

Gendered Violence and Indigenous Mexican Asylum Seekers: Expert Witnessing as Ethnographic Engagement

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ABSTRACT

The intertwined theoretical contributions of this article are: 1) how to interpret the lives of indigenous women asylum seekers in relation to structural vulnerability in western Oaxaca, Mexico, and in the asylum seeking process in the US, and 2) why expert witnessing should be considered as a form of ethnographic engagement. My discussion entails a detailed analysis of the cases of two female Triqui asylum seekers and their connections with local, regional, and larger state and economic structures and narratives of militarized gender violence. Finally, I discuss the ways that ethnographies as expert objects and expert witness reports harness both evidence and narrative through an interpretive framework. [Keywords: Structural vulnerability, gendered violence, indigenous women, expert witnessing, asylum, Mexico]

Introduction

How do we integrate research with advocacy? How do we simultaneously write an anthropology of human suffering and an anthropology of hope, relief, and safety? This article comes out of my work over the past nine years

as both a pro bono expert witness and a researcher. The gifts of finely tuned ethnography can be crucial in contextualizing a story of individual suffering in its larger historical, cultural, political, and economic context in an immigration court. When asylum is awarded, well-written ethnography packaged as part of an expert witness report can be a gateway to hope, safety, and the ability to imagine the future.

The intertwined theoretical contributions of this article are: 1) how to interpret the lives of indigenous women asylum seekers in relation to structural vulnerability and violence in western Oaxaca, Mexico, and in the asylum seeking process in the US, and 2) why expert witnessing should be considered as a form of ethnographic engagement. Ethnographically, my discussion entails a detailed analysis of two female Triqui asylum seekers and their connections with the political economy of militarized gender violence. Finally, I discuss how expert witnessing can be complementary to ethnographic work. I begin in the grey zone of “the field” of ethnography and the space of “preparation” of a gendered asylum case in a law office.

Luisa

Luisa sat on the edge of her chair in a small conference room. Her black hair streamed over her shoulders, her compact body zipped into a sweat-shirt to keep out the chill. Her attorney, Sam, sat opposite her with folders and papers spread out on the table. His blue oxford shirt was buttoned up most of the way and neatly tucked into khakis. He ran his hand over his smoothly shaved head and adjusted his glasses. I sat next to Luisa with my chair turned towards her, buttoning my cotton jacket. I crossed my legs, leaned forward, and turned on my digital tape recorder. Luisa clasped her hands together and looked at the floor as she began to speak. “The history of my family is very sad and continues to be really terrible. The members of EPA really hated my family...My parents didn’t want to send me to school because of the violence...”

Luisa then moved back in her chair and looked up at Sam and me, engaging our eyes directly. She paused, and then continued,

When I was little I spent time with my Mom planting corn and cutting and hauling firewood. I remember being always afraid. Even when we went to cut firewood I was always afraid because there was a lot of shooting around where I grew up. In 2012, when I was 13 years old

I went to collect firewood and some members of the EPA threatened me. They had pistols.

Luisa pauses again and Sam nods his head. Then Luisa began to tell us in horrible detail about what happened to her cousin who was raped and dismembered at age 14.

She liked to go to school and she didn't think that anything would happen to her while she was walking to school. But when she went to a different school, they grabbed her in the road, they slit her throat and they cut off the flesh from her arms and her legs and they also raped her. When she was already dead, people from my community brought her here to the local little city hall to examine her body. They could tell that she had been raped many times because of all the semen that was inside of her. That is what happened to my cousin just on the way to school...You can imagine how this felt. It was so terrible. I was so sad after what they did to my cousin. I was really afraid to leave or go anywhere. I never left town. I just stayed inside my house. I was paralyzed with fear...

My eyes tear up and Sam reaches across the table to take Luisa's hand. Shortly thereafter she tells us of the assassination of her grandfather, two uncles, and the rape of her sister—all experienced before she turned 13 years old. This is before she tells us about her own kidnapping, beating, and attempted rape before fleeing to the US–Mexico border.

The Context of Structural Violence and Vulnerability

In the first 20 minutes of our interview, Luisa shared the outlines of her experience of structural violence and vulnerability from a very young age. I have dutifully recorded our discussion digitally and in my notebook in preparation for the expert affidavit I am writing for her asylum case. I am also preparing to be available in person or by telephone to provide expert testimony should the judge who hears her case desire it. In a previous meeting, Sam has told Luisa that I wanted to know if I could share parts of her story in my writing by disguising her name and any details that could identify her. She has agreed and wants others to know about her story and to build awareness about the extreme violence and conflict that has been a part of her life. She has signed a consent form.

My conversation with Luisa, her asylum declaration, and other information associated with her case echo the experiences of other indigenous women whose asylum cases I have participated in on a pro bono basis. In some cases, like Luisa's, I have conducted long interviews that provide part of the information I consider in crafting my expert's report. In other cases, I work with the testimony in the declaration provided by an applicant, press reports, and psychologists' evaluations, and I base my report on that information as well as on what I know about the specific context from my ethnographic research—for example the region of Juxtlahuaca, Oaxaca in the cases discussed here. I conducted research in the Juxtlahuaca district in Western Oaxaca in Mixtec and Triqui/Mixtec communities from 2003–2008. In 2006, 2007, and 2008, when I was first approached about serving as an expert witness for Mixtec and Triqui women seeking political asylum in the US based on gendered violence, I spent a month each year talking with women and men in several communities about overlapping forms of violence,¹ which included specifically gendered violence. From 2007 until the present, I have served as an expert witness for approximately 50 asylum cases, primarily involving indigenous women and a few men from Mexico (30 cases) and, more recently, indigenous women, children, and young men from Guatemala (20 cases). In relation to Luisa's story, I continue to interact frequently with Triqui and other indigenous refugees in the US, in Mexico, and now in Guatemala.

Through my ongoing fieldwork in Oaxaca as well as my work with indigenous women asylum seekers, I have found repeated patterns of structural violence that result in what medical anthropologists call structural vulnerability. The concept of structural vulnerability links the ways that specific persons suffer physical, mental, and emotional pain with the kind of structural positions they occupy, which make them vulnerable (Quesada, Hart, and Bourgois 2011:341). The concept of structural vulnerability can be thought of as a way to link personal suffering to the larger political, economic, social, and legal structures that render certain categories of persons more likely to experience pain and suffering. The concept also provides a lens for putting these women's individual experiences of suffering into a larger context that can link individual stories and experiences of suffering with the structural contexts within which their suffering occurs and, in the case of asylum seekers, can be relieved and traded for hope and safety if they are granted asylum.

Anthropologists such as Joel Robbins have commented on how “the subject living in pain, in poverty, or under conditions of violence now stands at the center of anthropological work” (2013:448). He suggests that since the mid-1990s, this suffering subject has replaced “the savage one” as a privileged object of anthropological attention (2013:450). Robbins portrays João Biehl’s 2005 book, *Vita*, as exploring the suffering of Catarina as a broad human story. He comments that it is not a story about someone “who is in any significant respect Brazilian” (2013:455). He comments that because the book depends on a universal narrative, it has lost hold of the cultural point—and that Biehl’s argument about how neoliberal states abandon those who cannot be productive is lost due to the power of Catarina’s suffering. He seems to feel that the universal connection the book brings to readers results in a loss of cultural specificity and context. My question to Robbins would be, why can’t we strive for both? Why can’t we as anthropologists honor the individual stories of suffering we are given but also put them into a complex, broader historical and structural context that dignifies the richness and messiness of life—and its national, regional, and local complexities? To do so is not to reduce Catarina in Biehl’s book down to her “Brazilianness,” or Luisa to her “Triqui indigeneity,” but to ponder how political economy, race, gender, theories of the body and mind, and strategies of gender and generational control figure into experiences of suffering, hope, and safety. That is my goal here.

In order to understand how multiple forms of violence work through gender in Luisa’s story, we need to understand how gender is co-constituted with other categories of difference. Gender, race, class, ethnicity, and other historically, mutually constituted categories are read onto the human body, and also encoded into legal and social structures and into cultural codes. Maria Lugones (2008), building on the work of women of color feminists such as Kimberlé Crenshaw (1995), suggests that we must reconceptualize the logic of intersectionality to avoid separability—the separation of categories of difference. In linking the experiences of women seeking asylum to structural violence and vulnerability, we need to use an intersectional analysis to get at how domestic violence is embedded in other structures of violence (Speed 2014:20). And we need to be able to see how categories of difference such as female, young, indigenous, poor, brown, and indigenous language speaker translate into

labeling particular people as having fewer rights than others and signal those whose lives have lower value than others. This is true in local and regional contexts in Mexico, but also in US courtrooms where the testimony of someone like Luisa is not valued equally with that of an anthropological expert witness.

In the remainder of this article, I first present background information on the political and gendered asylum process, followed by historical information on paramilitary and gendered violence in the region where Luisa and another woman whose case I discuss lived. I then present the two cases. This is followed by an analysis of the common elements of political, structural, and gendered violence common to these two cases and their connections to larger state and economic structures and narratives of militarized gender violence. Finally, I discuss why anthropological expert testimony should be considered as a form of ethnographic engagement by highlighting the commonalities between the ways that ethnographies as expert objects and expert witness reports both harness evidence and narrative through an interpretive framework. In doing so, I follow Didier Fassin's suggestion that he participated in asylum cases via "observant participation" (as opposed to 'participant observation') and that this reflection is inserted at "the crossroads of classical ethnography and public anthropology" (2013:41).

Political Asylum, Gendered Asylum, and the Purpose of Expert Witnessing

I have spent several years thinking about how I could put together the fieldwork I carried out in Oaxaca with the pro bono work I have done as an expert witness in asylum cases. I feel a strong ethical responsibility to analyze and report on the alarming patterns of structural violence I have observed through my fieldwork and asylum work. Gendered asylum court cases are based on documentation of domestic and public violence directed against women as individuals and the manifestation of "symptoms" of violence such as PTSD and depression. While US asylum law frames cases in relation to what happened to one individual, lessons drawn from the experiences of indigenous women asylum seekers suggest the importance of interpreting their lives in relation to structural violence and structural vulnerability.

Asylum can be granted to an applicant in the US if the applicant can demonstrate that he or she has been persecuted in the past or have a well-founded fear of persecution in his or her country of origin on account of five grounds: 1) membership in a particular social group, 2) religion, 3) race, 4) nationality, or 5) political opinion. The US is obliged to recognize valid claims for asylum under the UNCHR 1951 Convention Relating to the Status of Refugees and its 1967 Protocol Relating to the Status of Refugees (UNHCR 2018). Signatories to these agreements are not supposed to return refugees to the place where they would be persecuted.

In the women's cases analyzed below, attorneys applied for 1) asylum (discussed above), 2) Withholding of Removal, and 3) Relief under the Convention Against Torture Act (CAT) (see Immigration Equality 2013). If the client is denied asylum, they can then qualify for the other two forms of relief and avoid immediate removal. Withholding of Removal, called "non-refoulement" under the UN Convention Relating to the Status of Refugees, prohibits the US government from returning someone "in any manner whatsoever to any country where he or she would be at risk of persecution" (Goodwin Gill 2008). To receive Withholding of Removal, people need to demonstrate that they are refugees, that there is a clear probability of persecution by a government or by a group of people a government cannot control (in this case, perpetrators of gendered 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, which permits those receiving it to apply for Legal Permanent Residence and ultimately citizenship, as well as to receive work authorization (commonly known as a Green Card). Relief under the CAT requires applicants and their attorneys to bear the burden of demonstrating that it is more likely than not that a person filing will be tortured if removed to her country of origin.

The purpose of providing expert testimony and reporting is to put the individual case of gendered violence into a larger context for the judge. The goal is to show that what happened to one woman is part of a larger, systematic pattern of ongoing violence that characterizes women as part of a social group and involves a pattern of impunity for those who commit violence against women and/or are responsible for prosecuting those who do. As noted by legal anthropology scholar Anthony Good, expert witnesses in asylum cases are not arguing the credibility of individual

petitioners, but are asked to express opinions about what is likely to happen to them if they return to where they fled (2004:120).

In the gendered asylum cases discussed here, the goal is not to make an argument about “Mexican culture” or “masculinity in Mexico culture,” as some anthropologists have discussed in relation to the tendency for cultural expertise to be used to essentialize nationality or gender (see Good 2008). In fact, in well-constructed expert witness reports, “the cultural point” referenced by Robbins (2013:447) must be engaged with critically. Rather than bring in a “cultural argument,” my purpose is to make clear patterns of structural violence that are sanctioned officially or unofficially at the local, regional, and national level and that involve historical and regional complexities such as land dispossession, militarization and paramilitarization, territorial control by outside political figures, and more. This resonates with what Kamala Visweswaran (2004) 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” (2004:1).

Feminist scholars of the crime of “femicide,” often defined as the killing of women by men for being women, have made a similar proposal through the coining of the term “femicide” (see Fregoso and Bejarano 2010, Sanford 2008). As defined by Victoria Sanford,

Femicide is a political term. Conceptually, it encompasses more than femicide 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 femicide...Femicide leads us back to the structures of power and implicates the state as a responsible party, whether by commission, toleration, or omission. (2008:112–113)

Rosa-Linda Fregoso and Cynthia Bejarano state that femicide implicates “the state (directly or indirectly) and individual perpetrators (private or state actors); it thus encompasses systematic widespread and everyday interpersonal violence” (2010:5). They also locate femicide as part of “systemic violence rooted in social, political, economic, and cultural inequalities” (Fregoso and Bejarano 2010:5). Their position makes visible the

broader political, legal, and economic context within which the potential and actual killing of women occurs and how it continues. Like Fregoso and Bejarano, Visweswaran (2004:510) also links violence against women to the violence of the international economy.

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 emerges from rights-oriented international bodies established after World War II (Good 2008:551), and through universal rights-based discourses adopted by international bodies and signed on to by many countries. Fassin (2013:48) notes that asylum granted on the basis of belonging to a particular social group has increased significantly, particularly in relation to gender-based and sexuality-based persecutions (see also Musalo 2010, Berg and Millbank 2009). “In most Western countries, genital mutilation, forced marriage, domestic violence, and homophobic abuse are increasingly invoked by applicants, who are granted protection by officers and judges more easily than those who declare other forms of mistreatment” (Fassin 2013:48–49). This results, says Fassin, in the “intimization of asylum” (2013:49).

In 2009, the US 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 women who suffered violence as a social 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 2010:61, Department of Homeland Security 2009, Mendel-Hirsa 2010). In August of 2014, the US Immigration Board of Appeals ruled that women fleeing domestic violence could be defined as refugees and qualify for protection (Musalo 2015:45). In the years since 2009, women have received recognition in US asylum law as a social group who are the survivors of a particular kind of violence. While this is an important step, focusing solely on violence that occurs in a “domestic relationship” leaves untouched the multiple intersecting structural forms of violence and vulnerability women face, usually reflected in their asylum declarations, interviews, and testimony. The analytical project of linking “domestic” and other kinds of gendered violence to broader intersecting

forms of violence requires connecting ethnography with the testimony of asylum petitioners and of expert witnesses.

While expert witnessing is often seen as a distinct category from ethnographic research, I suggest here that it is intimately related and, in fact, involves some of the same methods found in standard ethnography—interviewing, the analysis of media, reports, and other documents, observation, and interpretation. Writing and giving expert testimony has much in common with the crafting of ethnography, the object of expertise created by anthropologists. The very credibility of anthropologists as expert witnesses depends on their research records and ability to translate their ethnographic research into terms that are understandable to a judge.

Paramilitary Violence in the Triqui Region of Western Oaxaca: Historical Origins

Gendered violence—both domestic and public—has become a standard part of local repertoires of political violence carried out by paramilitary groups in the western part of the Mexican state of Oaxaca. This current gendered violence is intimately related to other forms of structural violence that have deep historical roots in the dispossession of Triqui communities' land, the pitting of one community against the other, the removal of Triqui ritual and governmental authority from their historical territory, and the deliberate fragmentation of and military occupation of that territory by the Mexican state (described in more detail below). In the two cases discussed below, paramilitary violence is carried out by a political organization given the pseudonym of EPA and is used to maintain loyalty and political control of men, women, and children in EPA communities (see Stephen 2013:211–232; Paris Pomba 2010, 2011; De Marinis 2013). Mexican state presence in the region has been primarily through an army outpost established in San Juan Copala in 1978, periodic support for political organizations that have supported the ruling party (primarily the Institutional Revolutionary Party or PRI, discussed below), and since 2007, complete disengagement in the region (see Stephen 2013:211–233, De Marinis 2013). These varied types of state presence/absence have resulted in an escalation of conflict and have provided impunity for local and regional political EPA authorities who consolidated their control in the 1990s and 2000s.²

The dynamics of the gendered paramilitary violence described here illustrate the conditions Triqui women and girls have been socialized in who seek political asylum in the US. Because the specific cases of political asylum I discuss below require protecting the identity and location of the women involved and their extended families, my description of the political conflict within which gendered paramilitary violence is found requires that I change the names of organizations, individuals, and specific locations. This is in accordance with my agreement with women asylum seekers and others I interviewed who are not seeking asylum but want to remain anonymous for their own safety, as in the five participants cited below. Their refusal to be named, yet desire to register their experiences and insights is related to Audra Simpson's concept of ethnographic refusal in relation to "anthropological need" (2014:95). Here, as described in Simpson's book *Mohawk Interruptus*, the presentation of ethnographic data, does not "present 'everything.' This is for the express purpose of protecting concerns of the community" (2014:105). The refusal of naming but willingness to partially tell can also be thought of as a strategy of women's sovereignty over their bodies, knowledge, and territory in situations both in Mexico and in the context of US immigration courts where Triqui women are, in the words of Simpson, "not on equal footing with anyone" (2014:105).

The zone of political conflict of the Triqui is spread out in two regions of Oaxaca known as the Triqui Alta and the Triqui Baja, and incorporates roughly 25,000 people in a series of communities ranging in size from several thousand to a few dozen (see Paris Pomba 2010, López Barcenas 2009). These two regions are located in the districts of Juxtlahuaca and Putla.

There are also thousands of Triqui living in diaspora in Baja California, and Sonora, Mexico, and in the US in California, Washington, Oregon, New York, Georgia, and other states (see Paris Pomba 2011, Holmes 2013). The political violence that has permeated many Triqui and other communities in Mexico has intensified from the mid-1990s to the present and follows people to other parts of Mexico and to the US. Violence directed against children and women by men is tied to a complex set of political divisions and historical circumstances which are a part of Triqui communities, families, and organizations. I take a brief detour here to explicate some of those larger historical structures that have contributed to present-day violence.



After Mexican independence, the administrative unit of the district of Juxtlahuaca was decreed in 1868. In 1889, the town of Juxtlahuaca was raised to the category of *villa*, the head of the district (Instituto Nacional para el Federalismo y el Desarrollo Municipal, Gobierno del Estado de Oaxaca 2009). In this capacity, it became a regionally important center of governance and justice as well as commerce. With its designation as a *villa*, the center of Juxtlahuaca became more populated with non-indigenous Mexicans, who typically worked in the commercial, legal, and government sectors. Unlike communities in the central valleys of Oaxaca, where indigenous peoples maintained control over administrative town centers, the center of Juxtlahuaca became dominated by non-indigenous families, some of whom continued to claim they were of Spanish descent. Many neighborhoods had and continue to have a strong Mixtec presence (another large indigenous ethnic group in Oaxaca), but over time the Mixtec and Triqui people became concentrated in the towns and hamlets around the town of Juxtlahuaca.

In 1826, shortly after independence, San Juan Copala became a municipality, equivalent to the administrative category of county. Francisco López Barcenas argues that two new municipalities—San Juan Copala, which was created in the Triqui Baja territory in 1826, and Chichahuaxtla, created in 1825 in the adjoining Triqui Alta territory—“were not a concession of the new political class towards the Triquis, but rather a conquest on their part with their active participation in the War of Independence” (2009:63). This important part of regional ethnic history established a base for administrative autonomy for the Triqui population after centuries of domination during both the pre-Hispanic and the colonial period. The idea of Triqui autonomy remained alive and well for almost two centuries. Unfortunately, the Triqui themselves did not remain politically unified throughout this time.

Although the Triqui had successfully resisted Spanish colonialism and even defended their territory in two wars (1832 and 1843) against the independent Mexican state, by the late 19th century the Mexican state had successfully penetrated the region. Using a strategy of dividing the Triqui territory and fomenting political competition among different communities and leaders, the Mexican state focused much attention on controlling the Triqui region politically and economically. The post-revolution introduction and commercialization of coffee in the region created a private land market that existed alongside communal land tenure and increased economic competition among the Triquis. Coffee also brought mestizo

merchants to the region.³ The merchants made handsome profits, according to López Barcenas, and paid Triqui producers with “cattle for their fiestas, with alcohol to get them drunk, and surely with arms. It is not a coincidence that the greatest number of armed conflicts exist in the same communities where the most coffee is produced” (2009:89, translated by the author). The accounts of Tibón (1961), Huerta Ríos (1981), Martell Ramírez (1967), and López Barcenas (2009) leave no doubt that armed conflict, drinking, and competition for land and coffee profits fueled by mestizo merchants who provided arms and alcohol created high levels of robbery, violence, and revenge in the Triqui region during the first half of the 20th century. Regional racism among mestizo merchants and authorities characterized the Triquis as “*unos mañosos, mentirosos, ladrones, y flojos*”⁴ (Martell Ramírez 1967:94).

The archival research of James Daria (2013) has documented the ways in which agrarian reform promoted after the Mexican Revolution resulted in disenfranchisement of communal lands among the Triqui ethnic group of San Juan Copala, Oaxaca. What Daria argues, convincingly, is that the process of agrarian reform as carried out in western Oaxaca in the 1920s and 1930s after the Mexican Revolution privileged the non-indigenous *campesinos* (peasants), who were elevated as subjects of citizenship through an agrarian reform process which ignored and even undermined indigenous communal land claims. Daria reconstructed the physical encroachment on traditional Triqui territory and its fragmentation through agrarian reform processes that granted Triqui traditional lands as *ejido* in non-Triqui communities.⁵ He also documented the narrative developed by local and national agrarian officials regarding who the legitimate subjects of agrarian reform and post-revolutionary citizenship were—and they did not include the Triqui.

Apparently the increased local divisions, fragmentation of Triqui territory, and violence fueled by outsiders were not sufficient to dispel the fears of Oaxacan state political authorities about the potential threat of Triqui political unity and mobilization. In 1940, the municipio of San Andrés Chicahuaxtla in the Mixteca Alta was subordinated and incorporated into the municipio of Putla de Guerrero. This placed the ceremonial center of the Triqui Alta region under the control of the mestizos who ran the government of Putla. Eight years later, in 1948, the municipality of San Juan Copala came to the same fate and it came under the control of mestizo-dominated Juxtlahuaca. After 78 years as a unified ethnic and administrative unit,

the historic Triqui Baja territory of San Juan Copala and its communities were divided among the three majority mestizo municipalities of Putla de Guerrero, Santiago Juxtlahuaca, and Constanca del Rosario.

The town of San Juan Copala itself was demoted from the status of a *municipio* head to an *agencia* (subcounty administrative unit) and put under the rule of mestizo authorities in Santiago Juxtlahuaca. San Juan Copala remained subordinated to Juxtlahuaca until January 2007, when the Autonomous Municipality of San Juan Copala was declared. As Triqui leaders attempted to create political unity through organizing, they became subject to a new round of state suppression.

During the 1970s, the Triqui region of Oaxaca became a site of formal political organizing by political parties and social movements. In 1975, a group of young Triqui leaders created a “Cooperative Club,” and pledged to try to unify the region and bring peace. The group of men that formed this initiative appears to have had good intentions aimed at improving the economic situation of their communities. In 1976, a community authority who was a founder of the Cooperative Club was assassinated.

That same year, a group of Triqui bilingual promoters affiliated themselves with the Partido Revolucionario Institucional (Institutional Revolutionary Party, PRI), which was in power until 2000 nationally and until the end of 2010 in Oaxaca. PRI staged a return to power nationally in 2012, and in Oaxaca City in 2014. At the same time, other Triqui leaders sought protection within a national peasant organization. In 1979, Triquis who were affiliated with the national peasant organization also affiliated with the PRI, uniting the two groups. This set up one block of Triqui people affiliated around the PRI and laid the ground for creation of an opposition group.

The EPA (Entidad Política Autónoma—a pseudonym), formally created in 1981, was originally affiliated with political parties opposed to the PRI. Later, it created its own political party in 2003 in order to participate in elections and extend its control in local communities. Throughout the 1980s and into the 1990s, political assassinations and revenge killings became commonplace in the Triqui region, and the EPA also established significant state and national political presence through large marches, rallies, and other events that community members were required to attend. During this two-decade period, the EPA advocated for freedom for political prisoners, the resolution of land conflicts, and an equitable development of resources.

In 1994, leaders of the PRI Triqui faction formed a new political organization called OUP (Organización de Unidad Política—a pseudonym). By

this time, the leadership of the EPA had passed to a second generation of men who, according to many observers, appeared to be focused on gaining personal political power and channeling resources to their own pockets and those of their supporters. In the mid-1990s, two EPA leaders were wounded in a public ambush. After 2000, other leaders of EPA and OUP were killed in ambushes, and revenge killings continued. While the ruthless control tactics exercised by the authorities over members of the EPA were open knowledge in local communities, they were seldom discussed outside. OUP leaders and supporters were actively targeted by EPA paramilitaries. And by the 2000s, women were also regular targets of EPA violence and killing.

Gendered Violence as an Extension of Political Violence

The EPA engaged in brutal struggles for control of community authority structures (such as local civil cargo systems through which a community's authorities are elected) and resources (federal and Oaxaca-state funded programs) with other ethnic political organizations. People living in EPA-controlled communities were expected to make large financial and personal sacrifices to support leadership, request permission to travel in and outside of their communities, obtain permission to marry, and be loyal at all costs. In 2007, another rival political organization emerged known as RPG,⁶ which acted in opposition to EPA. In the fall of 2009, levels of violence increased significantly. During 2011 and 2012, the conflict remained at a high level of crisis. Members of RPG abandoned the area and scattered throughout Oaxaca, Puebla, Mexico City, and to other parts of Mexico, as well as to the US. They have been unable to return home, and in some cases have been pursued and killed in other parts of Mexico by EPA members.

Newspaper accounts, the reports of other researchers (Paris Pomba 2010, 2011; De Marinis 2013; Lopez-Barcenas 2009), and my own fieldwork and asylum work suggest that several generations of Triqui children and young adults have grown up in an atmosphere where high levels of violence have resulted in the loss of parents, siblings, and other family members. Children have witnessed violent attacks and assassinations by gunfire. Ongoing and bloody political conflicts have normalized displacement, high levels of loss of life, conflict, fear, and tension as different political groups vie for control of the region.

Girls and women experience this violence and fear in gender-specific ways. Often identified as proxies for men who are the targets of political opposition, girls and young women are socialized to expect the targeting of girls and women to be kidnapped, raped, have their throats cut, and worse if they have family members who attempt to escape political control or oppose political bosses in EPA-controlled communities. Women who attempt to stand up for themselves as individuals or to escape strict control over their bodies, physical movement, and other aspects of their lives are also subject to severe punishment and even death for a lack of obedience and loyalty to political bosses and groups.

In interviews with people living in several Triqui communities in the mid-2000s, I found that there was a consensus that women and girls had become fair game in the escalating paramilitary violence in the region. I have spoken with many people about this in the Juxtlahuaca region and in Oaxaca City since 2003. The specific interviews cited below took place in August 2008 in the municipality of Juxtlahuaca, Oaxaca. The first participant is a young adult, Triqui woman who observed six months of ongoing violence between the EPA and RPG in 2007. The second participant lives in a majority Triqui community, but is a female member of another indigenous ethnic group. The third participant is a 60-year-old Triqui woman who grew up in traditional communities. The fourth participant is a woman of mixed indigenous ancestry who lives in a majority Triqui community. The fifth is a mestiza (non-indigenous) woman who has lived and worked for almost three decades in a Triqui community.

These interviews took place at the same time that Triqui and other women had begun to establish a presence in political organizations in their region. Through their participation they also began to raise issues of gender equity in the leadership of such organizations (see Stephen 2013: 223–232, De Marinis 2013). My interviews with them were focused on trying to understand the ways that EPA political and paramilitary strategies of intimidation, violence, and impunity were linked to gendered violence. I also hoped to gain insight into the forms of territorial control held by the EPA in the region around Juxtlahuaca and within specific communities. These patterns of gendered violence were not being carried out by most Triqui men, but by a limited number of individuals involved in the paramilitary arm of the EPA and sometimes other groups.

The women I interviewed commented on how people were forced to attend political activities and if they did not, would be first fined, then

physically punished, and ultimately may have their houses burned, suffer sexual assault, and be forced to leave. Participant 1 commented, “They can put you in jail where they tie you up and beat you and you have to pay a fine of 5,000 pesos (about \$485 USD at the time) per person.” Participant 2 related,

If you don’t go to the marches, then you have to pay at least 5,000 pesos as a fine and you are seen badly in the eyes of local authorities. If you want to leave the organization, then we realized that you have to disappear, leave for fear of your life. In 2004, they burned houses, there were women raped, and a lot of families had to leave.

Participant 5 also commented on the vengeance killings and rape:

Before they only killed men in revenge killings. Now, they do it equally to the women. They raped a girl here who was 13 years old and they slit her throat. Some masked men came and they raped her and then cut her neck. It was said that the father of this girl had raped another girl and this was the revenge.

Participant 2 described how someone she knew went to another part of Mexico and “they came and got his family there.” Participant 3 pulled together the interlocking and spectacular forms of violence used to intimidate people in her community, which include rape, assassination, and mutilation of women’s bodies:

I left because I didn’t want to be there anymore. They like to kill so much. They assassinated my husband and my brother-in-law. They are always killing people. They kill boys, girls, women, and men. I left and took my grandchildren with me because it is too dangerous. I left my house and my son is in it. I am afraid that if he leaves, we will lose the house...

Last year they raped two girls who were 14 and 15 years of age. Everyone says they don’t know who it is. This year the revenge for those rapes came. They killed two other girls. They cut off their lips and their ears. They also got another man and cut off his ears, his lips, and his nose.

Children have been socialized in continual conflict and learn to protect themselves at a young age, primarily from the possibility of collateral damage from targeted assassinations. Participant 4 described living in this situation for more than a year and testified about how children couldn't leave their homes to play or go to school, as well as how the violence was constant.

It was a year full of violence, day and night, bullets from one side to another... People wouldn't let their kids out. They couldn't go to school; no one received any medical services...When the families would leave, then their houses would be destroyed. They would sack their houses, take all their things, and then burn their houses. A lot of people didn't return. Here in this community we couldn't even plant our corn for a whole year...

...The impact that this had was particularly hard for women and children. Before, they mostly respected women, but not now. They attacked women. There was a woman here. She left the door of her house open, and they shot her.

The use of women and children as proxies for EPA-based conflicts cannot be generalized to all Triqui men. In fact, many men continue to be victims of severe violence and do not impose it on others. It is through the armed wing of the EPA that techniques specifically targeting women appear to have been developed. In the section that follows, I provide two detailed case studies of Triqui women who sought gendered asylum in the US after surviving multiple forms of intersecting violence, including both domestic violence and targeted political violence from the EPA.

Luisa's Story

Luisa was born in a very small Triqui community in 1989 and grew up as a monolingual Triqui speaker who learned a little Spanish. Since the time she was a small child, she has lived in continual violence and tension. Her grandfather, father, brother, uncles, and cousins were the victims of brutal attacks and violent deaths. When Luisa was 11 years old, EPA gunmen raped her older sister. Luisa states:

Men arrived at my house in the afternoon. They dragged my sister Carmen out of the house and into the coffee fields. She was 18 years

old at the time. They raped her and left her there...My other sister, Maria, saw this happening. She ran to my uncle's house to tell him. When my uncle got back to our house Carmen didn't tell him anything. She was scared the men would kill her. She was shaking and badly bruised; she could hardly speak...Carmen got pregnant from the rape.

The following year, Luisa lived through the violent rape, death, and dismemberment of a female cousin (described in the opening paragraph). In that same year, Luisa became a target of sexual violence herself. Four men from the EPA forced her into a vehicle and held her down on the ground near a river. They took her clothes off, groped her, and shoved a pistol in her mouth. "They were going to rape me." Disrupted by people who came to swim in the river, they fled. But not before they left one person pointing a gun at her who "told me not to tell anyone or they would find me and kill me." Luisa describes falling into a severe depression after this. "I lost my desire to live."

In 2013, when she was engaged in worship for a religious celebration, two men kidnapped her. The men dragged her to the house of an older EPA leader who already had two wives and told her she was going to be "his woman."⁷ She was able to escape with the help of the other women.

When he was really drunk, he came over to where I was and grabbed my leg and put his hands all over my body. His wives were there and they said to me, "He has a pistol in his hand." Then they said to him, "Don't you harm her." Then they pushed him over and from there I escaped at three in the morning. I went running. I ran until I came to a river and when I passed the river I went up the mountain. I sat down because I couldn't go any further. While I was running that man went to the local city hall and said over the loudspeaker that if I didn't return to his house, that he personally was going to kill me and my family, ...So I left and I am terrified to go back home because if I go he is going to kill me.

Luisa walked back to her mother's house and then fled to a regional city before eventually making it over the US-Mexico border and seeking political asylum.

Luisa's terror and fear of return comes from a lifetime of socialization that has normalized violence and taught women to silently endure rape, assault, and sexual torture. Luisa described what happens to women who do not toe the line and support the EPA as follows: "If you do not respect the members of EPA and cooperate they can kill you, or put chiles in you vagina, or cut off parts of your flesh or rape you. They grab women, they beat them, and all of these things they do them are terrible." In another part of our conversation she stated, "Often when they have raped and brutalized a woman, no one knows. That is because the members of the EPA tell the women not to say anything because if they do they will kill them... so the women just don't say anything."

Because EPA has members throughout Mexico and in many states of the US, Luisa is terrified that someone will find out where she is. She is very clear that she will be killed if she returns to Mexico and that her safety is even in jeopardy in the US. She hopes asylum will keep her safe.

By 2014, Luisa was attending school and beginning to learn English while living with her sister and her sister's family. Her brother lives in another location with his wife, and Luisa is in close touch with them as well as with her mother, nephew, and other sister who remain outside of their home community. Luisa has learned to navigate the public transportation system of a large metropolitan area and has begun to focus on recovering from ongoing nightmares, anxiety, and fear. Going to school, working, and building a life with extended family has given her a way forward. Luisa was granted asylum in 2014. The result of receiving asylum is security, and, according to a conversation I had with Luisa in 2016, for the first time she feels hope and is busy planning for the future. Based in part on her case, her mother also recently received asylum. Now secure in their knowledge that they can legally remain in the US, they attend church together, have taken trips to visit other relatives, and talk concretely about the future. Celebrations of holidays, birthdays, and family ceremonies such as baptisms can now be planned with certainty.

Sofía's Story

I worked with Sofía and her lawyer on her asylum case in 2012. She and her lawyer have given me permission to share her story while disguising names, places, and other identifying information. Like Luisa, they do so in hopes of making public the history of conflict and complex structural

violence occurring in the Triqui region of Oaxaca that can also intersect with domestic violence.

Sofía was born and raised in a small community where her father owned land. She describes her mother as the first of her father's two wives and states that she was raised with eight full siblings. She also has six half-siblings through the second wife her father took. She declares that "I moved often between schools and homes while growing up to avoid the violence that my father directed against me and my mother." She testifies that her troubles with the EPA began at the age of seven.

First, several men, who she describes as dressed like soldiers, came to her house, burned the family's coffee orchard, and left (reference to EPA paramilitaries). The same day, the same men stabbed her father. The men returned to her house a couple of months later looking for her father. They were joined by another group of men who ransacked the house and hit her in the leg with their rifle butts. As they were walking around and kicking things, one of the men kicked over a pot of boiling *nixtamal* (corn hominy) and severely burned Sofía. They then dragged her outside and set fire to the house. This experience has marked her for life and took her many months to recover under the loving care of her grandfather.

I was barely 7 years old at the time...I don't know how long I was unconscious, but 6 or 7 months went by before my injuries healed. That period of my life is hard to remember. When I woke up I got my first real look at the burns. They were very ugly, and looked horrible. I was afraid to even look at it.

She later returned to live with her father and attempted to go on with her life, but the violence that plagued her young life from forces outside of her home was continued inside her house by her father. Sofía reports that her father severely abused her mother, herself, and her siblings. This is her particular experience, but it also documents the ways that domestic and political violence can intersect in the lives of Triqui women. This caused her to leave home at a young age.

I fled my home because my father kept abusing my family, including my mother and siblings. I was 8 or 9 years old at the time. My father would often beat my mother. He would punch her, kick her, and beat her with belts. Sometimes he would yank her hair. He would always

demean her, calling her old and worthless. The beatings often happened when he came home drunk...He also said that I couldn't go to school because I was a girl and women are born to have kids, get married, and be a man's slave.

Sofía registered ongoing gender-based violence carried out against women and children by some men in her extended family. Girls in her extended family were expected to obey first their fathers and then their husbands. It is important to note that the kind of gender-based violence described here is not characteristic of either all Triqui men, Triqui communities, or even generalized to all households in these communities in Oaxaca. It does, however, suggest the powerful synergy in the life of a young woman when structural and domestic violence constantly intersect in daily life.

In the particular community Sofía grew up in, fathers often arrange marriages for their daughters with men who are significantly older and who may not be the choice of the girl. In other Triqui communities, young couples actively pick one another as partners. Even in Sofía's community, some families permit girls to participate in choosing their husbands; in others they do not. If a man comes to the father to request a girl's hand in marriage he is required to pay bride wealth. When Sofía was 13, a man came to talk with her parents about marrying her. She did not want to be married at that time. Her refusal resulted in brutal punishment from her father.

...My father became enraged at my refusal. He left the house and said he would be right back. When he returned he had branches with him that he had wound together as if to make a rope. He grabbed my hair. He asked me, "What did you say? Let's see if you repeat it." I said again that I would not get married and that if he wanted to he could marry the man instead.

He started beating me with the branches. The branches were long, thin, flexible green plants, and they hit me like a whip. My father hit my legs, arms, and back. Each blow hit like a flash and left a long, thin cut across my skin. I kept repeating my refusal, and he beat me very badly, at least 15 times. He beat me until blood covered my body. He only stopped when the branches finally broke. When this happened, he became more upset and walked over to the wall to get a rifle. He came back and said, "I can do whatever I want to you because you are my daughter."

After this episode, Sofía went to live with her godmother who was a nurse and was able to help her heal. It took a year for the scars to disappear. She then went to live again with her grandparents and other family members, including uncles. One of her uncles attempted to sexually abuse her when she was 14. Fortunately, her grandmother intervened and the uncle left.

Despite all of the violence and sexual assault attempts she had suffered, Sofía actively decided to marry her current husband, Juan. He was a partner of her choosing and they married in 2000. He was someone she knew from school and who she found to be a kind person. She and Juan were married according to a traditional Triqui ceremony, but were not married civilly or in the Catholic Church.

After they married, Sofía and Juan came to the US. Juan worked as a laborer and Sofía held different jobs including farmworker, store cashier, and community outreach worker. After several relatively peaceful years, Juan traveled outside of his state of residence looking for work. He was picked up by ICE in a bus terminal and was deported to Mexico. He returned to the community in Oaxaca where his mother lived and was assaulted by members of the EPA who accused him of not paying a monthly cooperation fee. The organization charges this to people in EPA-controlled communities whether they are in Oaxaca or living elsewhere in Mexico or the US. He was told that if he and his family did not pay the required amount, EPA would harm his family members in Mexico.

Juan returned to the US to reunite with Sofía and his children. Later, EPA representatives arrived at Juan and Sofía's house in the US to demand payment. While they initially paid out of fear of what would happen to their families in Mexico, Sofía and Juan eventually stopped. They continued to receive threats and, right before they filed for political asylum, were visited by EPA representatives and heard from relatives in Oaxaca that they should not return as they had been identified as enemies of the EPA.

Sofía's asylum declaration ends with a plea to be allowed to remain in the US. Her concluding statements link together the intertwined gendered and political violence she has suffered throughout her lifetime and ties it to the power that the EPA has over people in communities the organization controls. She also implicates the Mexican state by underlining how the terror she and others have experienced by the EPA is carried out with impunity and there has been no intervention or attempt to stop it by the Mexican state. It is a powerful statement about gender, power, and violence:

EPA operates in Mexico without fear of the Mexican government stopping it or taking action against it. As a result, EPA feels free to and does torture and kill those it views as opponents, traitors, or enemies whenever it finds those people in Mexico. If EPA views a person as an enemy then that is a death sentence for that person when EPA finds and takes them. EPA kills such people with no regard, as if they were animals...

...Many women...were raped by EPA paramilitaries. My relative went with other women to report the crime to the Mexican government, but the authorities would not give her justice...

...I also have a fear that the community leaders of my home area, who are associated and work with EPA, will hurt me if I return because of my status as an indigenous woman who has refused marriage against the wishes of her father... Because of this, I would be viewed as a bad or adulterous woman and would be subject to the punishments that the local leaders direct against such women. These include being stripped naked, beaten, publicly humiliated, and having chili paste shoved into my vagina, before being put on sale into a forced marriage to any man other than my husband that would bid for me.

...If I return to Mexico, then EPA paramilitaries or associates will find me and then kidnap, torture, and likely kill me. I am absolutely terrified of returning to Mexico and respectfully request that my application for political asylum and Withholding of Removal be granted.

Sofía, who has been in the US for more than ten years, went from almost never leaving her apartment to working as a cashier, working with an indigenous binational organization, and also working as a volunteer in a Latino organization helping with children's programs. Her marriage to Juan is healthy and they have children. Her engagement with other Triqui residents and her commitment to helping them through volunteer work and community organizing suggests the importance to her of reconstituting Triqui collective identity and well-being as a part of her own recovery. Through working with others in both managing daily challenges, such as a lack of Triqui-Spanish translators in hospitals and medical clinics and coordinating programs for children focused on future careers, she has created a concrete future for herself and others. Beyond her commitment to community, Sofía also is focused on her children and their lives in the US. The life she

had was full of suffering, violence, and fear. Yet, she has been able to build a stable world for her children and for herself. Sofía and Juan both received political asylum in 2012. Like Luisa, Sofía has made plans for the future and for her children's future.

Gendered Structural Violence and Vulnerability in the Context of Larger Militarized Violence

While ultimately designed to engage with the clinical encounter and point out how structural vulnerability has real consequences in terms of “shorter lives subject to a disproportionate load of intimate suffering” (Quesada, Hart, and Bourgois 2011:351; see Holmes 2013:99–100), the concept of structural vulnerability also implicates inequalities of many kinds and points to solutions in the social and political structures in which people are embedded. In the case of the violence suffered by Luisa and Sofía, we can point directly to multiple levels of structural violence that link to their specific vulnerabilities.

1) *Settler colonialism and militarization by the Mexican state.* Following the Mexican Revolution, the Mexican government used agrarian reform laws and programs to fragment Triqui territory. Such an action can easily be classified as one of the positive outcomes of the logic of elimination of settler colonialism where indigenous peoples are either killed, removed, or assimilated under actions such as the breaking down of native lands and title, abduction, assimilation through religion and boarding schools and the erasure of indigenous peoples as having economic and political rights (see Wolfe 2006). Once Triqui territorial fragmentation was accomplished, the state broke apart traditional governance systems, demoted Triqui political authority, and pitted communities against one another in a battle for access to services and infrastructure. When communities organized in the 1970s, the state response was to set up a permanent military garrison and introduce a masculine culture of territorial control and strategic violence, also targeting women. This was then reproduced in the paramilitary wing of the EPA.

2) *Structural racism on the part of the Mexican and Oaxacan state governments as demonstrated through the utter marginalization of the Triqui zone through state abandonment.* From 2007 until the

present, neither federal nor Oaxacan state authorities have intervened in any way to investigate hundreds of assassinations, rapes, or other forms of human rights violations. As documented by Dolores Paris Pomba (2011:30–32) during this same period, this state abandonment has not only consisted in a lack of security and justice, but also the shutdown of schools, medical centers, and other government services. At the same time, both state and federal governments permitted resources to continue flowing to EPA controlled communities, which aided the political power of EPA leaders and their paramilitary supporters.

3) *The strategic blending of a political organization, political party, and paramilitary organizations through the EPA.* Since EPA formed a political party in 2003 and has successfully competed in local, regional, and even state-level elections, it has controlled funds. These funds come from a wide range of programs related to poverty, housing, and farming which flow from the federal government directly to counties without providing many of the corresponding services (see Paris Pomba 2011:33). The flow of these funds along with fines, taxes (such as the US \$200 payment demanded from Sofía and Juan), and other fees collected by EPA have helped to fund paramilitary groups with high caliber arms such as AK47s and AR15s (see Paris Pomba 2011:40).

4) *A system of political control exerted at the local level through a male leadership structure, which requires all men, women, and children in EPA controlled communities to submit to the authority of local leaders.* Males are held responsible for the compliance of their wives and children. Local authorities regulate travel, marriage, migration to other parts of Mexico and the US, the right to occupy land or houses and to use natural resources. Fines, threats, physical violence, and death punish perceived disobedience.

5) *A marriage system in EPA-controlled communities that has permitted some powerful men to have multiple wives and in some cases require their children (male and female) to submit to arranged marriages.* This form of control illustrates a strong vertical and horizontal control by men of gender relations and sexuality within communities. While arranged marriages are a tradition in many communities with parental approval needed, usually young men and women are consulted as well. Increasingly, young people are seeking to form their

own relationships, particularly when they are outside of EPA controlled communities or in the US.

The extreme vulnerability of women within these five interlocking structures of violence and impunity is based on their positioning as subordinate actors who are under the control of men in their families as fathers and brothers, men as local political and judicial authorities, and men as paramilitary enforcers of punishment. It is important to point out that many men are also placed in subordinate positions by these same sources of structural violence, particularly if they are young and/or unmarried or from families that are not within the power structure of the EPA.

The militarization of the EPA and the use of militarized gendered violence as acts of war and dispute resolution in Triqui political conflicts (see Paris Pomba 2011:45) is also connected to a larger US–Mexican political economy of violence. Here, I return to Visweswaran’s (2004) and Fregoso and Bejarano’s (2010) insistence that violence against women—whether domestic violence, rape inside or outside of marriage, mutilation, torture, or femicide—cannot be separated from the violence of the international economy. In what follows, I use the example of the expanding US drug market and its direct connection to increasing militarization in Mexico partially funded by the US as a way of linking the shared political economy between the US and Mexico to the violence suffered by Luisa and Sofía. Because this is a complex relationship, I will not be able to fully develop this example, but hope to show, in an abbreviated way, how US consumption of drugs and support of militarization in Mexico are linked to the Mexican state’s lack of engagement in the Triqui region around human rights violations and a national political narrative that justifies gender-based and other forms of violence as occurring only between those involved in the drug trade. This is part of the structural racism of the Mexican and Oaxacan state governments aimed at Triqui communities.

The vast majority of drugs smuggled into the US come through legal ports of entry (POEs), hidden amidst legitimate merchandise on trucks, and in passenger vehicles. A report from the US Department of Justice’s National Drug Intelligence Center published in 2010 reported,

Mexican DTOs dominate the transportation of illicit drugs across the Southwest Border. They typically use commercial trucks and private and rental vehicles to smuggle cocaine, marijuana, methamphetamine,

and heroin through the 25 land POEs as well as through vast areas of desert and mountainous terrain between POEs.” (US Department of Justice 2010)

Drug trafficking organizations control smuggling routes into the US for people and drugs. The RAND Drug Policy Research Center published a 2014 report for the Office of National Drug Control Policy that tracked the total expenditures, consumption, and number of users of marijuana, cocaine (including crack), heroin, and methamphetamine. While the demand for certain drugs varied over the course of the decade from 2004–2014, overall spending on illegal substances remained consistent at roughly \$100 billion USD per year (Kikmer et al. 2014). A 2012 report of the Woodrow Wilson Center put that figure as high as \$150 billion USD (Bagley 2012:2). Estimates of drug sales vary wildly, with the Justice Department saying in 2009 that Mexican and Colombian cartels sold anywhere from \$18 billion to \$39 billion USD worth of drugs in North America each year (Stanford 2017). Drug consumption and sales in the US are intimately connected to militarization, paramilitarization, and gendered forms of violence in Mexico.

The militarization of Mexican society through the integration of police and army units beginning in the 1990s to fight guerilla groups (see Stephen 2000) and then the substitution of the army for local police as part of the war on drugs in Mexico has resulted in record-breaking numbers of human and civil rights violations. Human Rights Watch 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.

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 (Castillo 1997, Stephen 2000), in San Salvador Atenco in 2005 (Amnesty International 2014), in Guerrero in 2002 (Castillo 2012), and in Tlatlaya, in Mexico state in 2014 (see Franzblau 2015). In the case of a massacre in Tlatlaya, Mexico state by soldiers of

the 102nd army battalion—which included threats of rape to women who were witnesses to silence them—“the military attempted to cover up the crime by claiming the victims were connected to criminal drug activity and killed during a shootout” (Franzblau 2015, Lizarraga and Barragán 2015).

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 has produced specifically gendered forms of violence that echo the gendered forms of violence used in the Triqui political conflict. This widespread militarization has produced a public narrative of violence against women as inevitable and normal where women occupy any kind of public role in the economy, politically, or exhibit any kind of independent voice (Wright 2011). The legitimization 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 6,000 people who died in the city between 2006 and 2011, feminist geographer Melissa Wright 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. (2011:719)

As demonstrated by the forced disappearance on September 26, 2014 in Iguala, Guerrero, of 43 students from Ayotzinapa and the documented involvement of local political officials, police, and most likely the army as well as a local organized crime groups (Díaz 2015), the Mexican state continues a strategy of detachment and minimal involvement in solving human rights violations. On January 28, 2015, the Attorney General’s Office of Mexico declared that the case of the 43 students from Ayotzinapa was closed. The parents of the students, however, did not accept the government’s version of what happened and insisted that the investigation remain open. The Tlachinollan Center for Human Rights of the Mountain,

which represents the parents, issued a statement in June 2015: “The government of the Republic refuses to investigate the Mexican Army, which had knowledge of what happened the night of September 26 in Iguala and knew that there was collusion between local police and organized crime” (Tlachinollan 2015).

The lack of state willingness to engage with the parents of the disappeared students echoes responses received by Triqui women who have tried to hold the state accountable for the high number of assassinations, rapes, and other human rights abuses documented in the Triqui region, particularly from 2009 to the present. For example, in September 2010, a group of Triqui women who were engaged in a hunger strike in the central square of Oaxaca maintained “that it is essential that the government fulfills its obligation to apply the rule of law to crimes committed and the accusations made without militarizing the region” (Ediciones Proceso 2010). In July 2014, the women returned and set up a protest in front of the office of Defensoria de los Derechos Humanos del Pueblo de Oaxaca (Defender of Human Rights of the Peoples of Oaxaca, DDHPO), demanding their intervention to get the appropriate government authorities to guarantee peace so they could return to their communities (Ojeda 2014). I witnessed their sit-in and listened to their conversations with passers-by and others who stopped to talk with them. To those who asked and in press statements, they spoke of permanent violence in their home region, but said that the biggest problem is that the government does not provide the support they need in order to return (Ojeda 2014).

Parents of the disappeared students from Ayotzinapa, Guerrero, have asked for the suspension of the US-funded Plan Merida, officially known as the Merida Initiative. Begun as a three-year plan under the administration of George W. Bush in 2007, the plan’s goal was to support Mexico’s varied security forces in their counter-narcotics efforts aimed at dismantling drug trafficking organizations and stopping the flow of drugs. President Obama had extended the Merida Initiative indefinitely and it has cost US taxpayers at least \$2.4 billion USD (Franzblau 2015). An additional \$214.7 million USD was spent by the Department of Defense on the Mexican drug war since 2011 and the US sold \$4 billion USD in arms to Mexico between 2007 and 2012 (Ustired too 2015).

The cases of Ayotzinapa and Tlatlaya suggest that narcotics money reaches elected officials, police forces, justice officials, and even the military and 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 a climate of impunity for crimes, whether narco-trafficking, paramilitary violence, or military violence. The Triqui women cited above, Luisa and Sofía, and most recently the parents of the disappeared students are testament to this reality.

The systematic use of rape, sexual assault, and threatened assault by members of the Mexican military, *narcomilitaries*, and *paramilitaries* (which are increasingly overlapping) has converged with messages from that state that justify violence against indigenous peoples, women, youth, and others. Despite widespread evidence of these gross human rights violations linked to the Mexican armed forces, police, and even elected officials, the US has continued to sell arms and financially support Mexico's militarization of the country. EPA tactics of public humiliation and torture, retribution by rape, disfigurement, and assassination, echo the kinds of violence that has characterized masculine narco-culture in Mexico and the tactics of intimidation, torture, and assassination linked to *militaries* and police (see Campbell 2014:71). Triqui women asylum seekers like Luisa and Sofía arrive in the US with this violence etched on their bodies. Once in the US, they continue to remain structurally vulnerable, but in different ways.

Conclusions: Structural Vulnerability in the Asylum Process and Expert Witnessing as Ethnographic Engagement

For women like Luisa and Sofía, seeking political asylum in the US is a literal survival strategy. For their mental and physical well-being and recovery from a lifetime of violence and trauma, they are seeking a safe space. Nevertheless, the asylum process itself puts them again in a position of structural vulnerability. In a US context where all too often the undocumented are criminalized, Triqui women asylum seekers have to overcome another set of structural barriers. Anthropologists and other social scientists have studied the production of Mexican and Central American "illegals" historically (Ngai 2004, Chavez 2008, De Genova 2005) and their unprotected status in the US as "immigrant aliens," which effectively criminalizes their very existence and day-to-day living in the US (De Genova 2010, Inda and Dowling 2013, Speed 2014). As undocumented women with few economic resources who do not speak English,

speak Spanish as a second language, and require several different kinds of experts (lawyer, psychologist, and anthropologist) to broker their asylum petitions, Luisa and Sofia are once again structurally vulnerable. They came to the US on foot, outside of any legal process—outside the law. As pointed out by scholars such as Susan Bibler Coutin (2007), the narrowly construed regime of legal citizenship renders the bodies of individuals such as Luisa and Sofia as devoid of rights and subject to the status of barely surviving. A small percentage of immigrant women like them are able to access the US nation-based system of political asylum. In the cases I have participated in, my research in Oaxaca has been what led to my involvement as an expert witness.

Expert witnessing combines expertise granted to testimony through its “ontological status as a report of conditions ‘on the ground’ in hidden, inaccessible, and dangerous sites” (Carr 2010, Tate 2013:58) with the credibility of academics through their training, degrees, research publications, and professional recognition—thereby accessing supposedly objective forms of analysis such as data, statistics, and theory (Tate 2013:58, Andreas and Greenhill 2010, Greenhalgh 2008). Winifred Tate writes that “accepted as legitimate policy knowledge by some, testimonies are delegitimized by others as anecdotal and lacking analytical rigor” (2013:58). Cultural anthropologists as expert witnesses can potentially disrupt the discrediting of testimonies through their doubling as academic experts who rely on research and first-hand data in combination with testifying and using data to buttress and interpret the testimonies of others, usually one person at a time.

At the same time, reliance on an academic expert to “support” the declaration of a person in either a criminal or immigration trial automatically highlights a series of differentiating frames that exist between the two actors and what they represent—highlighting the structural vulnerability of asylum petitioners such as Luisa and Sofia. At the highest level, this is a prioritization of ontologies. The academic expert performs a representation of modern science based on supposed objectivity, gathering of evidence from all sides, and theoretical interpretation accredited by a Western academic institution and higher educational degree. The “story” or “declaration” of the defendant is not valid on its own terms either for the specific life experience or information it contains or for the system of knowledge it represents. The academic expert can make assertions based on ethnographic research—which itself often involves observations, watching

stories in action, the solicitation of narratives, conversations, focus groups, and other forms of people talking and telling that is repackaged as “ethnographic data.” Because these stories are framed through theory they are not perceived as testimonies but as data.

Working as an expert witness requires trying to disrupt what are often racial, ethnic, national, and gendered stereotypes and providing nuanced and accurate contextual information. An initial and important part of doing this work is first deciding whether the petitioner’s declaration and other supporting documents appear to be consistent with what the anthropologist expert witness understands the on-the-ground situation to be. The evaluation of information required in putting together an expert asylum report functions much in the same way as in deciding whether or not to include a source of information in an ethnography. While expert reports do not contain a theoretical framework, they are interpretive, as is ethnography. Providing nuanced, contextual information as expert testimony in a written text is a direct engagement with ethnography.

As noted by E. Summerson Carr, to be an expert is not just to be “authorized by an institutional domain of knowledge or to make determinations about what is true, valid, or valuable” (2010:19). It is also “the ability to finesse reality and animate evidence through mastery of verbal performance” (Matoesian 1999:518, as cited in Carr 2010). The anthropologist expert witness demonstrates mastery through both textual and verbal performance in preparing reports and in possible face-to-face testimony for an immigration judge. Ethnographies are expert objects, which also rely on the ability of the writer to harness evidence and narrative through linguistic and metalinguistic resources to provide a convincing account. Likewise, providing expert testimony in written or oral form for a judge requires an interpretive framework that can link the story of a particular individual and their petition for asylum to a larger picture of a particular place, time, and set of circumstances which link up with and illuminate and buttress the claims made by the petitioner. In my work with Luisa and Sofia that is precisely what I did.

While some have rightfully cautioned against the harnessing of cultural anthropology as a vehicle to promote culturally based arguments in political asylum cases (see Berger 2015), I have suggested here that sound expert reports and testimony that links the experiences of structural vulnerability of particular individuals to a nuanced analysis of the context out of which such experiences come has much in common with

well-researched and analyzed ethnography. By taking an approach linking the construction of social groups such as Triqui women who have suffered domestic and public gendered forms of violence to the broader structures of militarized violence and the US–Mexico political economy these forms of violence exist in, anthropologists can participate responsibly as expert witnesses and also further the analysis of gendered forms of structural vulnerability. And they can work at the crossroads of ethnographic research and public engagement. ■

Endnotes:

¹Overlapping forms of violence include domestic violence, paramilitary violence, police violence, army violence, and organized crime violence.

²The absence of the Mexican state created a power vacuum which allowed EPA to escalate violence and fear as a means of gaining political control.

³The term mestizo refers to people who do not identify as indigenous. Historically it has been used as a racial category of Mexican nationalism to signal people of imagined “mixed” indigenous and Spanish descent. After the Mexican Revolution, the term increasingly was used to distinguish Mexico from the US. While the term might appear “inclusive,” it was used as a way to erase indigenous and Afro-descendent presence in Mexico in the 20th and 21st century. In the past 20 years, the term has been challenged by indigenous and Afro-Mexican social movements and communities.

⁴Translated as “obstinate, lying thieves and lazy.”

⁵An ejido refers to land held in social tenancy where those individuals who hold rights to land cannot own it. Ejidos were created after the Mexican Revolution as a form of land reform for landless communities.

⁶A pseudonym.

⁷It is not uncommon for Triqui men to have more than one wife. This polygamous form of marriage is widely viewed as normal in many communities. One of the benefits for men who affiliate with the EPA may be the possibility of multiple wives who are secured through kidnapping, intimidation, and violence.

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Foreign Language Translations:

Gendered Violence and Indigenous Mexican Asylum Seekers: Expert Witnessing as Ethnographic Engagement

[Keywords: Structural vulnerability, gendered violence, indigenous women, expert witnessing, asylum, Mexico]

Violencia de género y solicitantes de asilo mexicanos indígenas: peritaje experto como compromiso etnográfico

[Palabras claves: vulnerabilidad estructural; violencia de género; mujeres indígenas; peritos expertos; asilo; México]

性别化暴力与寻求庇护之墨西哥原住民：专家证词作为民族志参与

[关键词: 结构易损性，性别化暴力，原住民女性，专家证词，避难所，墨西哥]

Гендеробусловленное насилие и коренные мексиканские просители убежища: свидетельство-экспертиза как этнографическое занятие

[Ключевые слова: структурная уязвимость, гендеробусловленное насилие, коренное женское население, свидетельство-экспертиза, убежище, Мексика]

Violência de Género e Indígenas Mexicanos Procurando Asilo: Testemunho Especializado Enquanto Compromisso Etnográfico

[Palavras-chave: Vulnerabilidade estrutural, violência de género, mulheres indígenas, testemunho especializado, asilo, México]

العنف المبني على نوع الجنس وطالبو اللجوء المكسيكيون الأصليين: الخبر الشاهد كمشاركة إثنوغرافية
كلمات البحث: الضعف الهيكلي، والعنف القائم على نوع الجنس، نساء الشعوب الأصلية، وشهادات الخبراء، اللجوء، المكسيك

