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Gender Violence: Social Structures in Latin America, the Question of Victim and Trauma

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Abstract

In this article, I first argue that femicide is a word that indicates psychological and physical violence against women because they belong to the female gender. I analyze in particular the femicide cases that took place on the border between Ciudad Juarez and Texas from 1993 until now, in addition to the cases on the border between Tijuana and Baja California. During this period more than 700 women were murdered in the border area between Ciudad Juarez and El Paso, still, the criminals of these brutal homicides are unknown. The reason for the lack of justice can be explained through institutional corruption and the existence of a patriarchal society. Through an interdisciplinary approach from psychoanalytical and anthropological areas, I argue that gender violence is a social-political construction due to the principles of capitalism, and also that violence against women results as a social emotion eradicated in the collective imagination as a real fact of this brutal and unconditional violence against woman. I have analyzed two border cases and explained both the grim reality as the consequence of structural violence, as well as cultural violence caused by the Catholic ideological system and the origin of women and family mental conception. Moreover, I relate gender-based violence with kidnapping cases, drug cartel traffic and the state of terror and violence that dominates Mexico. Finally, I will delve into the origins of violence in human behaviour, as a result of institutional control and cultural influence based upon the patriarchal domination system in the post-colonial reality that now exists.

Keywords: Femicide, violence, Latin America, trauma, victim, cultural memory, structural crisis, cultural crisis.

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Introduction

In the first part of my work, I explain briefly the border condition. The information corresponds to the murder cases committed against women in Ciudad Juárez and Tijuana from 1993 until now. The analysis is supported mainly by information from the Amnesty International Reports, Human Watches Reports, Diana Washington's book *The Killings Field: Harvest of Women* and a considerable amount of data from governmental and non-governmental Institutions. Furthermore, I will argue that psychological and physical violence depends on the existence of invisible structural violence and symbolic violence.

Firstly, I analyze the theories of Nancy Scheper-Hughes and Michel Foucault to state that political and economic institutions manipulate human conditions through ideology. Secondly, I assume that even the cultural patterns are a result of historical and political control. According to the psychoanalytical work, the violence instinct is neither a condition in our individual unconscious nor in the collective unconscious so the trauma will be passed culturally on during the generation. Finally, I conclude that both structural and symbolic violence are the consequences of an ideology of control and that maybe there are few solutions to solving these issues. Moreover, I would research the origin of violence in human behavior as a result of institutional control and cultural influence, based on a patriarchal dominant system in a post-colonial reality.

The culture of terror and torture

Since 1993, there have been, in Ciudad Juarez, more than 700 murders of women aged between 10 and 25. These murders were defined as serial murders because of the same ritual murdering method and the selection of the victims, hence: they were teenagers, they came from a poor class, they were migrants and most of them were employed by the maquiladoras. These murders might be related because of the choice of victims of physiognomy and ethnicity and the *modus operandi* taking place through a ritual of torture and violence, kidnapping, rape, cruelty, sexual torture, mutilation, and strangulation. Some victims' bodies were found naked and mutilated, others are still missing, maybe because the perpetrators have used a corrosive liquid called leachate that dissolves suddenly bone and flesh. On the other hand, there is another border town similar to Ciudad Juarez, it is called Tijuana, which is located on the northwest border of Mexico. It is known as the city of gambling, sex, drug and tequila. Even if this city became more famous through tourism and artworks, it is still the city of violence, where sexual abuse, exploitation and kidnappings occur daily. According to amnesty international's Report related on the 24th of June 2013, Miriam Isaura Lopez Vargas was kidnapped by the Mexican police that tortured her and finally raped her. The highest percentage of women's violence is registered as domestic violence perpetrated by partners or structural violence committed by the police or at the works places.

The border towns are struggling with the problems caused by the incessant flow of migrants, the eruption of monopolist industrialization of *maquiladoras* and finally the threat of organized crime. Such reality makes to suppose the existence of structural violence caused by social-political corruption. According to Diana Washington Valdez, some federal sources should confirm this hypothesis that one of the instigators of the murders identified six wealthy businessmen in El Paso, Texas, Ciudad Juárez

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and Tijuana, which would also be involved in drug trafficking, prostitution and human organs' trade (Washington Valdez 2006).

In the early nineties, Ciudad Juárez is transformed into one of the most violent and dangerous cities in the world, while Tijuana violence's proportions begin to peak in 2000 due to the drug cartel of Sinaloa. Since the first reports published by Amnesty International in 2003, the recent situation in Mexico appears unresolved despite the approval of several laws against violence against women. In Mexico from 1985 to 2009, there were approximately 34,000 women murdered. In 2010, the victims amounted to 2.4184 (Instituto Nacional de las Mujeres 2009). Gladys Janeth Fierro, 12 years old, was abducted in May 1993, and a few days later her body was found lifeless. Gladys was raped and then strangled to death. In 1996 six other women were found in the desert area known as Lomas de Poleo: the victims were stabbed, mutilated and raped. In April 1998 Sagrario Gonzalez, 17 years old, employed in the maguiladora factory was found in the same locality raped, strangled and stabbed. During this time the police have identified as potential perpetrators different criminal gangs known as "El Tolteca", "Los Chofere", "Los Rebeldes". Unfortunately, the evidence was insufficient and the murders continued to occur. In 1995 the Egyptian chemical Abdel Latif Sharif Sharif was accused of being the perpetrator of the murders committed in Lote Bravo and Lomas de Poleo. His charge was aggravated by his previous crimes committed, in fact, Abdel Latif emigrated around 1970 to the United States of America and he was sentenced to 12 years in prison for raping a girl of 12 years (Crime Library 2007). Despite the arrest of Sharif Sharif the murders did not stop and the authorities continued to regard him as the main instigator of the murders as the boss of the gang "Los Rebeldes". The Egyptian always considered himself not guilty and his lawyer, Irene Blanco, following repeated death threats was forced to abandon the defence of his defendant and the city. Towards the end of 1999 more bodies of women and girls were found in the ranchos, owned by drug traffickers located in the desert area. Nevertheless, the officials argued that it was only a coincidence and would not investigate the link between the murders and drug trafficking. As a result, they have never solved a single case.

The corruptibility of the local police, the government's negligence and the neglect by politicians disturbed the atmosphere of Ciudad Juárez. The border town struggled with the problems caused by the incessant flow of migrants, by the eruption of a monopolist of industrialization maguiladoras and finally the threat of organized crime. Some federal sources confirm this hypothesis, in fact, one of the instigators of the murders is identified in six wealthy entrepreneurs in El Paso, Texas, Ciudad Juárez and Tijuana, which would also be involved in drug trafficking, prostitution and human organs trade. The close ties of friendship with the latter known personalities such as President Vicente Fox, which financed the election campaign, and Francisco Barrio Terrazas, who became prime minister thanks to their support, would also explain their safety. This alliance between politicians and businessmen is the primary factor behind the difficulty in getting a just resolution of cases of murder. Such theory is endorsed by Diana Washington Valdez and it was publicly denounced in her book, entitled The Killing's field: Harvest of Women. In the book, it is reported that Javier Felipe El Negro Lardizabal, a Police Officer, who worked for the Prosecutor of Chihuahua and investigated cases of femicide committed in 1993, was one of the first persons who had begun to suspect and denounce the existence of complicity among his colleagues and some criminals. His investigations revealed the corruption of the state police in Chihuahua, which reward cooperating with organized crime in the illegal activities of drug trafficking and car theft. During the year 1993, the city lived through a time of extreme violence

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and crime. The brutal criminal Carillo Fuentes, known as "El Señor de Los Cielos", took control of the city, going down in history as the most dangerous drug lord of Mexico. Phil Jordan, a former official of the DEA (Drug Enforcement Administration) stated that the police in Juárez were involved with illegal activities and that Roberto Corral, former commander of the municipal police of Chihuahua, protected a drug trafficker who had raped a girl of 11 years. In addition, the DEA accused the government PAN to be involved in the business of drug trafficking, in particular, suspected the existence of a close collaboration between Fuentes and Francisco Barrio. On the other hand, it is irrefutable that during the government Barrio increased suddenly the number of missing women.

In the early nineties Ciudad Juárez is transformed into one of the most violent and dangerous cities in the world, the PAN was then synonymous with change, reform and social justice. Many journalists, such as Sonia del Valle, Heidi Slaquet and Sergio Gonzales convinced of the corruptibility of the system, began to launch a campaign of denunciation that ended with death threats. In 2010 Marisela Escobedo Ortiz, an activist of the movement Nuestras Hijas de Regreso a Casa, was assassinated, only because of her demand for justice for the brutal death of her daughter, Ruby Frayre. Since the first reports published by Amnesty International in 2003, the recent situation in Mexico appears unresolved despite the approval of several laws against violence against women: 1996 - Law of Assistance and Prevention of Family Violence, 1997 - Decree to reform the Criminal and Civil Law on Family Violence, 2003 - Federal Law to prevent and eliminate gender discrimination, 2006 - general Law for Equality of rights between men and women, 2007 - general Law against Violence to Women, 2012 (Carpizo 2012).

Thanks to the work of the National Commission to prevent and eliminate violence against women (CONAVIM) femicide has been recognized as a crime and the crime has been codified in the Penal Code. In 2009, Amnesty International along with the Constitutional Court of Human Rights accused the State of Mexico to be an accomplice to the crime of femicide and cases of violence and abuse of women. Despite the approval and implementation of the Protocol Alba entrusted to Fiscalia General (Fiscalia General del Estado 2009), the investigation of the murders were carried out with disinterest and inattention. The presence of this protocol would serve mainly to investigate the cases of women who are still missing and unidentified between the periods of 1993 to 2008.

Structural violence in Mexico

The use of violence against women should be not considered only into the category of direct violence, but also as methods of destruction such as physical, psychological and social. This analysis aims to expose theories and concrete data to corroborate the presence in society of a violent attitude that it is not instinctual but historically constructed. Considering violence as a factor in the cultural and social domain implies the existence of a kind of invisible violence. Numerous activists, researchers and scholars have contributed their research work to give a legitimate definition of the phenomenon of femicide. This term was mentioned for the first time by activist feminist Diana EH Russell, who in 1976 presented to the Court of Brussels an international report on crimes against women: The International Crimes Tribunal Against women (Russell, Van de Ven 1976). However, the first definition of the term is to be found in the text of Rape in Marriage, 1990, which collected the testimonies of 930 women living in San Francisco and all victims of rape and abuse within the

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marriage relationship. Russell claims that femicide is "the murder of women because they are women" (Russell 1990: 286-299). In 1990 the writer, along with the professor of American cultural studies Jane Caputi, redefined the term as "the murder of women by men who harbour hatred, contempt, pleasure and sense of ownership towards the female gender" (Caputi, Russel 1990: 34-37).

Even if this definition embodies the idea of sexism and misogyny that causes the feeling of violence against women in a society, the author does consider neither the cultural aspect nor the plurality of the term female gender, reducing a wide term into the category of women. In order to include a more general gender and transgender view Russell and Roberta Harmes decided to revise the definition opting for an explanation of the phenomenon as "the murder of the female gender from men because they belong to that genre" (Russell, Harmes 2001: 100-114). The activists chose to replace the term woman with female, since the choice of the noun "woman" excluded all boys and girls who are victims of violence, including the cases of infanticide, AIDS and mutilation of the female genitalia. Therefore, femicide is a form of physical, moral and psychological violence which includes all the practices of violence against the female gender, such as rape, sexual violence, and violence caused to the right of honour or the right to a dowry, violence committed by intimate partners, by family members or strangers. Violence against women seems to be one of the most abhorrent crimes, more exactly I suggest defining femicide as torture, and then it is an act of coercion, an act of inflicting intentional pain as punishment in order to dominate the female gender.

The anthropologist Scheper-Hughes argues that "violence is been manifested daily in public and private places, in those invisible spaces where violence acts silent and undisturbed" (Scheper-Hughes, Bougois 2003). Considering this fact, the invisible structural violence seems to be the instrument of administration in such a repressive government that acts following a policy based on fear of terror. Scheper-Hughes discusses in her book the concept of violence in everyday social contexts, such as "normal" and "safe" contexts. She defines this violence as a continuum genocide (Scheper-Hughes, Bougois 2003: 2) that refers to the human capacity to act at all times with violence that can dehumanize the victim. Moreover, the anthropologist compared structural violence to the violence that is manifested by poverty, hunger, exclusion, social humiliation, and exploitation that is translated from governmental violence into intimate violence. In this context of emotional manipulation, the somatic dimension plays a central role, because of the physical pain inflicted on the victim due to a psychic vulnerability. The subject was violated incurring a mental transfiguration that depersonalized the victim. The psychological weakening of a person allows the exercise of control over him/her, a practice that manifests itself through a process of social annihilation. That is the same convention that suffers the female gender in a patriarchal society. This observation can be placed within the logic of colonial regimes which imposed their language, religion and culture on the defeated population. The process of sovereign power is detected in all Western policies, such as colonization, imperialism and capitalism; all these politics aim to achieve full control of people physically and psychologically.

An analysis of this phenomenon was conducted by the French philosopher Michel Foucault in his book *Discipline and Punish*. He discusses the history of crime in relation to the institutional construction of a policy of control by the discipline of the human body. Starting from the assumption that the body is the territory of historical, biological and physiological investigation, Foucault proposes

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an analysis of society through the study of those systems of punishment that have been implemented through a specific political economy of the body (Foucault 1993).

The first attention towards the study of possession of the human body came from researchers and physicians in the context of historical demography and pathology, as an objective entity since the human body is the place of study of the physiological processes and testing for the prevention of the attachment of viruses and bacteria. Nowadays, scientists have partially decoded the human genome and this discovery aims not only at preventing infectious diseases; rather it satisfies certain cultural needs. Also, the body becomes an object used and regulated in the relationship between politics and science. Political possession of the human body means the imposition of power relations that control and monitor the presence of the body in society as in ceremonies, in the workplace and in social relationships. Consequently, the policy will retain the right to dress and undress the bodies and submits them not only through the means of violence but also through ideology. Furthermore, power and knowledge are the weapons of terror used by institutions. To discover the normative reason hidden in an ideology, we should reconstruct the "microphysics of power" in a discursive way, the way Foucault suggests. The political domination of the body has roots so deep that its presence in the relationship between state and citizen is imperceptible. Foucault proposes the unmasking of these micro-powers through the knowledge of those little incidents that occurred throughout the history of human beings, or deciphering all those mechanisms and processes that favoured the political hegemony on the social body both collectively and individually, making it legitimate and imperceptible. Thus, the control of the human body allows the realization of a satisfactory human capital but it also means having decision-making power over the life and death of a person. This relational conception is appointed by Foucault "biopolitics", the place where politics' area and human beings' area will be shaped because of the reception of power. In the first phase, such individual ideologies assert themselves in social attitudes, and they will be made lawful by specific economic and political changes, finally, they are purged and assimilated within a specific culture.

This observation can be placed within the logic of colonial regimes, which imposed their language, their religion and their culture. The process of sovereign power is detected in all Western policies, such as colonization, imperialism and capitalism; all these politics aim to achieve full control of people physically and psychologically. Considering this deep desire for domination and subjugation, the logic of power could be understood within the parameter of the body as subject/object, as he explained in *Discipline and Punish*. Looking for these mechanisms and processes in his book, Foucault analyzes the methods of punishment and the penal system in the course of human history starting from 1757 with the story of the martyrdom of Damiens and coming up to the creation of the structure of the Panopticon. This path of historical reconstruction will come to the unmasking of an ideology of power and control that has managed to succeed by using the methods of discipline imposed in schools, hospitals and prisons. As a result, we mislead ourselves when we believe that our image is created by us. Thus our reliance on imitating stereotypical behaviours is stronger than we conscientiously know.

Liberalism is based precisely on the possibility of being able to control human life because the control of social ties allows the creation of accurate economic and political purposes. In addition, the regulation of human behaviour is always located within the logic of the market. The control of the

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human body thus allows the realization of a satisfactory human capital but it also means having decision-making power over the life and death of a person.

Foucault and Scheper-Hughes identify the regulatory and public spaces as places where violence and capital go hand in hand. Both their theories consider the political, religious and ideological instruments of control and punishment. Such a demonstration of the control policy can be identified also in the history of Mexico, a state victim of colonialism, imperialism and capitalism. The Mexican, first deprived of his language and his culture, had to undergo a state of terror by both the Spanish colonial policy and U.S.A. capitalism. This is reflected in the practices of the *maquiladora* industries which under the assumption of a massive female workforce have weakened gender identity causing a collective psychic vulnerability. Culturally *macho* affirmation of women in the economic reality may result in the emergence of discriminatory feelings and acts of violence, especially if the woman's role is stated at the expense of that of the man. Violence is a process generated by the constant influence of direct and indirect violence, the latter of cultural and structural nature. In this regard, a path of discrimination of the female gender could be mapped from the time of the myth of *Malinche*, a woman damned traitor and the profane image that is currently translated in the image of the emancipated woman.

The feminist activist Mercedes Olivera in her essay *Violencia Feminicida: Violence Against Women and Mexico's Structural Crisis* associates the presence of extreme forms of violence and sadism against women in Mexico with the socio-economic crisis in the country. The violence is caused by the increase in poverty, unemployment and a policy of suppression imposed by the neoliberal system. The activist also claims that femicide should be considered as the effect of the structural crisis today caused by the capitalist system. In Latin America, the patriarchal ideology has been naturalized within the systems of socialization and it has become an integral part of the culture by providing a new identity. Western societies have built a cultural image of women, so their status is bound in the family as a mother and wife. The woman was assigned a subordinate role in both the institutional reality and in the family. For instance, a woman in Mexico won the right to vote only in 1947 but started to practice it 10 years later. This gender discrimination is present in the collective sub-consciousness and thus naturalized culturally and socially. Generally, in Latin America, the imposition of a neoliberal system has failed, as it has managed to create an institutional model for the development of democracy. However, this system has helped to create a stereotype of the hyper-masculine identity that has emerged through the unconditional use of violence against women in public and private spheres.

Finally, conflicts between couples and domestic violence arose in defence of a kind of supremacy that has increased due to the highest rate of poverty, unemployment, social polarization and alcoholism. Ciudad Juárez is one of many Mexican cities that had experienced massive industrial growth through investment in U.S. industries with the installation of numerous oil platforms and *maquiladoras*. In his essay, Mercedes Olivera seeks to highlight the impact of socio-economic changes in the Mexican cultural reality at the expense of female figures. According to statistics from INEGI 2005 in Chihuahua, 95.38% of women are employed and economically active. The data goes back to 2010. It indicates growth in employment of the male gender; it is to find 73.28 % employed men compared to 35.55% employed women (Statistic of INEGI 2005). These data demonstrate that in the period of industrialization from 1990 to 2005 in the region of Chihuahua, the female labor force was favoured

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compared to the male one. The massive integration of women is motivated by the political line pursued by the *maquiladoras*, as being more docile and submissive; women are able to work 10-12 hours daily with a very low salary. Especially the indigenous of Chiapas have been victims of this process of globalisation. Their crafts were bought by foreign businessmen at a very low price and then resold in the tourism market in Mexico (Olivera 2006). The advent of women in the workforce has helped to create a new image of them within the collective imagination. The presence of inter-family conflicts caused mainly by divorce or responsibility for children has generated a kind of hatred on the part of man. Therefore, the crisis of the image of man has generated a crisis of masculine identity that is manifested through physical and mental violence against the female gender. Violence is a complex emotion that cannot be reduced simply to an individual psychosis; quite often its nature is to be found within those economic, social and cultural factors.

Symbolizing gender violence in the collective memory

Violence is a feeling generated by a conflict manifested in the confrontation between the masculine and the feminine. Historically, the relationship between the sexes has been focused on the search for differences and diversity. The report created around the sphere of male and female sexuality is thus based on a clash between opposites such as active/passive, dominant/dominated, hot/cold, high/low, straight/crooked, hard/soft, open/closed, positive/negative (Bourdieu 2009) and it is precisely in this cognitive struggle that the concept of male and female sexuality was born. According to this logic, the male universe is built on key principles such as honour, virility, power and control. These aspects assert male supremacy from the physical plane to the social one. The identity of the woman belongs rather to the threshold of the pure and the impure and the only barrier that regulates these two levels is represented by the belt. This is the sign of closing women and it symbolizes her chastity and her moral integrity. However, the interplay between the sacred and the profane gives an image of the vagina as a fetish and taboo (Bourdieu 2009). The results of this cognitive struggle occur in the same manner in which the collective imagination perceives the female body; it is at the centre of social and cultural conceptions of the distinction between male and female. The life of women is bound by social codes that condemn them to life in liabilities and discretion. This allowed a type of psychological violence as a legitimate use of physical violence. The concept of 'symbolic violence' by Pierre Bourdieu expresses clearly the social legitimacy of the male's view. This violence is manifested first on the spiritual and existential levels and then on the physical and verbal ones. So, conceptually, symbolic domination was founded by a precise vision of the inferiority of the female body, and as result, it was established using the body as the medium of social and cultural incorporation of male superiority. Therefore, the woman is how the practices of production and reproduction of the whole community are controlled and safeguarded. For this reason, the human emotional space is related to the behavioural practices that occur in the social, cultural, economic and political fields. As a result, the feelings of the human being became socially naturalized and culturally indifferent, as noticed by Erich Fromm. Fromm places human behaviour within an instinctual and passionate research template, the first one of natural character and the second one built socio-biologically and historically (Fromm 1975). Eventually, C. Gustav Jung argues that the unconscious is formed by a surface layer, which resides in the personal unconsciousness and a deeper layer called collective unconsciousness. The term "collective" indicates the common presence of a psychic identical substratum, not just an individual. He states that the contents of the personal unconsciousness are have complex affective tone that constitutes the personal

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intimacy of psychic life and the contents instead of the collective unconsciousness which are called archetypes (Jung 2012). The last term refers to the primordial images common to all human beings that have been transmitted in the course of human history, through myths and fables. Beyond the personal unconsciousness, there is a collective one that we have inherited genetically throughout the history of man which may be found in the myths. Thus, there is a close link between the mysteries of collective unconsciousness and mythological figures. Considering the example of the Greek culture, we can mention three special women that represent, within our cultural heritage, the symbols of the violated women: Iphigenia, a women's image killed by society, Medea, a mirror of the spiritual death, and Antigone, the flag of brotherly love, killed by patriarchal laws that she divorces.

In the Mexican culture, the impure image of women (how Octavo Paz is noticed and used) is related to the word *Chingada* which represented the abused mother synonymous with closed, passive and violated condition. This image is associated with the *Malinche*; she is the symbol of India's women who were abused or seduced by Spanish Cortez betraying Mexican people. Also, if the biggest insult for a Mexican is to be called *'hijo de una Chingada'*, and not *'hijo de una Malinche'*, that is because this image of women is different from the image of the prostitute. One becomes insulted if the mother was the victim of abuse. Overall, gender discrimination is present in the sub-collective unconsciousness. Such gendered discrimination has been naturalized culturally and socially so that the image of *macho* is still caged in this obsession of acting in a patriarchal society.

Conclusion

The social crisis of Mexico in general and Ciudad Juárez, in particular, is the structural crisis of Latin America which for centuries has been the victim of the process of industrialization and a policy of colonial plunder. 'Development is a trip with multiple shipwrecked sailors', says Eduardo Galeano, and in front of a colonial policy that ignores the integration and acts the problem of gender-based violence continues to be a topic that needs to be researched, analyzed and contextualized. The double presence of structural and symbolic violence is much eradicated in Mexican culture so the policy keeps abusing it for its benefits. However, as suggested by the Norwegian sociologist Johan Galtung, the states could put an end to direct violence by working through the phases of reconstruction, reconciliation and resolution between the institutions and therefore act on a reformulation of the cultural and ideological infrastructures (Galtung 1998). The lack of cooperative work between these institutions causes a massive failure so they cannot avoid using violence. Judith Butler shows that the United States does not consider the important role played by the vulnerability of bodies. They keep on deciding unilaterally who can be considered a human being and who is not; this will not cause violence to stop. Butler argues that 'Mindfulness of this vulnerability can become the basis of claims for nonmilitary political solutions, just as denial of this vulnerability through a fantasy of mastery (an institutionalized fantasy of mastery) can fuel the instrument of war' (Butler 2004). In regard to this statement, it is to recall the idea of the continuum genocide of Sheper-Hughes which refers to the continuous use and abuse of violence to establish a policy of war and terror.

Finally, the border is still a *herida abierta*, an open wound that has not healed and its conditions cannot change if the world does not appreciate the people treated as subalterns, prefer the possibility to be considered human being, and finish living in the precarious boundaries between the humanization

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and dehumanization. The terror and torture of humans are meant to dehumanize the person physically and psychologically: It then proceeds to a work of mass destruction aimed at the depopulation of the territory and its conquest, so that not only the soul but also the cultural space and collective identity will be permanently deleted. All these factors occur through violence.



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