American history, the new arrivals from Asia are strivers," said Paul Taylor, executive vice president of the Pew Research Center. "What's distinctive about them is their educational credentials. These aren't the tired, poor, huddled masses of Emma Lazarus's famous inscription on the Statue of Liberty. They are the highly skilled workforce of the 21st century." The share of Asian-Americans who hold at least a bachelor's degree surpasses the national average, 49 percent to 28 percent. In the South Asian region, people from India were most likely to have a college degree, at 70 percent (PEW research centre 2012)²⁶.

The number of women getting Bachelor's degrees in 2008-2009 was 61,767 (3.9% of those getting bachelor's) compared to 50,743 Asian men (3.2%). The number of Master's degrees in 2008-2009 was 21,464 (3.3% of those getting master's) compared to 18,480 Asian men (2.8%). The number of Doctoral degrees in 2008-2009 was

²⁶Yen, Hope "New Asian immigrants to US now surpass Hispanics" <http://pewsocialtrends.org> accessed 23/6/2012
http://www.salon.com/2012/06/19/new_asian_immigrants_to_us_now_surpass_hispanics/

2,105 (3.1% of those getting PhDs) compared to 1,770 Asian men (2.6%) (National Centre for Educational Statistics 2010)²⁷.

Both men and women today are pursuing a wide variety of occupations. Women however, as with immigrant men, their occupations may not match the fields in which they were trained in their home countries. Some find the U.S. labour market to be liberating, allowing them to move into new professions in which there may have been few opportunities in their home countries. Historian Donna Gabaccia observes that the United States is the recipient of a growing number of “gender pioneers”: women with professional training in non-traditional fields in their home countries, who became business executives, technical experts, doctors, lawyers, professors, and researchers when they immigrated to the United States (Gabbacia 1994: 28).

U.S. immigration law has had a significant impact on changes in the nature of immigration to the United States and labour characteristics. The changes that took place after the immigration reforms of 1965 are as follows:

- 1) There has been a significant increase in the number of legal immigrants admitted to the United States;
- 2) Changes are observed with regard to the origin of immigrants, namely, a remarkable transition from European to Third World origins; and
- 3) A dramatic shift occurred in Asian immigration, in numbers as well as in proportion to the total immigrant population. In addition to the impact on immigration patterns, effects of U.S. immigration law on labour characteristics of legal immigrants have also been documented.

The major causes of the above alterations lie in three policy changes contained in the 1965 Immigration and Nationality Act. First, the new act abolished the national origins quota system and replaced it with a new visa preference system. Family reunification was the main target, with secondary allowances for occupational skills and refugee status. The second change was the replacement of a preference system, which favoured family relationships over workers with needed skills. The third major

²⁷ National Centre for Education Statistics, “Table 297: Bachelor’s Degrees Conferred by Degree Granting Institutions, By Sex, Race/Ethnicity, and Field of Study, 2008-2009,” *Digest of Education Statistics: 2010 (2011)*. http://nces.ed.gov/programs/digest/d10/tables/dt10_297.asp

modification in the 1965 Act was the introduction of labour certification. Labour certification procedures are designed to insure that immigrants who are entering as workers have skills which are needed in the United States (Kanjapan, 1995:11-12).

Women of Asian origin are the fastest growing. With the positive changes being implemented in the 1965 Act, the migration to the United States increased manifold and people from the South Asian countries took full advantage of it. Women migrated for reasons other than family reunification viz. to gain higher education and better employment opportunities. However, inspite of all the positive changes that took place, the fact that women are discriminated against at every step of the way does not change.

For years, college-educated women were limited mainly to lower-paying, female-dominated professions such as teaching and nursing. In addition, more frequently, poorly paid domestic and service work. Over the past several decades, however, there has been a remarkable increase in the percentage of college-educated women in higher-paying, "traditionally male" professional occupations (Jachimowicz and Meyers 2002: 3)

Occupational segregation:

Labour market discrimination exists when workers who have identical productive characteristics are treated differently because of their race or gender. The two prominent forms of current labour market discrimination are wage discrimination and occupational discrimination. Wage discrimination occurs when two equally skilled groups of workers doing exactly the same job under the same working conditions are paid different wages. Occupational discrimination occurs when two equally skilled groups of workers are given different access to certain higher-paying positions.

Occupational segregation by sex is widespread in every region; it is prevalent at all economic development levels, under all political systems, and in varied religious, social and cultural environments. Occupational segregation is a major source of labour market rigidity and economic inefficiency, excluding a majority of workers from a majority of occupations is a waste of human resources, it increases labour

market inflexibility, and reduces an economy's ability to adjust to change. It is detrimental to women and has a negative effect on men's perception of women, which in turn affects women's status and income and many social variables (Anker 2001:129-130).

Theories explaining occupational segregation by sex can be divided into three broad categories: neo-classical and human capital theories, institutional and labour market segmentation theories, and non-economic and feminist or gender theories.

The neo-classical and human capital theories assume that workers and employers are efficient and that labour market functions efficiently. Workers seek out best paying jobs after taking into consideration their own personal endowments viz. education and experience, constraints viz. children to take care of and preferences viz. suitable work environment. On the labour supply side, these theories emphasize the lower levels of female human capital in terms both of what women bring to the labour market (less education) and what they acquire after joining the labour market (less experience than men). So according to these theories, women rightfully receive lower pay than men because of their lower productivity (Anker 2001:131).

The Institutional and Labour market segmentation theories assume that institutions such as unions play an important role in deciding who is hired, promoted, how much they are paid. These theories also work on the assumption that each market is segmented and it is difficult for workers to pass from one segment to another. These theories are very useful for understanding sex inequality in the labour market, since they stress the existence of segregated labour markets and occupations (Anker 2001: 136).

Feminist or gender theories are mainly concerned with non-market variables. The basic assertion of these theories is that women's disadvantaged position in the labour market is caused by and is a reflection of patriarchy and women's subordinate position in the society. The division of responsibilities and the patriarchal ordering of society are instrumental in determining why women usually accumulate less human capital compared to men before entering the labour market (Anker 2001:138-144).

Asian American men earn about 6 percent less annually and 3.9 percent less hourly than non-Hispanic White men. The differences may be caused by discrimination

and/or differences in average levels of productive characteristics. Asian women earn less on average than White women, approximately 10 percent less. Furthermore, Asian women earn 60 percent less than what white men do (Robb and Fairlie 2008).

In addition to being paid less for doing the same work, South Asian Americans may be less likely to be promoted on the job. South Asians may be denied equal access to the higher rungs of the managerial or corporate ladder. To the extent that such discrimination exists, they may be excluded from spheres of power and influence along with the associated money earnings. Studies show that Asians, especially South Asian immigrants, have self-employment rates that are higher than other minority groups and typically on par with that of whites in the USA. Research also finds that self-employed Asians have relatively high earnings (Robb and Fairlie 2008: 828).

Occupational patterns of South Asian professionals, the models of upward mobility, indicate barriers resembling a "glass ceiling." For example, in 1979 college-educated South Asian women were concentrated in clerical jobs, part of a larger picture and pattern of occupational segmentation and concentration among Asian Americans. Such findings questioned the popular stereotype of Asian Americans as an upwardly mobile and fast assimilating minority. It also showed the relationship between education and occupational attainment to be problematic or uncertain, and indicative of "artificial barriers" associated with a glass ceiling. "those well-educated and considered to have successfully entered the primary sector of the labour market are found to be in only certain jobs that are race-typed segregated consistently by racial prejudice, lower salary schedules, restricted upward mobility, and inferior employment status and benefits" (Woo 1994:1-2).

In a survey of South Asian employees in Silicon Valley, respondents who were asked to identify the "main obstacle in career advancement" named the following employee characteristics as barriers: written and verbal communication skills (25%), lack of role models (18%), interpersonal interaction styles (17%), and leadership ability (11%). When asked to identify all "company characteristics" which created obstacles, however, there was a strong perception of unequal treatment: "arbitrary and subjective promotional processes" was the single most frequently mentioned barrier to career advancement (40%), followed by lack of encouragement from supervisors (30%), lack of role models (30%), and racial prejudice and stereotypes (25%). Whether or not

poor English is also accompanied by language discrimination, it is a major barrier for foreign-born or recent immigrants. In addition, cultural differences in social histories or backgrounds constrain even the most informal socializing, where social interaction assumes a shared frame of reference (Woo 1994: 5).

Structural and institutional barriers are the reasons for lower returns on education. Educational achievement, as a qualifying "attribute," would have indirect implications for mobility through its influence on occupation or sphere of employment. The position of individuals within an industry has important connotations for mobility. For South Asians in general, different industries are tiered and show their concentration at the lower end of the occupational scale or in less than desirable sectors. Asian employment is high in hotels, restaurants, and health services; however, they are mostly food and cleaning service workers. In hospitals, they are mostly nurses rather than physicians, and even in the ranks of nurses, discrimination apparently exists (Woo 1994: 5-6)

The issue of glass ceiling does not only apply to labourers with lack of education, but to those with a professional training as well. The appearance of men in "professional and technical" jobs has in the past meant their concentration into two or three areas within the professional/technical category, namely, engineering, accounting, and health technology. Some of this depressing effect on mobility has been explained in terms of "crowding hypothesis": high numbers of individuals concentrated in a particular occupational field is said to have a negative effect upon wages. This possibility has been offered to explain the lower wages of Asian females, including the college-educated, who are concentrated in the lower-tier, primarily clerical, occupations of generally high-wage industries (Woo 1994: 5-6).

South Asian Women and the Information Technology Industry:

The employment-based relocation of IT specialists to the U.S. is a highly gendered phenomenon. Spouses (and children) are only allowed to follow relocating programmers as "dependents" on H4 visas, which do not include the right to work. The IT industry is a classic example of the feminist theories of occupation, which work on the assumption that women do not get work according to their educational

standards. Rigid Patriarchal culture in the South Asian countries restrict women to go out and work in a field as sophisticated as the IT industry and at par with their spouses. Overtly gender neutral, the system is based on the assumption that programmers are male, for their professional spatial mobility is more socially acceptable than women's: Men are not supposed to follow women as nonworking "dependents," and such cases are rare. Thus, the H1-B system derives from the idea of a certain family pattern, reflecting and strengthening an underlying gendered division of labour. While IT workers (i.e., men) relocate as professionals, spouses (i.e., women) follow them as caretakers and providers of intimacy. In the globalized world, the value of human intimacy and chains of care is high. Sometimes the relocation prospect serves as a "catalyst" to move from partnership to legal marriage, which otherwise might not have taken place. Men, unhappy about being on their own in a strange country, are often doubtful about their value in the U.S. marriage market and how to find new partners there. When interviewed, most post- Soviet H1-B visa holders emphasize the value, in the foreign lands, of the intimacy and human bondage that women provide, and many stress the need of a loyal partner as an important precondition for their very successful professional functioning (Gapova 2006: 897).

Women's consent to follow as "dependents" may be conditioned by several considerations, the following two being most important: (1) their own professional status and career opportunities at home; and (2) the age of children, of whom they take care more than men do. Wives with a (professional or advanced) degree and realistic career options view relocation as not bringing them personal professional gains, and such couples tend to reject the idea. Most women, though, being in their late 20s or early 30s, are too young to have developed a real career, so it looks like "there's nothing to sacrifice." In addition, the money that the family can make under the new arrangement is a factor. As IT jobs are better paid than those done by women (whose occupation tend to be more bound to teaching, culture, healthcare, etc.) back home, it is women's jobs that are normally sacrificed "for family's sake." The leap from a dual career to a single earner family, conditioned by the H1-B system, is justified by a much bigger male wage (Gapova 2006: 896-897). The individual social mobilities in such couples are "opposed" to each other. The man's social wealth derived from his work status is rather high and his class mobility tends to be upward: He is a professional in a prestigious field and the breadwinner. The woman's social

mobility is contradictory, simultaneously being upward and downward. While the family's general financial situation improves, women on H4 visas depend on the male wage and have certain financial stability only as family members. Their occupational difference is converted into status inequality. The partners of South Asian women on dependent spousal visas may use immigration laws prohibiting them from working to limit their autonomy, or even resort to violence (Gapova 2006: 897).

Representation of women in the IT workforce has been, and continues to be, of concern for both industry and academia. Gender imbalance in IT careers is well recognized with women representing only 26.2% of the IT workforce in contrast to 59% of the overall American workforce. Of greater concern is the dramatic and continuous decline of women in the IT workforce from 40% in 1985 to the more recent numbers cited above. Unless checked by a reversal in IT program enrolments, this trend will only continue its downward spiral (Adya 2008: 602).

The impact of gender imbalance in the IT profession is significant. With fewer women, IT is deprived of a workforce component that can contribute alternate perspectives on systems design, development, and utilization. Fewer women in entry-level positions only worsens the disproportionate representation of women in middle and upper management, thereby reducing the pool of female role models and mentors. South Asian women in Silicon Valley are concentrated in jobs as operatives or labourers, earning less than both white men and women (Woo 1994: 5-6).

Women from the South Asian region are being increasingly represented in the U.S. Information Technology workforce due to the successful offshore outsourcing of IT jobs. Together, the development of declining female representation in the American IT workforce and the increasing presence of female talent from Asian countries has generated new diversity concerns for organizations that must manage the duality of race and gender in the workplace.

South Asian countries present economic contradictions, which are manifest in deeply rooted social issues, many of which relate to women. Women and girls are grossly underrepresented in schools and colleges and, consequently, often lag behind boys in access to education. World Bank figures from 1990 indicate that only 78 girls for every 100 boys receive education in these countries, and a much smaller percentage of

these women ever reach college. For those that do, gender roadblocks may still exist. The few women who take to full-time employment upon graduation often face countless social and structural barriers that discourage them from pursuing successful careers in non-traditional fields. There is, however, a large urban, educated population in South Asian countries whose female representation in schools and colleges as well as in the workforce is impressive (World Bank 1990). It is from this vast, urban middle class that countries such as India obtain their underemployed technologists and engineers who possess good English-language skills. While little empirical evidence exists, computer science and IT are considered feminine careers as compared to mechanical engineering, where women may be assigned to fieldwork in a male-dominated setting.

The dominant role of Asians in high-level labour flows is obvious. Of the total immigration of professionals to the United States, Asians constitute the largest component. In contrast to the pattern occurring prior to 1965, Western countries in recent years supplied approximately 38,000 professionals or merely one-fourth of the total upper echelons. The rest of the developing world combined had close to 36,000 professionals immigrated to the United States, the size that is almost equal to that of the developed nations. When the category of "professional" is broken down by detailed occupations, the same pattern persists. That is, Asians emerged as a dominant group in the immigration of all professional occupations. The overrepresentation of Asians is particularly striking in the fields of engineering, mathematics/computer sciences, and health, and of the total Asian community, the South Asians dominate these sectors (Kanjapan 1995:15-16).

South Asian Women and the Glass Ceiling:

Asian American educational achievement is not matched by comparable access to professional jobs, which permit upward mobility in the long run, due to the presence of a glass ceiling (Woo 1994: 2). The employment pattern of Asian Americans in general is one of occupational or industry concentration. In California, for example, the most commonly held job for Asian female immigrants involves electrical equipment assembly work, whereas electrical engineering is the dominant profession

for Asian male citizens. In terms of national data, professionalization for South Asians has meant engineering for men and nursing for women (Woo 1994: 3)²⁸. South Asian women in the nursing sector often find themselves in less attractive medical facilities, which pay less remuneration, or they find themselves in facilities that are marginal and low paying.

The corporate sector is known to be one area with worst promotional opportunities for Asian American professionals. In California's Silicon Valley, Asian immigrants and Asian Americans make up 23.6 percent of the high-tech manufacturing workforce, and are found in many job categories, except high-level management. White males, by contrast, were more likely to be represented among managers than professionals were (Woo 1994: 4). Employers and South Asian American employees alike have identified poor English language skills and unfamiliarity with corporate culture as barriers. Employers may consider accents a liability in the workplace, without there being any clear and realistic assessment about the relationship of language to work performance.

"Recent global statistics show that women continue to increase their share of managerial positions, but the rate of progress is slow, uneven and sometimes discouraging", says "Breaking through the glass ceiling (International Labour Office, Geneva, 2004)

In 2011, the estimated number of South Asian-American women in the labour force was 3,414,000. The percentage of labour force was 2.2%, the percentage of South Asian women who participated in the labour force was 56.8%. The number of South Asian women employed in management, professional, and related professional: 1,404,000 (2.7% of all people employed in management related occupations) (Bureau of Labour Statistics, 2011)²⁹. In 2000, the number of women in the labour force was 2,908,000; the percentage of labour force was 2.0% of labour force. The Projections for 2020 show that the number of women in the labour force will be 4,462,000. The

²⁸ The San Francisco Chronicle (September 6, 1993) reported these data in an analysis of 1990 census data.

²⁹ Bureau of Labour Statistics, "Employment Status of the Civilian Non-institutional Population by Detailed Age, Sex, and Race," *Annual Averages 2011* (2012).

percentage of labour force is estimated at 2.7%. The Increase of women in the labour force between 2000 and 2020 is estimated at 53.4%.³⁰

Women of colour held 3.0% of board seats in the *Fortune* 500 in both 2010 and 2011, down from 3.1% in 2009.³¹ Asian-American women were only 2.5% of all women director positions³². Women's participation rate in the labour force varies by ethnic group. South Asian women tend to have a lower participation in the workforce: Bangladeshis (27.2%), Pakistanis (27.6%), Asian Indians (37.5%), and Sri Lankans (40.5%) (Hye Jin Rho et al. 2011: 13).

Approximately half of all immigrants to the United States are women, yet previous research on the labour market assimilation and performance of migrants has focused mostly on men. Given the increasing education levels of migrant women and their higher participation in the labour market, there are no excuses for the absence of the gender dimension in policy debates and research on migration and labour markets. Analysis of women's labour market participation and performance levels is becoming especially important as many women are migrating individually for employment purposes, while their families stay at home. Furthermore, the educational gaps between women and men are rapidly eroding in many migrant-sending developing countries, and we are observing higher levels of brain drain among educated women (Ozden and Neagu 2007:153).

There is little questioning that higher education and educational specializations have already facilitated the entry of Asian Americans into certain professional occupations, industries, or sectors of the economy. According to data made available in the Statistical Record of Asian Americans, there is some evidence of an association between education and representation at the managerial levels. Thus, 22.9 percent of Asian American men with four or more years of college were in executive,

³⁰ Bureau of Labor Statistics, Employment Projections, "Civilian Labor Force by Age, Sex, Race, and Ethnicity, 1990, 2000, 2010, and Projected 2020" (2012). http://www.bls.gov/emp/ep_table_304.htm

³¹ Rachel Soares, Baye Cobb, Ellen Lebow, Hannah Winsten, Veronica Wojnas, and Allyson Regis, *2011 Catalyst Census: Fortune 500 Women Board Directors* (Catalyst, 2011) http://catalyst.org/file/413/2010_us_census_women_board_directors_final.pdf

³² Rachel Soares, Baye Cobb, Ellen Lebow, Hannah Winsten, Veronica Wojnas, and Allyson Regis, *2011 Catalyst Census: Fortune 500 Women Board Directors* (Catalyst, 2011). <http://www.catalyst.org/publication/515/2011-catalyst-census-fortune-500-women-board-directors>

administrative, and managerial workers, as opposed to 16.6 percent of those with only one to three years of college. A similar pattern held for women: 19.3 percent of Asian American women with four or more years of college were listed as executive, administrative, and managerial workers as compared to 9.8 percent of their counterparts with only one to three years of college. Survey data from the Statistical record of Asian Americans have indicated a strong perception among Asian American professionals that they are frequently passed over for promotion by those with less education, training, and years of experience (Woo 1994: 10-11).

The relatively low level of employment of educated migrant women from many developing countries, which implies that their skills are being underutilized. There is a need to compare these to employment levels at home to see if there is a global misallocation of human capital. If the employment levels are similar, then the low participation levels in the United States are likely to be due to cultural and personal preferences rather than to labour market constraints or discrimination. Another issue that needs attention is the performance among migrant women from different countries, whether the differences are measured through wages or types of jobs obtained. Part of the variation is obviously due to the quality of the education received at home and other factors influencing the level of human capital acquired before migration. However, the question, which looms large, is that whether the positive social externalities generated by educated women would have been higher in their home country even if the private returns are likely to be higher in the United States. This question lies at the heart of the brain drain debate and is hard to explore empirically. (Ozden and Neagu 2007: 154-155).

Large-scale immigration from Asia did not take off until the passage of the landmark Immigration and Nationality Act of 1965. Over the decades, this modern wave of immigrants from Asia has increasingly become more skilled and educated. Today, recent arrivals from Asia are nearly twice as likely as those who came three decades ago to have a college degree, and many go into high-paying fields such as science, engineering, medicine and finance. This evolution has been spurred by changes in U.S. immigration policies and labour markets; by political liberalization and economic growth in the sending countries; and by the forces of globalization in an ever-more digitally interconnected world.

These trends have raised the education levels of immigrants of all races in recent years, but Asian immigrants exceed other race and ethnic groups in the share who are either college students or college graduates (PEW research centre 2012)³³. Women are entering the global labour force in record numbers, but they still face higher unemployment rates and lower wages and represent 60 per cent of the world's 550 million working poor, says a new report by the International Labour Office (ILO) prepared for International Women's Day.

At the same time, a separate updated analysis of trends in the efforts of women to break through the glass ceiling says the rate of success in crashing through the invisible, symbolic barrier to top managerial jobs remains "slow, uneven and sometimes discouraging".

"These two reports provide a stark picture of the status of women in the world of work today", says ILO Director-General Juan Somavia. "Women must have an equal chance of reaching the top of the jobs ladder. And, unless progress is made in taking women out of poverty by creating productive and decent employment, the Millennium Development Goals of halving poverty by 2015 will remain out of reach in most regions of the world."

Still, the explosive growth in the female workforce has not been accompanied by true socio-economic empowerment for women, the report said. Nor has it led to equal pay for work of equal value or balanced benefits that would make women equal to men across nearly all occupations. "In short, true equality in the world of work is still out of reach,"

South Asians are an ethnic minority, paid well but paid less than their education and occupational concentration would produce if they were not a minority in the United States. Similarly, while income averages are high-and that is important in determining the significance of Asian Indians as an ethnic minority in the United States the high average income obscures the job problems of Indian women and may establish a

³³ "The Rise of Asian Americans" , <http://www.pewsocialtrends.org/2012/06/19/the-rise-of-asian-americans>: accessed 23/6/2012

stereotype of the well-heeled Asian which disregards the lower income Indians in other jobs, ignores the effects of remittances home, paying off international travel bills, and the savings propensities of sojourners. Finally, this ethnic prosperity itself could quickly slip if the unusually large percentage of professionals declines in the immigration stream for any reason (Barringer and Kassebaum 1989: 517).

Immigrants have come to America in order to open new doors for themselves and their families. Nevertheless, South Asian American workers, along with all immigrant workers, arrive here not only to improve their own lives; they are also part of the backbone of the American workforce. Within the South Asian community, immigrant workers, ranging from computer engineers to taxicab drivers to nurses to domestic workers and so much more, contribute to economic fabric of the United States.

CHAPTER 4

Identity, Status and the Assimilation of South Asian Women into the American society

"In the first place, we should insist that if the immigrant who comes here in good faith becomes an American and assimilates himself to us, he shall be treated on an exact equality with everyone else, for it is an outrage to discriminate against any such man because of creed, or birthplace, or origin. But this is predicated upon the person's becoming in every facet an American and nothing but an American...There can be no divided allegiance here. Any man who says he is an American, but something else also, isn't an American at all. We have room for but one flag, the American flag... We have room for but one language here, and that is the English language... and we have room for but one sole loyalty and that is a loyalty to the American people."

-Theodore Roosevelt 1907

President Roosevelt understood the need for assimilation in America for it to remain a united country. US is a country built on immigrant population, hence all immigrants are welcome, but President Roosevelt also emphasised on the fact that, America is a melting pot and not a salad bowl, and so the immigrants will have to completely assimilate into the American values and culture³⁴.

America is made up of a variety of nationalities. There is at least one person of each race and nationality in America. It is an assimilation and a multiculturalism collection of this world's people. Throughout American history, several racial and ethnic minority groups have undergone some sort of assimilation process upon their arrival in the United States.

Assimilation is a general term for a process that can follow a number of paths. One form of assimilation is expressed in the metaphor of the "melting pot," a conception

³⁴ Quotable Quotes: Teddy Roosevelt on assimilation by Stephan Twaney, May 21, 2010. <http://amerpundit.com/2010/05/21/quotable-quotes-teddy-roosevelt-on-assimilation/>, accessed 10/7/2012.

that relates to the idea that America is a country of many peoples and cultures, and that this variety is embraced and these cultures eventually become part of American culture and met together in a pot of diversity (Philip 2007: 2). The assimilation experience in American is often perceived in terms of the melting pot. This idea stresses the ways in which people from different cultures have helped in constructing the American society and contributed to American culture.

Assimilation looks to the future, not to the past; it works its magic chiefly in the realm of the young, and the impressionable next generation, but mostly superficially on those already formed adults who made the fateful decision to come, and who bring with them a dual frame of reference. Assimilation is about seduction, and not simply coercion; about discovery, and not only loss and twilight; about profound conflicts of loyalties and a kind of existential red-alertness, and not merely conformity to group pressure and taking the path of least resistance. It is also about creative interminglings and extraordinary hybridities, and not at all simply surrender on the terms of a dominant core (Rumbaut 1999: 23).

Status and Identity issues of South Asian Women in America:

Identity formation is a dialectical process. It is influenced by both external and internal factors, it involves both what you think your identity is and what they think it is. It has become very difficult to retain a separate ethnical identity for South Asians as Americans identify them as foreign born and the model minority stereotype tends to heighten the Asianness (Zhou and Lee 2007: 198-199).

The classical theories are mostly based on the assumption that the immigrants will completely merge into the host society and become completely American, but that is not the case, while most of the assimilation debate focuses on socio-economic mobility, another area of incorporation is socio-cultural mobility. The researchers are concerned about the fact that the new immigrants are not willing to completely becoming American and insist on keeping their distinct ethnic and racial identity. The new wave of immigrants immigrate in hope of a better life but are not willing to give up their own identity and imbibe the American culture altogether. South Asian

women are increasingly becoming independent, but they like to retain their individual and group identity as opposed to becoming Americanized (Brown and Bean 2006).

W.E.B. Du Bois in his book 'The Souls of Black Folk' writes about "double consciousness" that plagues the minds of African-Americans living in the southern United States. "It is a strange thing, this double-consciousness, this sense of always looking at one's self through the eyes of others... One ever feels his twoness-an American, a Negro; two souls, two thoughts, two unreconciled striving; two warring ideals in one dark body..." (Du Bois 1903: 12) This tension between two seemingly contrasting identities is one that has been experienced by minority communities throughout post-colonial societies all over the world, and it is a significant issue in the multi-cultural environment of the United States (Cooppan 2004: 1).

Applying Du Bois's "double consciousness" to a South Asian framework, we can have a more clear understanding of the complex psyche of the South Asian woman in America, who are caught between the traditional customs of South Asia from where they have emigrated to a more westernized culture of America. Living in a confined space, has dramatically altered the self-perceptions of women, for the manner in which they see themselves changes due to the uncertain nature of their surrounding environment. Du Bois termed such changes in self-perception as the creation of a 'double consciousness'. Double consciousness arises from the discrepancy between these two visions, resulting in that "peculiar sensation" of being one or the other, 'an American,' or 'a Negro,' or a 'South Asian' but never both at the same time (Cooppan 2004: 2-5). South Asian women often experience Double consciousness, due to the various pressures from within their own community for upholding their traditions and values and from the American society for upholding the stereotype of being a model minority, women are often confused and are neither completely American nor completely South Asian.

Individual, social, personal as well as collective factors are responsible for identity formation for South Asian women. South Asian women live in between the push and pull of opposing cultural forces, which results in the creation of a self that is as varied as the different components that helped to comprise it. This new "self" does not require the surrender of one culture for the appropriation of another, but instead, it

allows for the possibility of possessing modified aspects of both cultures at one time. (Cooppan 2004:61).

Identity is having the authority to redefine the terms of cultural practices and customs to fit one's own experience, and not an act of choosing between cultures. Thus, as one's perspective on the surrounding environment and culture evolve with the changing self-perception, the South Asian identity becomes uncertain and vague.

According to the Du Boisian theory, self-perception is the foundation of identity, but the "self" that emerges from the different self-perceptions is not characterized by double identities contesting for unification (Du Bois 1903). Rather, the South Asian women is comprised of multiple selves existing together, conflicting with each other but ultimately, to one degree or another, accepted in their contradictions by the women who possess them. While Du Bois's notion of a problematic double consciousness envisages a synthesis of identity as a solution, where it is "possible for a man to be both a Negro and an American," the South Asian women reject such a blend; instead, they embrace the conflict that is inevitable (Cooppan 2004:81).

Stronger racial and ethnic identification can result from three different mechanisms:

- Reactive i.e. becoming more racial and ethnic as a result of experiencing discrimination;
- Selective i.e. becoming more strongly racial and ethnic in some ways more than others to facilitate economic achievement; or
- Symbolic i.e. becoming more prominently, but superficially racial and ethnic as a result of achieving success (Brown and Bean 2006: 8-11)

Reactive identification is most likely to arise from the repeated incidences of discrimination and may contribute to the toughening of conflicting attitudes and the occurrence of negative assimilation. This type of identification is most common among the children of immigrants in lower socioeconomic classes, though it can also develop among those in higher classes. When women are repeatedly discriminated against, they turn to their families and their communities and as a reaction to the discrimination tend to become more ethnic and racial and as a result, instead of

wanting to assimilate into the host society, these women become more individualistic and ethnic leading to negative assimilation (Bean and Brown 2006: 8-11).

Selective assimilation essentially associated with the children of immigrants with better socioeconomic prospects. Their parents generally have higher levels of education, which pushes them towards a more opportunistic than oppositional orientation towards economic incorporation. In addition, such parents and children usually belong to ethnic networks and institutions that have enough resources to offer support which are unavailable outside the ethnic community. The women from the upper middle class communities have good educational backgrounds and thus, they tend to be opportunistic and usually are able to find good jobs, which pay them well. Their racial identities are selective as they already have the resources available within their ethnic community and hence do not feel the need to go out and fully assimilate into the host society (Bean and Brown 2006: 8-11).

Symbolic ethnicity may transpire among those who are already largely incorporated economically. It seems most likely to occur among the children of immigrants of the highest class. Such individuals tend to rely on racial/ethnic networks less for instrumental reasons and more for fulfilment of expressive and individualistic needs. For them, racial/ethnic identification has become relatively optional. For upper class South Asian women, racial/ethnic identification is merely optional as coming from good background with highly educated parents and all the resources at their disposal, these women are well educated and earn well, and assimilate well into the host society. They do not feel the need to rely on their ethnic community for support (Bean and Brown 2006: 8-11).

Research suggests that racial/ethnic identification seems to be strongest among those from either the lowest or highest social classes. The working class and middle class generally would stand to gain the most from assimilation and might therefore shed much of their ethnic identity. The autonomy of identification and economic mobility seems more likely to appear among the middle and higher classes. Among lower classes of immigrants who face external barriers and develop reactive ethnicity, racial/ethnic identification may remain more closely linked to negative outcomes. This implies that factors other than racial and ethnic discrimination are responsible for incomplete economic assimilation (Bean and Brown 2006: 8-11).

Assimilation of South Asian Women into mainstream American society:

The arrival of tens of millions of immigrants to the United States over the last several decades has transformed the demographic landscape of the nation, expanding both the size and diversity of racial minorities. A section of new Americans today are from Asia, and Asian Americans are among the fastest growing groups, increasing from less than a million people in 1960 to roughly 14 million. The ever-increasing population of South Asians poses many challenges regarding the assimilation into the mainstream American society (Junn and Masuoka 2008: 729).

Immigrant assimilation theories developed during the twentieth century and concluded in Gordon's book, 'Assimilation in American Life', published in 1964, which highlighted generational change as the standard to measure changes in immigrant groups. The first generation i.e. the foreign-born were less assimilated and less exposed to American life as compared to their American-born children i.e. the second generation, and their grandchildren, i.e. the third generation, were in turn more like the American mainstream than their parents (Gordon 1964).

During the process of Assimilation, new customs and attitudes are acquired through contact and communication and immigrants contribute some of their own cultural traits into the new society. Assimilation involves a gradual change and takes place in varying degrees; full assimilation occurs when new members of a society become indistinguishable from older members.

Immigrant assimilation is a complex process in which immigrants fully integrate themselves into a new country. Researchers focus on four primary benchmarks to assess immigrant assimilation: socioeconomic status, geographic distribution, second language attainment, and intermarriage. The beginning of the twenty-first century has marked a massive era of immigration, and researchers are trying to assess the impact that immigration has on society and the impact it has on immigrants themselves (Waters and Jimenez 2005:105-125). Socioeconomic status is defined by educational attainment, occupation, and income. By measuring socioeconomic status, we can find out if immigrants eventually catch up to native-born people in terms of human capital. Spatial concentration is defined by geography or residential patterns. Based on the theories of Robert E. Park, the spatial residential model asserts that increasing

socioeconomic attainment, longer residence in the U.S, and higher generational status lead to decreasing residential concentration for a particular ethnic group (Mark and Goodwin 2006: 899-926). Language attainment is defined as the ability to speak English and the loss of the individual's mother tongue. Intermarriage is defined by race or ethnicity and occasionally by generation. High rates of intermarriage are considered to be an indication of social integration as it reveals intimate and profound relations between people of different groups; intermarriage reduces the ability of families to pass on to their children a consistent ethnic culture and thus is an agent of assimilation (Pagnini and Morgan 1990: 405-432).

The early history of South Asians centres around the efforts to overcome educational and occupational discrimination in order to achieve socio-economic assimilation. As the South Asian population increased after the passage of the 1965 Act, so did the importance of occupational attainment, employment discrimination and socioeconomic attainment among South Asian Americans. In recent years, South Asians have attained varying degrees of income and occupational success. Men mostly receive the benefits of these changes, but women are fast catching up with their male counterparts (Le 2007: 66)

The classic and new assimilation model sees immigrants and native-born people following a "straight-line" or a convergence. These models see immigrants becoming more similar over time in norms, values, behaviours, and characteristics. It also expects those immigrants residing the longest in the host population, as well as the members of later generations, to show greater similarities with the majority group than immigrants who have spent less time in the host society. Hence, the second and third generations of South Asian women are expected to become more assimilated into the mainstream American society than the first generation. According to this model these new wave of south Asian immigrant women are more Americanized than their previous generations (Brown and Bean 2006: 3-5).

Intermarriage is considered to be a litmus test for assimilation. Gordon's theory suggests that marrying a white person is the ultimate form of assimilation and signifies full acceptance by the white society. Therefore, South Asians may marry whites in order to be accepted by them. Research suggests that South Asian American women are more likely to marry whites than their male counterparts (Le 2007:174).

This shows the urgency of the women to be accepted into the mainstream American society.

Other than marriage, citizenship is one of the most significant factors in assimilation. The immigration debate focuses not only on the number of immigrants, on who should be admitted, but also on the processes of incorporation and, most importantly, how citizenship should be extended and to whom. For example, should it be extended to those who arrive illegally? On one hand, those who favour the admission of immigrants argue that these new residents will help build and enrich the American democratic process. However, others argue that the nature and legitimacy of the nation may be challenged and perhaps even threatened.

Assimilation is inevitable in a democratic and industrial society. In a political system based on democracy, fairness, and impartial justice, all groups will eventually secure equal treatment under the law. In an industrial economy, people tend to be judged on rational grounds i.e. based on their abilities and talents, and not on the basis of ethnicity or race (Park and Burgees 1921). Park believed that as American society continued to modernize, urbanize, and industrialize, ethnic and racial groups would gradually lose their importance. The boundaries between groups would eventually dissolve, and a more “rational” and unified society would emerge³⁵. The American society is an apt example of the democratic and industrial society, and hence, as per Park’s assumption, South Asian women are judged based on their merits and talents and abilities and not based on their country of origin and gender. There are however, barriers to the development of women in America, there are various cultural, racial barriers, which are imposed on them, making it extremely difficult for them to be able to assimilate completely into the American society.

Milton Gordon has distinguished between the cultural and the structural components of society. Culture encompasses all aspects of the way of life associated with a group of people. It includes language, religious beliefs, customs and rules of etiquette, and the values and ideas people use to organize their lives and interpret their existence. The social structure, or structural components of a society, includes networks of social relationships, groups, organizations, stratification systems, communities, and families.

³⁵ Assimilation and Pluralism: from immigrants to white ethnics, pg. 46. http://www.sagepub.com/upm-data/43865_2.pdf.

The social structure organizes the work of the society and connects individuals to one another and to the larger society³⁶.

In her study of first and second generation South Asian women, Inman (2006) concluded that while the first-generation of South Asian female immigrants faced conflicts around 'maintaining' their culture, the second generation faced an added challenge of 'learning and maintaining' their culture, usually second-hand through their parents (Stevens 2009: 3-4). Most South Asian women lead a dual life; they have dual identities, one at home i.e. the south Asian identity and one outside i.e. the American identity. This dual identity is due to the fact that these women are expected to behave in a certain manner inside and outside of the house. Inside the confines of the house, they are expected to be a mother, a housewife etc. and once outside the confines of the house, they are expected to be strong and independent and in tune with the American day-to-day life. Various accounts of women of South Asian origin highlight this point. A young South Asian, middle class schoolgirl, tends to lead dual lives one at home and one at school, when she comes home from school she is expected to get out of her dress, take a bath, and wear the appropriate attire before entering the house. These types of practices are common in all South Asian communities, girls are expected to behave in a certain manner, though this perception is fast changing, it will be a while for it to completely change.

The classic straight-line model of assimilation predicts that the newcomers will both affect and be affected by the fabric of American life, such that the immigrants will become more and more indistinguishable from the native born in the long run. This model assumes that there is a single line or path to assimilation. The segmented assimilation theory on the other hand assumes that there is no single but multiple paths of assimilation. Just as some members of immigrant groups become cut off from economic mobility, others find multiple pathways to assimilation depending on their national origins, socioeconomic status, contexts of reception in the United States, and family resources, both social and financial. As a result, the assimilation experiences of recent immigrants are more diverse (Zhou and Lee 2007: 193).

³⁶ Assimilation and Pluralism: from immigrants to white ethnics ,pg. 46. http://www.sagepub.com/upm-data/43865_2.pdf

The racial or ethnic disadvantage model states that immigrant's chances to assimilate are "blocked" (Bean and Brown 2006: 4). An example of this model would be discrimination and institutional barriers to employment and other opportunities. South Asian women often face barriers in employment in certain sectors, while they are readily accepted as nurses, housekeepers and in other low paying jobs, they are often discriminated against when it comes to high paying jobs such as in the Information technology industry. The segmented assimilation model theorizes that structural barriers, such as poor urban schools, cut off access to employment and other opportunities, obstacles that often are particularly severe in the case of the most disadvantaged members of immigrant groups. Such impediments can lead to stagnant or downward mobility, even as the children of other immigrants follow divergent paths toward classic straight-line assimilation (Bean and Brown 2006: 6).

Lingering discrimination and institutional barriers to employment and other opportunities block complete assimilation. Because immigrants compare socioeconomic opportunities in the host country to those in their countries of origin, they may not perceive these barriers. However, by the second or third generations, they may realize that the goal of full assimilation may be more difficult and take longer than originally presumed (Bean and Brown 2006: 5). For example, South Asians who immigrate to America in search of a better life tend to compare their lives in America with that in the home country, which turns out to be better most of the time. South Asian women also experience different opportunities, which they would never have been able to avail in their home countries, and hence take up these opportunities, even if it pays them much less as compared to their educational attainment and the native women. The first generation of women immigrants focused mainly on setting up their roots in America, not realizing the discrimination they faced in employment and assimilation in general, but the second and third generations realize this and are striving hard to achieve that status in the society, which is given to the citizens of the nation.

Asian immigrant children find it difficult to escape their ethnicity and race. Social acceptance and occupational mobility become a distant reality when physical differences from whites and strong effects of discrimination come to the forefront.

Consequently, their identities, aspirations, and academic performance are affected (Bean and Brown 2006: 6).

As the women struggle to define themselves as South Asian and American, the self-perceptions and self-identifications are dependent upon the particular domain that they are occupying, and when a distinct self-perception emerges, conflict arises. The private domain, comprised of the domestic and sexual spheres, specific duties from South Asian women are expected according to the cultural traditions and strict conceptions of morality are held in high-esteem, transgressed only by those considered daring and immoral. The public domain, which comprises of experiences outside of the home and especially in the professional sphere, there is a sense of freedom of self-expression on many levels, but at the same time the pressures from family and career often begin to clash, resulting in one of the increasingly common conflicts South Asian women experience in the process of cultural assimilation (Cooppan 2004: 6).

Accommodation and Assimilation: A Generational Divide?

The multiplicity of the "new immigration" to the United States over the past few decades differ, in many respects, from that of the last period of mass immigration in the first few decades of the century. The immigrants differ greatly in their social class and national origins, raising questions about their modes of incorporation.

Park and Burgess in "Introduction to the Science of Sociology" gave the concept of assimilation, "a process of interpenetration and fusion in which persons and groups acquire the memories, sentiments, and attitudes of other persons and groups, and, by sharing their experience and history, are incorporated with them in a common cultural life" (Park and Burgees 1924: 735-736). They distinguished between four types of interaction i.e. competition, conflict, accommodation, and assimilation, which they related respectively to economic, political, social, and cultural institutions. The distinction they made between accommodation and assimilation is instructive. Accommodation may take place quickly, and the person or group is typically a highly conscious protagonist of the process of accommodating those circumstances. In assimilation, by contrast, the changes are more subtle and gradual, and the process is

typically unconscious, so that the person is incorporated into the common life of the group largely unaware of how it happened. Assimilation thus takes place most rapidly and completely in primary intimate and intense social contacts; whereas accommodation may be facilitated through secondary contacts, but they are too distant and remote to promote assimilation (Park and Burgess 1924: 735-737).

Karl Mannheim, in his seminal 1928 essay on “The Problem of Generations,” made this observation about how a “stratum of habits” is “unconsciously and unwittingly” transmitted: More specifically: “The child or adolescent is always open to new influences if placed in a new milieu. They readily assimilate new unconscious mental attitudes and habits, and change their language or dialect. The adult, transferred to a new environment, consciously transforms certain aspects of his modes of thought and behaviour, but never acclimatizes himself in so radical and thoroughgoing a fashion” (Rumbaut 1999).

Therefore we see that the second and third generation of immigrants readily assimilate into the host society, whereas, the first generation faces many cultural and structural difficulties in successfully assimilating into the mainstream society. This difficulty is even more acute with women as they have the additional burden of being the cultural carriers for their children and hence the onus of a successful offspring lies entirely on them. The first generations merely accommodate in the host society, whereas their children i.e. the second and the third generations are the ones that actually try to assimilate into the host society.

Current trend in Immigrant Assimilation:

After nearly four decades of migration to the United States, the assimilation of South Asian women into the mainstream American society paints an optimistic picture. The standard measures of immigrant assimilation have been employed by social scientists to document this generally optimistic story. These include (a) socioeconomic status, defined as educational attainment, occupational specialization, and parity in earnings; (b) spatial concentration, defined in terms of dissimilarity in spatial distribution and of suburbanization; (c) language assimilation, defined in terms of English language ability and loss of mother tongue; and (d) intermarriage, defined by race, and only

occasionally by ethnicity and generation. Intermarriage is often considered to be the litmus test of assimilation. Hispanics and Asians display strong marital affinity for individuals from the same broad racial category, even if marriage partners are not from the same ethnic group (i.e., Puerto Ricans marrying Mexicans or Chinese marrying Koreans). The high rates of marriage within the broad racial categories suggest that these categories are meaningful in how individuals select their mates (Waters and Jimenez 2005: 108).

According to Gordon's model, intermarriage represents the culmination of the assimilation process that often subsumes acculturation and the attainment of socioeconomic status. Assimilation is assumed conducive to intermarriage through the working of two mechanisms. It "works to increase the propensity toward out-marriage by weakening ethnic attachment and by increasing contact with potential mates from other groups" (Lieberson & Waters 1988: 211). According to assimilation theorists, then, assimilation "influences intermarriage by affecting the extent to which a minority member is accessible and acceptable as a potential marital partner to members of the dominant group" (Hwang et al., 1995: 472). Asian men show greater propensity than Asian women do to marry within their own group (78% vs. 64%) (Hwang et al. 1997: 765).

Socioeconomic assimilation, indexed by years of education attained, generally shows a negative association with intermarriage, regardless of the gender and ethnicity of the spouse. This suggests that among Asians with different levels of educational attainment, those who are less educated have a greater tendency to intermarry than their more educated counterparts. Although higher degrees of educational assimilation make it structurally possible for minority members to mingle with the majority, such conditions are necessary, but certainly not sufficient, to cause intermarriage. Given the same degree of preference for in-marriage (Marriage within the community) among Asians with different socioeconomic statuses, those with higher socioeconomic status are likely to be more competitive in getting their preferences fulfilled. (Hwang et al. 1997: 766-769).

After nearly 40 years of high levels of immigration, primarily from Latin America, the Caribbean, and Asia, research supports the notion that immigrants are being

successfully incorporated into American society. The United States continues to show remarkable progress in absorbing new immigrants.

The process of assimilation varies from individual to individual and from group to group depending on two causal mechanisms. One is a set of immediate causes that involve an individual's or a group's deliberate action, social networks (particularly exchange mechanism of social rewards and punishments within a primary group and community), and the forms of capital (human, social, and financial) the individual or group possesses. The other set of causes are embedded in larger social structures such as the state and the labour market. Alba and Nee suggest that all immigrants and their descendants will eventually assimilate but not necessarily in a single direction as predicted by the classical theory. They believe that an expectation of universal upward mobility for any large group is unrealistic. Alba and Nee's theoretical framework helps to explain how immigrants, particularly those of non-European origin and working class background, incorporate into the mainstream at different rates and by different measures (Alba and Nee 2003: 163).

The United States, in the new millennium has become a society that has more racial diversity than at any other period in American history. Since the late 19th and early 20th century, the United States has experienced the largest immigration. Immigrant metropolises like Los Angeles & New York City have emerged as cosmopolitan centres in which practically every ethnic group in the world is represented in significant numbers. Today, nearly 20% of Americans are immigrants and their children. Post 1965, effectively every institution of American life has been affected by the enormous expansion of ethnic and racial diversity. On the one hand new immigrant groups are being fast assimilated into the American society, but some are sceptical about this and argue that because racism is a permanent feature of American society, non-white immigrants would never be accepted as equals. Some researchers are of the idea that new immigrants are a burden on the resources of the country, while others are of the belief that the new immigrants and their children are incorporating very well into the American society and are doing very well for themselves both socially and economically, and in turn helping the American economy to grow (Nee 2003: 3).

There is a growing diversity in education; this is due to immigration in large numbers. In the last century, immigration from South Asia has really gone up; as a result, the second generation South Asians enroll in large numbers in higher educational institutes. Asian Americans have experienced the largest growth since the 1980's as compared to other ethnic groups in America (Xie and Goyette 2004: 19-29). South Asian women have contributed considerably to this growth. These women are joining higher educational institutes in large numbers, trying to gain a good education for a successful entry into a viable career, to assimilate completely into the mainstream American society. The educational attainment of South Asians far exceeds those of local populations for any given marital status or age group. It is important to note that most Asian allowed to immigrate to the United States have completed their bachelor's or master's degree. This selectivity is an important factor that contributes to higher levels of education among Asian Indian Americans.

The demographics of South Asian Americans is very favourable for them to advance socioeconomically as a group.³⁷ The young working people of the community, when provided with equal opportunities are capable of achieving high levels of education and scale heights in occupational ranks increasing their income and wealth. While South Asians do boast of a high median household income, it is often seen that their incomes maybe lower than that whites with similar educations and degrees.

The American-born children of immigrants face different challenges as they try to find a way to balance the values of their culture with the values learned at work, school and in their personal lives while interacting in an American environment. This could lead to an identity crisis in the second-generation immigrants, which in turn could hinder the development of a healthy self-esteem and ethnic identity. Living on the border between cultures may offer second-generation immigrants unique benefits. Rather than solely being a source of conflict, identifying with two cultures that vary widely in their values systems may allow one greater freedom to create a hybrid, or integrated identity. The younger generation of South Asian women faces different issues when it comes to assimilation (Stevens 2009: 3-4).

³⁷ Among the South Asian Americans, Asian Indians are very well off and is considered to be one of the most successful immigrant sub-group in America.

British colonization can also be considered a factor in successful assimilation of South Asians in America, as colonization exposed South Asians to western values and the English language.

The immigrant experience is crucial to understanding the South Asian experience in the United States. South Asians experience a deep sense of loss upon immigrating, especially if there is no opportunity to return to their country of origin. The network of support by family and friends, central in many South Asians' lives, is often disrupted upon immigration. As one would expect, every successive generation becomes more and more acculturated. Asians in the U.S. are mediated by many factors. These factors include generation in the U.S., educational level, and social class, identification with their own ethnicity and culture, and experiences with racism, sexism, and exclusion. Gradually, most South Asians in the U.S. function with a dual-identity.

Researchers continue to analyze immigrant women within a family context. Immigrant women are not very individualistic and generally identify themselves with their families. Discrimination based on race, colour and national origin leads to marginalization of women.

A description of the present day immigration and its diversity would be incomplete if not supplemented by the discussion of what this all means to the host society. The political debate on immigration in the United States has always been marked by vigorous calls for restriction. It is often forgotten that it was the labour and the efforts of the immigrants who made much of the prosperity of the nation possible. Despite these debates, overall immigration has been and will continue to be positive for the country, both in terms of filling labour needs at different levels of the economy and more importantly injecting into the society, the energies, ambitions and skills of the positively selected groups (Portes and Rumbant 1996: 26-27).

Excitement and anticipation countered with hostility and exclusion has been a way of life for South Asians in the United States. Due to their long history, South Asians occupy a unique position in historical and contemporary American society. They are faced with prejudice, discrimination and exclusion on the one hand, on the other they have learned to persevere the attempts made to impede their progress and as a result

have achieved extraordinary success in all fields. As a result of which they have more or less assimilated into the American society.

President Roosevelt's speech goes against the very ethos of America as a nation. A nation, which readily accepts immigrants, cannot work on this principle. In the era of transnational migration, the assumption that people will live their lives in one place, according to one set of national and cultural norms, in countries with impermeable national borders, no longer holds. Rather, in the 21st century, more and more people belong to two or more societies at the same time, which essentially means that immigrants can be loyal to both their host country as well as the country of their origin; they may speak different languages, other than English, and owe their loyalty to the people from their own communities. As Sociologist Nathan Glazer, says that the melting pot is no more. Where not very long ago we sought assimilation, we now pursue multiculturalism. Focusing particularly on the impact in public schools, Glazer dissects the four issues uppermost in the minds of people on both sides of the multicultural fence: Whose "truth" do we recognize in the curriculum? Will an emphasis on ethnic roots undermine or strengthen our national unity in the face of international disorder? Will attention to social injustice, past and present, increase or decrease civil disharmony and strife? Does a multicultural curriculum enhance learning, by engaging students' interest and by raising students' self-esteem, or does it teach irrelevance at best and fantasy at worst? Glazer argues convincingly that multiculturalism arose from the failure of mainstream society to assimilate African Americans; anger and frustration at their continuing separation gave black Americans the impetus for rejecting traditions that excluded them. However, willingly or not, "we are all multiculturalists now" (Glazer 1997).

Given the constant flow of new immigrants from Asia, it is a demographically impossible that all South Asian Americans will be fully assimilated at any time in the near future. Indeed, a large portion of South Asians is, and will always be for the foreseeable future, new immigrants.

The members of this rapidly increasing second generation far more than their parents, will set the pattern for the South Asian-American experience. As with every immigrant group before them, they are facing the challenge of somehow fitting in, of juggling their heritage and their identity with participation in the mainstream. The big

difference is that they are doing this in an atmosphere of unprecedented affluence and in a society surrounded by the ideology of "diversity." The choices these particular newcomers make, and the way they make those choices, will thus prove of the utmost significance (Jacoby 2000).

South Asian naturalization rates are higher than that of the other minority groups, and the proportion who becomes citizens is significantly larger than the share of other foreign-born residents. South Asians are more likely to marry outside their ethnic group; this percentage is higher in women than that in men. On home ownership, another measure of assimilation, Asians stand out: the U.S.-born are more likely to own a home than any other group in the country, including U.S-born whites. Whether they own or rent, Asians live in less segregated neighbourhoods than blacks do. As for language acquisition, many in the immigrant generation struggle with English, but virtually all their children learn it fluently; and by the third generation, a large majority of South Asian Americans speak English (Jacoby 2000).

For the newcomers, as for generations of immigrants before them, assimilation is a wrenching process under any circumstances. In the end, it can only work in one kind of a setting, a culture in which ethnicity is honoured in its place, yet not allowed to upstage the nation's common enterprise. Only the mainstream, the nation's teachers, politicians, corporate leaders and marketers, can create, or restore, such an environment. However, if the culture were to permit it, these latest newcomers might yet provide a model for other groups, transforming the minority dynamic in the United States and offering a new lesson in how the melting pot might still work (Jacoby 2000)³⁸.

³⁸ In Asian America by Tamar Jacoby, 2000. Manhattan Institute for Policy Research. http://www.manhattan-institute.org/html/_comm-in_asian_america.htm, accessed 10/7/2012.

Chapter 5

Conclusion

The initiation of this research began with a purpose of analyzing the manner in which immigration is analyzed in a sociological and international relations perspective. The study is aimed at documenting the issues and challenges faced by South Asian women in the United States and to examine the socio-cultural factors associated with the complete assimilation of South Asian women into the mainstream American society.

The study is focused on South Asian women immigrating to the United States. During the course of the research, attention was drawn to the fact that among the South Asian community, Indians are the most dominant. Most of the South Asian immigration to the United States is from the India. South Asian Indians range from the educated and the highly skilled professionals to the unskilled labourers, a majority belonging to the educated and skilled class. Women from India are among the most educated and professional classes as compared to women from other South Asian countries. Immigrants from Pakistan and Bangladesh are few as compared to Indians, and the number of educated and skilled professionals is less and the unskilled labourers is more. Pakistani and Bangladeshi women are more restricted in their educational and employment choices as compared to the Indian women. The other South Asian countries i.e. Sri Lanka and Nepal do not have much of an immigrant population in the United States, hence, the representation of their women in the overall immigrant experience in America is insignificant.

The research undertaken advocated that the Immigration laws of the United States have helped in the assimilation of South Asian women. Over the course of the study, it has been stressed that the earlier immigration laws were not in favour of women, but the laws passed in the later half of the 20th century were both favourable and unfavourable to women. The transformation of South Asian Americans and of America itself came about with the passage of legislations such as the McCarran-Walter Act of 1952 and the Immigration and Nationality Act of 1965. South Asian immigration increased significantly after the 1965 Immigration Act as it altered the

quota system. The preference for family based immigration led to a drastic increase in the immigrant population, including women.

Though the immigration acts are basically gender neutral and do not give any special preference to immigrating women, South Asian women took full advantage of the family based immigration and made inroads into the American society. The Immigration act of 1990, highlighted the need for skilled labour and immediate family reunification. Where the 1965 act led to the assimilation of South Asian women as dependents, the 1990 act resulted in more women coming to America as independent professionals.

After the September 11 attacks, the USA Patriot Act of 2001 broadened the scope of aliens ineligible for admission. This affected the immigration considerably. Therefore, where on one hand, the 1965 and the 1990 acts resulted in positive assimilation of South Asian women, the Patriot Act of 2001, led to severe restrictions on immigration, which also had a negative impact on the process of assimilation. Thus, the immigration laws of the United States have not had any special provision for women, they are very gender neutral, they are both favourable and unfavourable to women, but South Asian women have taken advantage of the situation and entered the US as dependents and also through the employment and the education gate and are now slowly trying to accommodate and assimilate fully into the American society.

This also proves the first hypothesis, which states that 'American Immigration Laws since 1965 have been gender neutral and not women specific, which has influenced the social status of women'. Immigration to the U.S. came in two waves, the first from 1907 to 1924, and the second much larger wave, starting in 1965 continuing to the present day. In 1965, the Immigration and Nationality Reform Act marked the beginning of the second wave of immigration and by 1990, a large percentage of South Asians in the second wave were professionals. The earlier migration trends from South Asia mainly included women who immigrated as dependents. As it was mentioned earlier that the 1965 Act shifted the focus of immigration to reuniting the families' i.e. women were allowed to immigrate in order to be with their spouses who had come to the United States in search of better opportunities. Hence, the immigration policies after the 1965 Act focused to a certain extent on women, yet

much opportunity was provided only with the male members and this trend did not change until recently.

Immigration policy in the United States has historically been male-centric, built upon primary entry for males and secondary entry for females, who are generally wives and fiancées. Before the mid-nineteenth century, a woman's legal status in the United States was generally based on the principle of coverture, under which a married woman's legal rights were merged into those of her husband. Her rights were not seen as separate from those of her husband. She could not own property or sign contracts. Although the legal system's gender imbalance has gradually been addressed with women's activism, immigration law remains profoundly influenced by the principle of coverture. The structure of immigration policy reflects this influence; the principle of coverture embedded in immigration law forces women into dependency and places complete control of their lives in the hands of their spouses. This influences the social status of women (Abraham 2000).

The immigration policies of America were initially not favourable towards women and were essentially male-centric, and due to this, the status of women was affected. Women also faced various difficulties as dependents viz. domestic violence, lack of educational and employment opportunities etc. but this situation started changing after the passing of the Immigration Act of 1965, with this Act various reforms came into place which made it much easier for women of South Asian origin in America, also with the passing of the Violence against women act in 1994 and its various amendments, women are in a much better position than they were earlier.

The end of the twentieth century and the beginning of the twenty-first century, social, economic, and technological changes have had profound effects on gender roles in all segments of American Society and these changes affected the Asian American families and the women in particular. The last decade of the 20th century and the beginning of the 21st century saw significant changes in the global environment those, in one way or another, bear heavily on the role, functions, shape, and mode of operation of all kinds of systems all over the world. Among the most influential changes are the increasing importance of knowledge as a driver of growth in the context of the global economy, the information and communication revolution, the emergence of a worldwide labour market, and global social transformations. The last

decade of the 20th century was characterized by momentous changes and significant new trends in the global environment.

The study undertaken illustrates that the resulting challenges present both opportunities and threats that have a profound effect on the gender roles. Gender roles have changed keeping pace with the changing times. Women are becoming more and more independent; they are gaining higher education, getting good jobs, which pay them well. New educational, professional, and personal opportunities have opened up for women in different parts of the world as an effect of the changing gender roles, despite these opportunities, immigrant women often find the United States to be especially liberating in this regard when compared to their home countries.

Since the 1980s, a growing number of women started coming to the United States to pursue graduate education or as independent professionals. A large percentage of women of South Asian origin contribute to the labour force in the United States and is holding highly paid jobs. According to the 2000 census, about 66% of women from Nepal, 69% of Sri Lankan women, and 60% of Indian women were in the work force (Kibria 2003: 162). During the course of the study it was also established that there is a huge gender imbalance in the careers in the Information Technology (IT) industry, with women representing only 26.2% of the IT workforce in contrast to 59% of the overall American workforce. Women are inadequately represented in the IT workforce, mainly working in the lower sectors of the industry and hardly ever reaching up to the managerial levels, however, a breakthrough has been made due to the outsourcing of jobs to the south Asian countries, women from this region have virtually become a part of the IT industry and their potential is now being realised by the employers (Adya 2008: 602).

With the advent of the modern era, the technological, social, and economic changes started taking place, which have led to the changing gender roles. The growing awareness in women have led them to pursue higher education and in turn get jobs that compliment their educational qualifications. Paul Taylor, executive Vice President of the Pew Research Centre said, "Like immigrants throughout American history, the new arrivals from Asia are strivers". What's distinctive about them is their educational credentials. These aren't the tired, poor, huddled masses of Emma Lazarus's famous inscription on the Statue of Liberty. They are the highly skilled

workforce of the 21st century.” The share of Asian-Americans who hold at least a bachelor’s degree surpasses the national average, 49 percent to 28 percent. In the South Asian region people from India were most likely to have a college degree, at 70 percent (PEW research centre 2012). The number of women getting Bachelor’s degrees in 2008-2009 was 61,767 (3.9% of those getting bachelor’s) compared to 50,743 Asian men (3.2%). The number of Master’s degrees in 2008-2009 was 21,464 (3.3% of those getting master’s) compared to 18,480 Asian men (2.8%). The number of Doctoral degrees in 2008-2009 was 2,105 (3.1% of those getting P.hDs) compared to 1,770 Asian men (2.6%) (National Centre for Educational Statistics 2010).

These women are able to provide better for their children economically, culturally and socially. It has been implied that where on the one hand women are becoming independent, on the other, their household responsibilities are holding them back. South Asian women are bound by their traditional roles, and any deviance from that leads to isolation and discrimination by the immediate family and the community members. Women are expected to be passive, and nurture the well-being of the family. Thus, South Asian women face what W.E.B. Du Bois termed as ‘Double Consciousness’. The technological, social and economic changes have had profound effects on gender roles; these changes have affected the very fabric of Asian American families.

The hypothesis “the achieved status of South Asian women is determined not only by their qualifications but also by their ascribed status”, is also found to be true. There are many statuses and roles that people take on throughout life which guide their behaviours. An ascribed status is a social position a person receives at birth or takes on involuntarily later in life. It is a status all the same, but is specifically one that nobody has control of. In contrast to an ascribed status, an achieved status is a social position a person takes on voluntarily that reflects personal ability and effort. In the case of South Asian women in America, their ascribed status affects their achieved status in every possible way. The education, labour force participation, career choices of women are all affected by their racial/ethnic identity (ascribed status). Over the decades, the modern wave of immigrants from Asia has increasingly become more skilled and educated. Today, recent arrivals from Asia are nearly twice that those who came three decades ago but have a college degree, and many go into high-paying

fields such as science, engineering, medicine and finance. The study reveals that the achieved levels of education and employment success do not change this status as they are still affected by race, ethnicity and gender. South Asian women can achieve high levels of success in any field, yet they will always remain subjugated by men. In the South Asian countries ascribed status of being someone's daughter, wife, mother or belonging to a particular caste hold more importance than the achieved status of being successful through dedication and hardwork, and this implies even more strictly to women. Therefore, South Asian women can accomplish any degree of success in the end their lives are defined by who they are and what their families want them to be.

Furthermore, the study focuses on the challenges faced by South Asian women in becoming a part of the labour force as compared to their white counterparts. The research has indicated that, there are various challenges faced by South Asian women both structural and fundamental, the structural challenges are, first, marital status, second, language barriers, and third, human capital.

In South Asian countries marriage takes precedence over career. Research suggests that women with high aspiration for career success must make the difficult choices about career centrality, marriage, and children. Married women are portrayed as non-serious workers who are willing to trade career growth opportunities for freedom and time with family. Further, lack of support from families of married women is another challenge, whereas, this is not the problem with American women, their society allows them to be more independent, thus, helping in their career advancement. Language barrier is another major challenge for South Asian women. The early immigrants from South Asia were mostly labourers, it was only after the 1965 and mostly after the 1990 act that well educated women immigrated to the United States. Earlier immigrants did not speak English very well, which was a major impediment to labour force participation, as white women with fluent English got precedence over their South Asian counterparts. Due to this South Asian women were mostly given menial jobs. The last major challenge faced by South Asian women was that of human capital. It includes educational background and work experiences, as it can be an initial endowment. Early immigrants lacked higher education and work experience which the American women possessed.

Fundamentally, there are three areas that affect the challenge for South Asian women to find and maintain suitable employment: the belief systems and cultural expectations of the Asian family, the belief systems and cultural expectations of North American life and the individual's eventual decisions. Together, the former two areas constitute the basis for the challenge; as they create a dilemma for the individual, a scenario directly related to the third area. The experience of straddling two cultures, balancing between the home and host culture has become an important part of the South Asian women's identity.

In addition to the above mentioned issues, the study also attempted to inquire into the needs of different groups of young South Asian women prior to higher education, during their time in higher education and enabling their successful exit from higher education into viable careers. In response to this we go back to the immigration laws. The earlier immigration laws permitted only family based immigration to the United States, but with the passage of the 1965 Immigration and Nationality act and the 1990 Immigration Act, this changed and more opportunities were now available to women, these acts opened the doors for women to enter not just as dependents but also as professionals. The needs of South Asian women prior to higher education, during their time in higher education and enabling their successful exit into viable careers can be categorized as strong support from the family, high job aspiration, no marital pressure, no discrimination on the basis of race or ethnicity or gender etc. these will help women to gain education in a tension free environment. For a large number of students, changes in their lifestyle and independence are important reasons for going to university. They experience university generally as providing a sense of independence as well as the more explicit academic qualifications. Ethnicity, culture, and gender play an important role in the successful completion of a degree in higher education. Discrimination based on race and culture is one major impediment to success for South Asian women.

During the research, it was established that, though the Immigration Laws of the United States have helped the South Asian women to create a separate identity for themselves, they are yet to come out of the restraining culture of their communities. Keeping this in mind, the last hypothesis, 'The social, structural and procedural constraints of the American Immigrant laws pertaining to domestic violence inhibit

South Asian women from taking recourse through law and protect themselves', was also found to be true. The Violence against Women Act (VAWA) of 1994 envisioned a nation with an engaged criminal justice system and coordinated community responses. It encouraged a community-coordinated response that brought together, the criminal justice system, the social services system, and private non-profit organizations responding to domestic violence and sexual assault. Yet it has been established that despite the provisions of VAWA, immigrant women face many barriers to seeking and receiving assistance. The barriers are cultural, economic, practical as well as legal (Shetty and Kaguyutan 2002).

The passing of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 a.k.a "The Welfare Reform Act" in 1996, the legal immigrants were denied access to federal, state and local benefit programs. Proofs had to be given through police, hospitals and social service agencies of the physical abuse for her to become eligible for welfare benefits. Hence, the vulnerability of women increased due to the complex immigration policies, which were discriminatory. The Violence against Women Act introduced various positive changes, as pertaining to domestic violence victims, yet these facilities are not availed fully by the women due to social, structural and procedural constraints.

Owing to their growing success professionally, socially, and economically, the South Asian community is perceived as a 'model minority', however, there is a huge problem of underreported cases of domestic violence among this community. While South Asian women have become more liberated and independent through globalization, they are not immune from experiencing domestic violence. South Asian immigrant women struggle with conflicting expectations from their home country and expectations from men, specifically spouses and their family, while living in a new cultural and ethnic environment. The attempts from the community to conceal any problems, results in a high rate of underreporting which augments the issue of domestic violence further.

Domestic violence among the South Asian community is underreported, as women fear disclosing their personal lives due to language barriers, lack of trust in the law enforcement and immigration institutions, cultural norms of sacrificing self for the family honour. It was also concluded that, abusers use the culture as an excuse to

abuse in both ways, either if the woman is not abiding by the traditional ways or if she is not adapting to the western culture.

The anti-domestic violence movement has been remarkably successful at increasing resources and alternatives for battered women but it has not stopped men from resorting to violence. Its significant public policy gains have brought hostile response and unintended consequences. Although Batterer Intervention Programs have flourished, their successes are debatable, as the study indicates that no significant differences on re-offense rates or on attitudes to domestic violence have taken place. Prevention has yet to change abusive men's attitudes or re-define gender roles.

While advocates continue spreading the word, policy makers and national domestic violence organizations are making sure that addressing the needs of battered immigrants is an important part of their national agenda. A great deal of education is required within both immigrant communities about the problem and potential solutions and immigrant serving programs about the needs of immigrant women and their families and the barriers that keep them from seeking or receiving help (Shetty and Kaguyutan 2000).

The research finally concludes that South Asian women who came to America as battered immigrants have changed their image and status considerably over the past decades. Women are now shifting from the more traditional roles to the non-traditional ones. Women immigrants who have come to America are a part of the backbone of the American workforce, and contribute equally as others to the economic and social fabric of the United States.

Excitement and anticipation alongwith with hostility and exclusion has been a way of life for South Asians in the United States. Due to their long history, South Asians occupy a unique position in historical and contemporary American society. They are faced with prejudice, discrimination and exclusion on the one hand, on the other they have learned to persevere the attempts made to impede their progress and as a result have achieved extraordinary success in all fields. As a result of which they have more or less assimilated into the American society.

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