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Gendered Transborder Violence in the Expanded United States-Mexico Borderlands

Lynn Stephen

The domestic violence experienced by Mexican immigrant women needs to be understood within a larger context of structural violence, which includes criminal and state violence aggravated by their unprotected status in the United States as "immigrant aliens." Transborder violence refers to forms of violence that cross multiple national, regional, class, ethnic, and state boundaries. This article uses one case of what lawyers call gender-based asylum to demonstrate how structures of transborder violence entrap women. This case represents the kinds of cases I have worked with as an expert witness. What anthropologists learn as expert witnesses provides important information about broader patterns of gendered violence that need to be documented and analyzed. This article is framed by an understanding of the borderlands, including not only the geographic United States-Mexico border but also the broader reach of transborder communities and networks, which span the United States and Mexico. In connecting the transnational drug economy, (para) militarization, domestic, and other forms of gendered violence, it illuminates the broader political, social, and economic context within which the potential and actual killing of individual women and gendered violence continues to occur.

Key words: gendered violence, political asylum, borderlands, transnational drug economy, immigrant women

La violencia doméstica contra mujeres inmigrantes mexicanas en Estados Unidos, debe analizarse en el amplio contexto de violencia estructural, la cual incluye a la violencia criminal y de estado, agravada por la desprotección de estas "inmigrantes extranjeras". La violencia transfronteriza se refiere a formas de violencia que cruzan las fronteras nacionales, regionales, de clase, étnicas y de estado. Este artículo analiza un caso del tipo que los abogados denominan de asilo basado en género, para demostrar cómo las estructuras de la violencia transfronteriza atrapan a la mujer. Este caso representa el tipo de caso en que que he participado como testigo experto. Lo que los antropólogos aprenden como testigos expertos en estos casos, es que en ellos se puede obtener información importante acerca de los patrones más generales de la violencia de género que necesitan ser documentados y analizados. Este artículo toma en cuenta no únicamente el contexto de la frontera geográfica entre Estados Unidos y México, sino en una perspectiva más amplia, el contexto de las comunidades y redes transfronterizas que se extienden hacia ambos lados de la frontera. Mi propósito es visibilizar el contexto político, social y económico en el que tienen lugar algunos actos que podrían resultar en feminicidios o posibles feminicidios, así como las formas que toma la violencia de género en su sentido más amplio, y cómo ésta prevalece. En este análisis conecto la economía transnacional de las drogas, la (para) militarización, la violencia doméstica y otros tipos de violencia de género.

Palabras clave: violencia de género, asilo político, zona fronteriza, economía transnacional de drogas, mujeres inmigrantes

The domestic violence experienced by Mexican immigrant women needs to be understood within a larger context of structural violence, which includes criminal and state violence aggravated by their unprotected status in the United States as "immigrant aliens." Transborder violence refers to forms of violence that cross multiple national, regional, class, ethnic, and state boundaries (Stephen 2007, 2012). As the case of Erlinda highlighted here shows, networks of violence reach into all parts of the United States and deep into the communities where Mexican immigrant women live. This article is framed by an understanding of the borderlands, including not only the geographic United States-Mexico border but also the broader reach of transborder communities and networks, which span the United States and Mexico. Here, the specific focus is on networked communities and criminal organizations that connect the state of Washington in the United States with Mexico.

I use one case of what lawyers call gender-based asylum to demonstrate how structures of transborder violence entrap women. This case is similar to other cases I have worked on as an expert witness. I suggest that what we learn as expert witnesses from asylum cases provides important information about broader patterns of gendered violence that need to be documented and analyzed.

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In the asylum cases that I work on, I think carefully about my strategies of representation. What kind of picture am I presenting of an individual, but more importantly, how am I representing the context out of which an individual's asylum case comes? I seek to make visible the broader political, social, and economic context within which the potential and actual killing of individual women and gendered violence continues to occur (see Speed 2014).

A Brief History of the Concept of Gender-Based Asylum in the United States

Asylum can be granted to an applicant in the United States if the applicant can demonstrate he or she has been persecuted in the past or has a well-founded fear of persecution in his or her county of origin on five grounds: (1) membership in a particular social group, (2) religion, (3) race, (4) nationality, or (5) political opinion. Asylum permits those receiving it to apply for Legal Permanent Residence and ultimately citizenship as well as to receive work authorization. The United States is bound to recognize valid claims for asylum under the 1951 United Nations Convention Relating to the Status of Refugees (UNCRSR) and its 1967 Protocol Relating to the Status of Refugees.

If asylum is not granted, there are two other legal options for preventing deportation.

(1) Withholding of Removal, called "non-refoulment," which under the UNCRSR prohibits the United States government from returning someone "in any manner whatsoever to any country where he or she would be at risk of persecution" (Goodwin Gill 2008: paragraph 19). To receive Withholding of Removal, applicants need to demonstrate that they are refugees, that there is a clear probability of persecution by a government or by a group of people that a government cannot control (in this case perpetrators of domestic and other forms of violence), that they have been persecuted in the past, and that they would be highly likely to be persecuted again in their country of origin. Withholding of Removal provides a narrower scope of relief than asylum.

(2) Relief under the Convention Against Torture requires applicants and their attorneys to bear the burden of demonstrating that it is more likely than not that a woman filing will be tortured if removed to her country of origin. The Board of Immigration Appeals has found that torture "must be an extreme form of cruel and inhuman punishment" that "must cause severe pain or suffering" (Board of Immigration Appeals 2002: 291).

Attempts in the United States to interpret the 1951 Refugee Convention to include gender as a status of protection or to permit women to be considered as a "social group" were not successful until a landmark asylum case in 1995. In 1995, Fauziya, then seventeen years old, fled the country of Togo to escape a forced marriage and the female genital cutting she was expected to undergo before becoming a bride. She came to the United States with false documents, was caught by what was then the Immigration and Naturalization Services (INS), detained, and put in deportation (now removal) proceedings. In 1996, her attorney, Karen Musalo, successfully argued her case to the Board of Immigration Appeals. Fauziya Kassindja was granted asylum in June of 1996, becoming a landmark case in gender-based claims for asylum.

The case of Rody Alvarado established another precedent in 2009. Ms. Alvarado engaged in a fourteen-year-long struggle to gain asylum and lend credibility to claiming gender as a social group and that such a group can be subject to persecution and gendered violence. Alvarado was finally granted political asylum in 2009 under the Obama administration when the Department of Homeland Security changed their position and filed a brief stating that women who have suffered domestic violence can qualify for asylum. This important document suggested three elements for a successful claim. A woman should demonstrate that "in her country": (1) the society and legal norms tolerate and accept violence against women; (2) the home government is unable or unwilling to protect women; and (3) there is no place within the home country that the woman could move in order to escape her persecutor (Musalo 2010b).

A 2009 gender-based asylum case filed by L. R. of Mexico was the case that the Obama administration chose to demonstrate its sympathy towards gender-based violence as a basis for granting asylum. L. R., a nineteen-year-old student in a teacher preparatory school, was raped at gunpoint by a teacher who then kept her a virtual captive for two decades in his home. She had three children as a result of rapes, and her family was threatened as well. Her complaints were not taken seriously by police or in the courts of Mexico. Her initial asylum claim was denied in October of 2007 by a judge who ruled that there was not a "cognizable gender-defined social group nor a nexus to an enumerated ground." In 2009, a Department of Homeland Security Supplemental brief accepted that in some cases women who are victims of domestic violence could qualify for asylum. The brief also laid out criteria for establishing the social visibility of a group. This was done by stating that "once a woman enters into a domestic relationship, the abuser believes he has the right to treat her as he pleases. This would be the case where the society—including government officials—expects and tolerates the abuse" (Musalo 2010a:61; see also DOHS 2009; Mendel-Hirsa 2010).

In March of 2013, President Obama signed the reauthorization of the Violence against Women Act that increasingly has been used to grant asylum to women who are victims of domestic violence and cannot get protection in their own countries. The cases are brought before immigration judges who look at the evidence and treat battered women as a special group who cannot get protection outside the United States. In August of 2014, the nation's highest immigration court ruled that women who are survivors of severe domestic gendered violence in their home countries can be eligible for asylum in the United States (Preston 2014). This ruling set a clear precedent for judges.

Writing Expert Witness Reports

Domestic violence suffered by immigrant women here in the United States as well as in Mexico cannot be explained simply by the individual behavior of men nor by a "cultural" argument attributing domestic violence to "Mexican culture" or to "machismo" as a characteristic of Mexican nationality. In order to counteract "cultural," essentialist explanations and false stereotypes, I frame my expert witness reports in terms of patterns of structural violence that are sanctioned officially or unofficially at the local, regional, and national level. This is consistent with my research findings about how multiple violences against women are enacted within the complex fields of transborder networks, family relations, constructions of community, and the transnational political economy of drugs.

An expert witness report in an asylum case is an expert object constructed on the basis of knowledge gained through past research, through the review of government reports, press reports, the written declaration of the asylum petitioner, reports from psychologists or other professional evaluations, and any other affidavits included in the case file. In cases where it is possible, in the United States the preparation of a report may also involve interviewing a petitioner face-to-face or by Skype. In considering these different sources of information, the expert report writer is preparing an interpretive document designed to educate a judge and others, such as government lawyers, about the larger context from which an individual petitioner's declaration emerges. Reports also suggest whether or not the petitioner's account is consistent with the situation on the ground. The kinds of information considered in writing an expert report may be similar to what an anthropologist considers in crafting ethnography, but there is one crucial difference. While ethnographies are framed by anthropological theory, expert witness reports are read in the legal framework of asylum law that requires evidence of persecution and the construction of the petitioner's experiences in terms of a social group. In cases like Erlinda's, my expert report involves highlighting the intersection between state sanctioned military and paramilitary violence and domestic violence—a perspective I also emphasize in my ethnographic research.

Feminicide as a Frame for Intersecting Gender Violences

The Mexican government today often promotes an official narrative suggesting that the majority of young men killed and women raped and killed are associated with organized crime groups who are "fighting among themselves." This blames the victims for their own deaths and any harm that comes to them (Hernández Castillo 2015). This narrative justifies the state's inaction since the victims deserved their fate. This same narrative also acts as a cover for the many situations where government officials, the army, state and local police forces, and even justice officials are financially supported by organized crime in exchange for non-intervention in the businesses of organized crime that include drug production, transshipment, selling, extortion, kidnapping, and forced recruitment of young men and women into their ranks. This kind of frame is reproduced from a different angle when domestic violence is treated as a private affair, where police do not have the right to intervene, thus again leaving women unprotected and culpable for the violence perpetrated against them.

As noted by scholars of the asylum process such as Fassin (2013) and Visweswaran (2004), the past two decades have been characterized by a new entitlement to asylum related to protecting the female body from a range of different types of violations, rendering the intimate as part of grounds for asylum (see Merry and Levitt 2009). This results, says Fassin (2013:49), in the "intimization of asylum." One result of this focus on the intimate can be losing sight of the larger structural context in which domestic and other gendered violence occurs. A focus on the intimate and the individual can also provide fertile grounds for simplistic "cultural arguments." While we cannot eliminate culture in our understandings of the conditions surrounding gendered violence, we cannot reduce gendered violence to culture.

This resonates with what Visweswaran proposes as a basis for intervention in gendered asylum cases. "While cultural practices indeed reflect upon women's status, for gendered asylum cases the emphasis may be more effectively placed upon a particular political system's denial of women's rights" and/or "the interface between culture and the political system, rather than upon 'culture' itself" (Visweswaran 2004:1). Women have received recognition in United States asylum law as a social group who are the survivors of a particular kind of violence, which is gendered. We need to explain both as expert witnesses and anthropologists how gendered violence is not simply violence that targets women because they are women and continues because of how men and others are socialized to treat women as disposable and unimportant. We also have to demonstrate the ways that states, police, local government, and justice officials perpetuate and sanction this violence. Scholars who have worked on creating an analytical framework for explaining the widespread killing of women, which many now call feminicide, provide us with tools of analysis.

Feminicide is a political term. Conceptually, it encompasses more than femicide (usually defined as the killing of women because they are women) because it holds responsible not only the male perpetrators but "also the state and judicial structures that normalize misogyny. Impunity, silence, and indifference each play a role in feminicide…. Feminicide leads us back to the structures of power and implicates the state as a responsible party, whether by commission, toleration, or omission" (Sanford 2008:112-113). Fregoso and Bejarano (2010:5) write that feminicide implicates "the state (directly or indirectly) and individual perpetrators (private or state actors); it thus encompasses systematic widespread and everyday interpersonal violence." Sanford's definition of

feminicide as well as Fregoso and Bejarano's (2010:5) statement that feminicide is "systemic violence rooted in social, political, economic, and cultural inequalities" make visible the broader political, legal, and economic context within which the potential and actual killing of women occurs and how it continues. Their analysis gestures towards the transborder political economy and policy that binds United States society, just as much as Mexican society, to alarming rates of feminicide and sexual assaults on women. In the story told below of Erlinda, the transnational political economy of the drug business is important. Due to space constraints, I am using one gender-based asylum case to stand in for similar cases I have worked on as an expert witness and consultant. This case is a composite, based on several cases with similar facts in order to protect the identities of the women involved. The name is a pseudonym. In consultation with the lawyers I worked with, we have decided that this is the best representational strategy. We have permission from the women whose cases are involved to use information from their cases in this composite. I have permission from the lawyers involved to use this material in a composite form as well. It is my contention that what I learn through my work as an expert witness about patterns of gendered violence also needs to be analyzed outside of the legal frame of asylum and with the tools of anthropological theory. That is the motivation behind this article and this composite case of gendered asylum. Everything in this case actually happened to someone and is reflective of more general patterns seen in many other cases.

Erlinda Mendez: From Child Farmworker to Transborder Prisoner

In 2012, Erlinda Méndez with her attorney filed for Asylum, Withholding of Removal, and Relief under the Convention Against Torture Act in the Executive Office for Immigration Review Immigration Court. With a small child, who had also undergone severe abuse at the hands of her former partner, she cast her luck with the United States legal system. She endured stunning violence, torture, abduction, imprisonment in a small room, and unending physical and psychological terror that went back and forth across the United States-Mexican border. Her story weaves together the multiple forms of violence—economic, social, physical, and psychological—that many women whose cases I have worked on suffer. As an undocumented person in the United States, she had very few legal options for escaping her life of fear and terror.

Born in a small village in rural Mexico, Erlinda's childhood included daily violence at the hands of her half-brother since the age of five. Her older brother followed the pattern set by his father and beat his younger siblings accompanied by drinking beginning at the age of twelve.

> My father had two children with his previous wife who also lived with us. My half-brother was also abusive to me. He abused my sisters and me for many years. He abused me from the time I was five years old until I left Mexico. He would beat us every day when we were young. One day he hit me with a rock so hard that I could not walk for over one month. I still have a scar on my ankle from this. He would punch me in the face, pull my hair, throw me on the ground and stomp on me. When he was fourteen years old he left the house and moved to a nearby village but he would come back to our house every three days. He drank a lot ever since he was twelve. He would come back to the house and drink and abuse my two sisters and me. My father was very abusive to my mother, my siblings, and me as well. He drank alcohol all the time and he beat my mother every day. He also beat my siblings and me all the time. He beat us with a rope, sticks, or any other object he could find. He would beat us with his hands too. When he beat my mother, he would punch her with closed fists. He would grab us by the hair and throw us on the ground.
>
> I remember hearing him yell at my mother and tell her that she was his woman and had to have sex with him. He would beat her when he said this. I did not understand what this meant when I was younger but now I know that he was forcing her to have sex with him. He threatened to kill my mother on many occasions. This was very scary because he had a gun in the house. On one occasion he pointed the gun at my mother and said he was going to shoot. My mother hit his hand away and the gun fired into the ground. My father is a very dangerous man. He killed his first wife with a gun when he was drunk. In my village there is no protection from the violence of a man. When my father shot his ex-wife, he only went to jail for one day.

Erlinda's mother left Mexico and her violent home life to come to the U.S. when Erlinda was approaching adolescence. At the age of twelve, her mother arranged for Erlinda and her two younger brothers to join her in the United States. A woman paid by her mother brought Erlinda and her two brothers across the border in a car, one by one. They stayed for a short period in Arizona and then were driven to western Washington to join their mother. From the age of twelve through fifteen, Erlinda went to school and worked in the fields with her mother. At age fifteen, her life took another dramatic turn.

While working in the fields, she met an older man named Renaldo who she befriended. He invited her out, but she did not accept, saying she would need her mother's permission. He did not want to approach her mother, so they continued to only see one another at work in the fields. After this went on for four or five months, however, she agreed to go to eastern Washington with him for the day without telling her mother. Once they arrived at his friend's house in eastern Washington, Renaldo told Erlinda that they were not going back home. Her asylum testimony states:

> I did not want to have sex with him and this made him angry. I told him that I did not want to have sex. He told me that I was his girlfriend and that I had to. He became angry and pushed me on the ground. He pinned my hands down so that I could not move. He pulled my pants down and raped me. I started screaming but he covered my mouth.

> There was no one home at his friend's house to help me. Then he threatened that I could not go home to my mother, because she would know what we had done.

After this day, Renaldo kept Erlinda locked in the bedroom whenever he was outside the house. They stayed at his friend's house for several months. He was extremely abusive to Erlinda during this time. He raped her almost every day, and called her insulting names. If she made a noise or cried, he would become angry and hit her.

Several months later, Renaldo took Erlinda to Oregon. Once in Oregon, Erlinda discovered she was pregnant from being raped by Renaldo. After Erlinda attempted to use the home phone to call her mother, Renaldo severely beat her. Erlinda had a miscarriage, and almost bled to death, but survived. Terrified, Erlinda called her mother and made a plan to be picked up. Before she could get picked up, Immigration and Customs Enforcement (ICE) stopped Erlinda and Renaldo. They agreed to "voluntarily" depart to Mexico. They were released in Tijuana, and from there, Renaldo took Erlinda to his house in rural Mexico. Within a couple of months of their arrival, Renaldo was taken to jail for serious outstanding criminal charges in Mexico related to drug trafficking.

Erlinda was left in Renaldo's house to care for his children from a prior relationship. Prior to Erlinda's and Renaldo's arrival in Mexico, his relatives had been taking care of his children, who were all under ten years old. Erlinda was told that it was now her job to care for the children. At that time, Erlinda was pregnant. After giving birth to her daughter, she struggled to feed her while working in the fields and making tortillas to sell. She became afraid that her daughter would be abused, so she left with her and went to work in a city. There she worked in a juice stand and rented a cheap room. The woman who owned the stand gave her some help. One day, her half-brother who had beaten her severely as a child came looking for her. He came to where she worked and her boss hid her in her house. The brother came again about a year later to look for her. Erlinda reported that Renaldo's parents also came to look for her and her daughter and found them.

> When I was living in the city with my daughter, they came to where we were living and tried to take my daughter from me. They grabbed her and tried to carry her away but she was kicking and screaming so much that they let her go. I know that they want to take her to live with them and I want to protect her.

Before Renaldo went to prison in Mexico, he told Erlinda that he would kill her if she left him. Erlinda states that he got out of jail after two months by bribing law enforcement. After he was released from jail, Renaldo found Erlinda and threatened to take away her baby if she did not go with him. They crossed back over the United States-Mexico border in 2003 and started living in California.

In California, Renaldo continued to abuse Erlinda and yell at her and their child. During one especially bad incident, Erlinda called the police, who arrived at their home and advised her to get full custody of her child. This encounter frightened Renaldo and he fled the area. He was subsequently arrested on an unrelated charge and deported to Mexico.

After that, Erlinda did not hear from Renaldo for several years. In 2010, Renaldo called Erlinda and warned her that he might be making a visit. Erlinda testified that he threatened that "the day he finds me he will rape me first and then kill me, because I am his woman and I have to do what he says. I am very afraid of him and I do not think this is fair."

After Renaldo's threatening call, Erlinda found out through a cousin that Renaldo worked for a drug cartel known for violent crimes, kidnapping, robbery, and drug trafficking. Erlinda received more phone calls, and she believed that Renaldo was likely to come to the United States to try to take away her child. In 2012, she filed for asylum. Her petition described the terror she felt at the thought of returning to Mexico, because she knew that Renaldo would use his connections with the drug cartel in Mexico to find her.

Erlinda's brother wrote declarations supporting her narrative of abuse, as well as their own fear of Renaldo. Erlinda's mother also wrote a declaration supporting her daughter's narrative of abuse, documenting her own fear of Renaldo. She also commented on the lack of attention to violence against women in Mexico, by explaining that the police in Mexico do not protect victims of domestic violence because it is considered a family matter. Erlinda's family also confirmed that Renaldo's connections to the police and gang members in Mexico helped him to avoid getting into trouble for breaking the law.

Erlinda's family members also hinted at her emotional trauma, which a psychologist later diagnosed as post-traumatic stress disorder (PTSD). The final declaration is from Erlinda's boyfriend, who, while born in the United States, has many family members in Mexico. His words make very clear the transborder structures of violence reaching into his and other families' daily lives. He explained that he was very afraid for Erlinda because Renaldo will be able to find them anywhere in Mexico, especially since he has a military background and he is believed to have connections to organized crime.

Her supporting documents include declarations from a younger brother, two female friends from Erlinda's home town in Mexico, letters from a local pastor and migrant education worker in the U.S., documents about battered women's syndrome, articles documenting the high rate of domestic abuse and murder in the area Erlinda is from, excerpts from Amnesty International regarding domestic violence, and two letters from school teachers from her community in the U.S. A psychologist who provides cross-cultural counseling and trauma therapy to recently arrived refugees and immigrants provided expert testimony in the form of a written declaration. Erlinda's attorney requested her to provide a psychological assessment of Erlinda for her asylum hearing. She interviewed Erlinda for three hours, and in her report the psychologist recounts much of the abuse that Erlinda dictates in her own declaration.

The psychologist details a number of issues for Erlinda, including frequent problems with her mood, getting easily angered with her child, chronic daily headaches, symptoms of panic triggered by being in a small room with a closed door, sleeping only two to three hours per night, and suffering frequent nightmares. The psychologist states that symptoms of Erlinda's PTSD were evident during the interview.

According to Erlinda's attorney, she was denied asylum but granted withholding of removal by the immigration judge upon the conclusion of her Individual Calendar Hearing in 2012. Erlinda is thus safe from removal at this point in time and will be able to remain in the United States with her child and her boyfriend, who she plans to wed in the near future. Since the resolution of Erlinda's case, I have served as an expert witness in four other domestic violence cases involving women who received direct threats in the United States from criminal organizations. Like Erlinda, if they were deported, the likelihood of their being killed or severely harmed was very high. Three received asylum, and the other received Withholding of Removal. In all of these cases, the outcome of their asylum trials probably saved their lives, but they must act with caution even though they remain in the United States.

Because many women who end up seeking asylum want to remain connected to their extended families and have the network of support for their children, they end up navigating complex social situations. The networks that tie families together across borders also connect with community networks as well as criminal networks. Receiving relief from deportation is helpful, but women have to continue to live their lives with extreme caution. In other cases I have worked with, women simply disappeared from where they were living and left no information about how to contact them, even for their attorneys. Even once women receive asylum, they maintain a delicate balance between being "visible" to a support network, and trying to remain invisible to those who continue to threaten them.

Connecting the Transnational Drug Economy, (Para) Militarization, Domestic, and other Gendered Violences

Erlinda's life reveals in consistent, repetitive, and graphic detail the overlapping forms of violence that immigrant Mexican women experience across borders. Violence against children and women in contexts of political and criminal violence within transborder networks lays bare the contemporary political economy of violence uniting the United States and Mexico. Once in the United States, Mexican immigrant women become criminalized themselves as "illegal," trapped in life-threatening situations they do not know how to exit. The legal availability of Asylum, Withholding of Removal, and Relief under the Convention Against Torture can provide protections for the small percentage of women suffering multiple forms of violence in the United States who are able to access a lawyer and navigate the United States legal system. The importance of these options is not to be underestimated due to the impact that receiving one of these forms of relief can have on a woman's life and potentially those of her children and partner. We need to go beyond that, however, to illuminate how the United States-Mexican political economy of the drug business intersects with domestic violence.

The war on drugs and the militarization of many parts of Mexico launched by Mexico's previous president, Felipe Calderón, and continued under President Enrique Peña Nieto from 2006-2012 have resulted in at least 100,000 Mexicans who have been murdered, 25,000 disappeared, and 250,000 or more displaced, with about half of those moving to other locations inside Mexico and the remainder to the United States (Aguirre 2013; Bowden and Molloy 2012). At the other end of the "war" are United States drug consumers and those employed in the drug business. United States drug users spend approximately $60 billion a year, according to United States government estimates (Zill and Bergman 2012). In 2009, David Robillard, who works for the global private security firm Kroll Associates told an audience at a conference at Florida International University that Mexican cartels earn up to $40 billion a year (Sourcemex 2009). Drug sales are Mexico's most important source of foreign exchange, exceeding petroleum sales, immigrant remittances, or tourist income. Other analysts estimate that drug-related profits on the United States-Mexican border are as high as $80 billion per year (Payan 2006).

There is also clear evidence that drug-related police corruption exists in major cities in the United States. Almost half of all police officers convicted as a result of FBI-led corruption cases between 1993 and 1997 were convicted for drug-related offenses (USGAO 1998). The United States government estimates that Mexican drug trafficking organizations were "operating in more than a thousand United States cities during 2009 and 2010, spanning all nine Organized Crime Drug Enforcement Task Force (OCDETF) regions" (USDOJ 2011:8, 47).

The militarization of Mexican society through the integration of police and army units began in the 1990s to fight guerilla groups (see Stephen 2000) and then continued with the substitution of the army for local police as part of the war on drugs, resulting in record-breaking numbers of human and civil rights violations. Human Rights Watch (2013:paragraph 1) reported in their 2013 country summary of Mexico, "Mexican security forces have committed widespread human rights violations in efforts to combat powerful organized crime groups, including killings, disappearances, and torture. Almost none of these abuses are adequately investigated, exacerbating a climate of violence and impunity in many parts of the country."

As drug cartels and their associates have gained control of many parts of Mexico, the government's response of militarization under both President Felipe Calderon and President Peña Nieto produces specifically gendered forms of violence. For example, the use of rape, sexual assault, and threatened assault by Mexican soldiers and police against indigenous and other women has been amply documented in Chiapas in the 1990s (Hernández Castillo 1997; Stephen 2000), in San

Salvador Atenco in 2005 (Amnesty International 2014), in Guerrero in 2002 (Hernández Castillo 2012), and elsewhere. This widespread militarization has produced a public narrative of violence against women as inevitable and normal where women occupy any kind of public economic or political role or exhibit any kind of independent voice (Wright 2011). The legitimation of masculine militarized violence often blurs that committed by criminal organizations and that committed by the military. In a poignant analysis of state responses to hundreds of women killed in Ciudad Juarez as well as six thousand people who died in the city between 2006 and 2011, Wright (2001:719) states:

> The government's discourse on drug violence rests on a blame-the-victim strategy, that like the discourse of public women, relies on the gendering of public space to tell the following tale: drug violence is the outcome of the disputes internal to the drug trade that emerge when competition of markets, resources, alliances, and political protection develops…. Even though these businessmen are criminals, they demonstrate the masculine traits of competition, rationality, and violence.

The corrupting influence of narcotics money that reaches the highest levels in the Mexican military, police forces, and justice system leaves traffickers and many others (including those from military and police forces) immune from prosecution for most crimes. The complete lack of accountability of police, military commanders, and many judges in Mexico produces a justice system that is non-functioning and untrustworthy. For women and others trying to secure justice against perpetrators of violence, this supports a culture of impunity. In 2001, the Special Rapporteur on the independence of judges and lawyers, a mission of the United Nations, visited Ciudad Juárez, Chihuahua City, and Mexico City. That report stated, "In general, there is a perception of a high-level of impunity (95%) for all types of crimes. Many crimes are never reported; many arrest warrants are never executed" (Mexico Solidarity Network 2004:49; United Nations Economic and Social Commission on Human Rights 2002:29, para.119). This includes crimes involving many forms of gendered violence. The Mexican state has created a discourse which glorifies masculine control and justifies violence against women and others through the promotion of military men as the keepers of order, the intimidation of women through sexual assault and the threat of sexual assault, and soldiers who "like Narco hit men are rational actors and will only take you if you have given them a reason to do so" (Wright 2011:725). The systematic use of rape, sexual assault, and threatened assault by members of the Mexican military and by narcomilitaries (which are increasingly overlapping) further supports this narrative of justified violence against women.

While I am not going to go into length about the kinds of spectacular violence which characterizes masculine narco-culture in Mexico and the United States, those who have studied it describe Narco propaganda (orchestrated acts of violence, videos, graffiti, signs, banners, blogs, narco corridos, and control of the media) as "glorifying torture, massacres, rampant materialism, and misogyny" (Campbell 2014:71). Such a culture not only infiltrates local media and social media and music but also relays messages about militarization and gendered violence that echo back and forth between local communities, national news, and social media in both Mexico and the United States (Muelmann 2013). Many of these messages, as suggested by Wright, normalize the killing of women. In Mexico, the numbers of feminicides continue to rise, and a study released by the National Commission to Prevent and Eradicate Violence Against Women in 2013 reported that only 33 percent of women in Mexico live free from violence (Quinto Poder 2013). This amazing statistic tells us that a majority of Mexican women will experience violence in their lives and can be thought of as cases of potential feminicide.

This narrative of justified violence against Mexican women also exists in the United States and can be linked to racialized justifications for exclusion of Mexican migrants from the United States. For example, Lind and Williams (2013:30) analyze how discussions of "rape trees" (where coyotes are said to hang the panties of women who they have gang raped after safely getting them over the border) on anti-immigrant websites help to make invisible the "relationship between militarization and violence against women." Such websites, they argue, also obscure the role that Border Patrol agents may play as perpetrators of real or symbolic sexual violence and control of women (Lind and Williams 2013). The convergence of narco-narratives glorifying the rape and killing of women (heard in Mexico and the United States) and the symbolic and physical production of the border as a militarized masculine space of rape is a stunning example of what we might call "rapescapes" in reference to Appadurai's (1996) discussion of global flows and how human networks, movements, and multidirectional representations of rape flow back and forth between local cultures in Mexico and the United States in relation to globalization.

United States immigration policies, which emphasize "security" above all else, have greatly increased the potential for violence and death for women crossing into the United States. As Goldstein (2012, 2015) articulates through his discussion of how securitization has made criminals of ordinary men and women trying to make a living, policies of militarization designed to defend some citizens result in the criminalization of others. The United States is directly implicated in policies which contribute to the conditions of violence and terror women live under in Mexico as well as in the United States.

The militarization and war on drugs in Mexico was supported in part by the United States through the Merida Initiative that provides training, equipment, and intelligence to the Mexican government. From FY2008 to FY2012, Congress appropriated $1.9 billion in Mérida assistance, and President Obama included $234 million in Mérida assistance in his FY2013 budget request (Seelke and Finklea 2013). The strategy of detaining and killing the leaders of drug cartels

has resulted in a splintering of organizations and a proliferation of groups competing to control smuggling corridors for guns, people, and drugs from Mexico's southern border with Guatemala to the northern border with the United States. This struggle for control of territory and business routes has affected many areas of Mexico, resulting in death, disappearance, kidnapping for ransom, and displacement.

Women have not only been the victims of drug cartel and political violence but also of particularly gendered forms of violence aimed specifically at women. As the case of Erlinda reveals, it is not possible to disconnect the multiple forms of violence these women experienced in Mexico from their lives in the United States. While receiving asylum in the United States or Withholding of Removal allows for important relief for individual women, the process erases the role of United States policy and practices that are an integral part of the transborder structures of violence in which these women's lives are embedded. Anthropologists and their research expertise have proven to be crucial ingredients in successful asylum cases. A well-written expert witness report by an anthropologist can make the difference in cases such as that of Erlinda in preventing someone from being deported and having a chance to build a new life in a safe environment. Serving as expert witnesses gives anthropologists an opportunity to bring their research expertise to bear on legal outcomes that can change people's lives and perhaps have an impact on the larger policies that produce the conditions of violence that cause people to flee from their homes and cross many borders.

References Cited

Aguirre, Carla
2013 Son 26 mil 121 desaparecidos en México, según registro oficial. URL:<http://noticierostelevisa.esmas.com/especiales/565328/26-mil-121-desaparecidos-mexico-segun-registro-oficial/> (November 25, 2015).

Amnesty International
2014 Women of Atenco. Raped, Beaten, Never forgotten. URL:<http://www.amnestyusa.org/our-work/cases/mexico-women-of-atenco> (November 25, 2015).

Appadurai, Arjun
1996 Modernity at Large: Cultural Dimensions of Globalization. Minneapolis: University of Minnesota Press.

Board of Immigration Appeals (BIA)
2002 23 I&N Dec. 291 (BIA 2002) Interim Decision #3466. In re J-E-, Respondent Decided March 22, 2002 U.S. Department of Justice Executive Office for Immigration Review.
URL: <http: https://www.justice.gov/sites/default/files/eoir/legacy/2014/07/25/3466.pdf>
(March 8, 2015).

Bowden, Charles and Molly Molloy
2012 Mexicans Pay in Blood for America's War on Drugs. URL:<http://www.phoenixnewtimes.com/news/mexicans-pay-in-blood-for-americas-war-on-drugs-6454973> (November 25, 2015).

Campbell, Howard
2014 Narco-Propaganda in the Mexican "Drug War." Latin American Perspectives 41(195):60-77.

Department of Homeland Security (DOHS)
2009 Department of Homeland Security's Supplemental Brief. URL:<http://cgrs.uchastings.edu/sites/default/files/Matter_of_LR_DHS_Brief_4_13_2009.pdf> (November 25, 2015).

Fassin, Didier
2013 The Precarious Truth of Asylum. Public Culture 25(1):39-63.

Fregoso, Rosa-Linda and Cynthia Bejerano
2010 Introduction. A Cartography of Feminicide in the Américas. *In* Terrorizing Women: Feminicide in the Americas. Rosalinda Fregoso and Cynthia Bejerano, eds. Pp. 1-44. Durham, NC: Duke University Press.

Goldstein, Daniel
2012 Outlawed: Between Security and Rights in a Bolivian City. Durham, NC: Duke University Press.
2015 The Owners of the Sidewalk: Security and Survival on the Fringes of the Global Economy. Durham, NC: Duke University Press.

Goodwin Gill, Guy S.
2008 Convention Relating to the Status of Refugees, Geneva, 28 July 1951 and Protocol Relating to the Status of Refugees, New York, 31 January 1967. URL:
< http://legal.un.org/avl/ha/prsr/prsr.html> (March 8, 2016).

Hernández Castillo, Rosalva Aída
1997 Between Hope and Despair: The Struggle of Organized Women in Chiapas since the Zapatista Uprising. Journal of Latin American Anthropology 3(1):102-120.
2012 El Secretario de Gobernación pide perdón a Inés Fernández. URL:<http://www.jornada.unam.mx/2012/03/06/opinion/039a1soc> (November 25, 2015).
2015 Fosas comunes, cementerios clandestinos y cuerpos desechables. URL:<http://www.jornada.unam.mx/2015/11/13/opinion/032a1pol> (November 25, 2015).

Human Rights Watch
2013 World Report 2013: Mexico. URL:<htp://www.hrw.org/world-report/2013/country-chapters/mexico?page=3> (November 25, 2015).

Lind, Amy and Jill Williams
2013 Engendering Violence in De/Hyper-nationalized Spaces: Border Militarization, State Territorialization, and Embodied Politics at the U.S.-Mexico Border. *In* Feminisms in North America: Identities, Citizenship, Human Rights. Ann Sissaon Runyan, Marianne Marchand, Patricia McDermott, and Amy Lind, eds. Pp. 1-35. New York: Ashgate.

Mendel-Hirsa, Lisa
2010 Recent Landmark Victories in the On-Going Struggle for U.S. Immigration Law to Recognize and Fully Protect Women's Human Rights. URL:<http://www.empirejustice.org/issue-areas/domestic-violence/battered-immigrants/articles/domestic-violence-and.html> (November 25, 2015).

Merry, Sally and Peggy Levitt
2009 Vernacularization in Action: Using Global Women's Human Rights Locally. Special Issue of Global Networks 9(4):441-461.

Mexico Solidarity Network
2004 Femicides in Ciudad Juárez. URL:<http://mexicosolidarity.org/sites/default/files/Femicides%20of%20Ciudad%20Juarez%20&%20Chihuahua_0.pdf> (November 25, 2015).

Musalo, Karen
2010a A Short History of Gender Asylum in the United States: Resistance and Ambivalence May Very Slowly Be Inching towards Recognition of Women's Claims. Refugee Survey Quarterly 29(2):46-63.
2010b Towards Full Recognition of Domestic Violence as a Basis for Asylum. URL:<http://www.acslaw.org/acsblog/toward-full-recognition-of-domestic-violence-as-a-basis-for-asylum> (November 25, 2015).

Muelmann, Shaylih
2013 When I Wear My Alligator Boots: Narco-Culture in the U.S. Mexico Borderlands. Berkeley: University of California Press.

Payan, Tony
2006 The Three U.S.-Mexico Border Wars. Westport, CN: Praeger Security International.

Preston, Julia
2014 Woman is First to be Ruled Eligible for Asylum in U.S. on Basis of Domestic Abuse. The New York Times, August 30:A12.

Quinto Poder
2013 México: Crece el numero de femicidios en 9 estados. URL:<https://www.google.com/search?q=Comisión+Nacional+para+Prevenir+y+Erradicar+la+Violencia+Contra+las+Mujeres+(Conavim).+2013&ie=utf-8&oe=utf-8&aq=t&rls=org.mozilla:en-US:official&client=firefox-a> (November 25, 2015).

Sanford, Victoria
2008 From Genocide to Femicide: Impunity and Human Rights in Twenty-First Century Guatemala. Journal of Human Rights 7(2):104-122.

Seelke, Clare Ribando and Kristin M. Finklea
2013 U.S.-Mexican Security Cooperation: The Mérida Initiative and Beyond. URL:<http://www.fas.org/sgp/crs/row/R41349.pdf> (November 25, 2015).

Sourcemex
2009 Mexican Drug Cartels Said to Earn as Much as U.S.$40 Billion. URL:<http://www.thefreelibrary./> (November 25, 2015).

Speed, Shannon
2014 A Dreadful Mosaic: Rethinking Gender Violence through the Lives of Indigenous Women Migrants. URL:<http://gencen.isp.msu.edu/documents/Working_Papers/WP304.pdf> (November 25, 2015).

Stephen, Lynn
2000 The Construction of Indigenous Suspects: Militarization and the Gendered and Ethnic Dynamics of Human Rights Abuses in Southern Mexico. American Ethnologist 26(4):822-842.
2007 Transborder Lives: Indigenous Oaxacans in Mexico, California, and Oregon. Durham, NC: Duke University Press.
2012 Conceptualizing Transborder Communities. *In* The Handbook of International Migration. Marc Rosenblum and Daniel Tichernor, eds. Pp. 456-477. New York: Oxford University Press.

UN Commission on Human Rights
2002 Civil and Political Rights, Including Questions of: Independence of the Judiciary, Administration of Justice, Impunity, Report of the special rapporteur on the independence of judges and lawyers, Dato'Param
Cumaraswamy, submitted in accordance with Commission on Human Rights resolution 2001/39, Addendum, Report on the mission to Mexico, E/CN.4/2002/72/Add.1, January 24, 2002. Geneva: Office of the United Nations High Commissioner for Human Rights.

United Nations Human Rights Office of the High Commissioner (OHCHR)
1984 Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment. URL:<http://www.ohchr.org/EN/ProfessionalInterest/Pages/CAT.aspx> (November 25, 2015).

United States Department of Justice (USDOJ)
2011 National Drug Threat Assessment 2011. URL:<http://www.justice.gov/archive/ndic/pubs44/44849/44849p.pdf> (March 9, 2016).

United States General Accounting Office (USGAO)
1998 Law Enforcement Information on Drug Related Police Corruption. URL:<http://www.gao.gov/archive/1998/gg98111.pdf> (November 25, 2015).

Visweswaran, Kamala
2004 Gendered States: Rethinking Culture as a Site of South Asian Human Rights Work. Human Rights Quarterly 26(2):483-511.

Wright, Melissa
2011 Necropolitcis, Narcopolitcs, and Femicide: Gendered Violence on the Mexico-U.S. Border. Signs 36(3):707-731.

Zill, Oriana, and Lowell Bergman
2012 Do the Math: Why the Illegal Drug Business is Booming. URL:<http://www.pbs.org/wgbh/pages/frontline/shows/drugs/special/math.html> (November 25, 2015).