

Racialized Geographies and the “War on Drugs”: Gender Violence, Militarization, and Criminalization of Indigenous Peoples

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R E S U M E N

En este artículo reflexiono sobre el impacto que está teniendo la llamada “guerra contra el narco” en los cuerpos y territorios de los pueblos indígenas de México. Tomando como ventana analítica las historias de vida de mujeres víctimas de violencia sexual en regiones militarizadas y paramilitarizadas, así como las historias de exclusión de mujeres indígenas presas en el marco de la lucha contra el narcotráfico, me interesa establecer un vínculo entre la ocupación mediante la violación de los cuerpos de las mujeres indígenas, su control y encarcelamiento, con la ocupación de sus territorios y el despojo de sus recursos naturales. Se trata de procesos que se dan de manera simultánea y que responden a las lógicas neocoloniales del capitalismo en cuya reproducción han sido fundamentales las desigualdades de género y raza. [derechos humanos, género, legalidad, México, pueblos indígenas]

A B S T R A C T

This article reflects on the impact of the “war on drugs” on the bodies and territories of indigenous peoples of Mexico. Taking as an analytical window the life histories of women victims of sexual violence in militarized and paramilitarized regions, as well as the histories of exclusion of indigenous women incarcerated in the context of the war on drugs, this research establishes connections between occupation through the violation, control, and incarceration of indigenous women’s bodies, and the occupation of their territories and dispossession of their natural resources. These processes take place simultaneously and respond to the neocolonial logics of capitalism, within which

gender and race inequalities are essential for their reproduction. [gender, human rights, indigenous people, law, Mexico]

The existence of racialized geographies in which the violence of organized crime, militarization, and paramilitary groups are concentrated has been little studied by Mexican academics, partly because of a reluctance to analyze structural racism as an inherent form of contemporary violence in Mexico.¹ Here, I revisit the analytical connection between racialization processes underlying the “war on drugs” and a feminist analysis of gender violence committed by various armed groups. Native American writers, such as Smith (2005), have documented how the construction of indigenous women’s bodies as territory has been part of the etymology of the language of colonization since its inception. Others have argued that this message is being reiterated at this stage of accumulation by dispossession (Hernández Castillo 2014).

In this onslaught of violence and dispossession, women’s bodies have become territories to be invaded, violated, and incarcerated. Paraphrasing Segato (2008), the language of sexual violence against women uses women’s bodies as a signifier to indicate the possession of that which can be sacrificed in the name of territorial control. In the case of women who participate in movements of resistance, sexual violence constitutes not only a form of punishment for challenging gender roles, but also a message in the semantics of patriarchal violence. Controlling women’s bodies through sexual violence and incarceration is a way of demonstrating control over colonized people’s territories. Simultaneously, destroying, mutilating, and disappearing those bodies is another way of “writing on women’s bodies a message of terror” that is aimed at everyone (Segato 2013). This patriarchal violence is exercised on bodies constructed as disposable by a classist and racialized system that centers these extreme forms of violence in specific territories.

In speaking of the existence of racialized geographies in the war on drugs, I refer to the specific ways in which the violence of militarization, paramilitarization, and organized crime has affected indigenous territories. Although neither the violence exerted by state security forces or by organized crime is racial in nature, nor does it exclusively affect indigenous populations, it does have “racializing effects,” since it disproportionately affects these populations, reproducing their marginality (Wade 2011:17).

Based on my long-term research on women in prisons, and on my experience with expert witness reports on the impact of military violence against indigenous women, I document how these racializing effects are also gendered. I use two

analytical windows: the impact of sexual violence in militarized indigenous territories and the displacement of indigenous women from these territories through imprisonment. I also analyze the strategies of resistance that indigenous women are developing to confront the “dreadful mosaic of violence” (Speed 2014) affecting their lives and their territories.

Structural Racism and Racialized Geographies in the “War on Drugs”

In Mexico, the national myth of *mestizaje* (miscegenation) has made it almost impossible to name and denounce the racism that structures social relations, institutions, and collective imaginaries (Moreno 2012). A common sense notion has been constructed that “if all of us are partly indigenous, we cannot be racist,” which obscures the ideology of whitening that prevails, despite the fact that postrevolutionary nationalism promoted *mestizofilia*—vindicating the “dead Indian” and excluding live indigenous peoples from the national project (see Castellanos et al. 2008; Gall 2004).

Quijano (2000) has analyzed the racial imaginaries imposed by caste systems as hierarchical classification systems of the various types of miscegenation established in the New World since the seventeenth century. These perspectives demonstrate the centrality of racism in the coloniality of Latin American societies.² In other words, while races do not exist as a genetic reality, they do exist as social constructs that justify and structure inequality in our societies.

Studies from the perspective of critical geography have analyzed how the construction of territoriality and the distribution of space are influenced by racialization processes (Gilmore 2002; Glassman 2010; Lichter et al. 2012). In other words, racial hierarchies locate certain bodies in certain spaces, or unequally allocate resources and apply public policies to different territories depending on the bodies that inhabit them. In contexts of extreme violence, such as currently experienced in Mexico, certain bodies are constructed as disposable and located in specific territories, as opposed to others, which are constructed as the *locus* of “valuable life” and are located in privileged geographical spaces (Cacho 2012; Costa Vargas and Alves 2010; Mora 2016). Cacho (2012) uses the concept of *social death* to describe how poor, racialized bodies are dehumanized. In many of the indigenous territories of Mexico this social death is equivalent to physical death, where racialized illegality and the criminalization of those who are most vulnerable allows their human value to be rendered invisible. In other words, racism dehumanizes and renders unintelligible the value of bodies located in poor, racialized territories. In this context of multiple violences, women’s bodies in these regions also become a signifier to mark control over those racialized geographies.

Only a small number of anthropological studies analyze the impact of the “war on drugs” and narco-violence in specific indigenous territories (Camus 2012; Maldonado 2012). However, a number of journalists have written about the impact of the structural reforms of the last decade, in terms of the harm done to the economy of indigenous and peasant populations, contributing to migration and a market incursion of the production of natural drugs such as opium poppy and marijuana, as well as the recruitment of young indigenous people by drug cartels (Emmerich 2013; López y Rivas 2010). The indigenous regions of the states of Guerrero, Michoacán, Veracruz, Jalisco, Oaxaca, Chihuahua, Chiapas, Durango, and Sonora have been especially affected by militarization and the violence of the “antinarco war,” in part because these economically marginalized regions have the characteristics of isolation necessary for the production of illegal crops. Emmerich observes, “The production of illegal drugs is an activity that takes place in confined territories, with limited integration of the population, difficulties in land communication, an aggressive and exuberant geography, high levels of poverty, and limited state presence” (2013:20), which is often the type of racialized geography that prevails in indigenous territories.

Although there is no reliable data regarding the identity of the victims of the “war on drugs,” the context of racialization and structural poverty in which this strategy has been applied makes it likely that the 121,683 deaths reported by the National Institute of Statistics and Geography (INEGI) during the Felipe Calderón administration (2006–12), and the 61,018 deaths during the Enrique Peña Nieto administration from December 1, 2012 to March 2016, are mostly of poor men and women with brown bodies. Similarly, these types of bodies constitute the bulk of the population imprisoned for *delitos contra la salud* (crimes against health), as drug-related crimes are typified.³

Just as racial hierarchies affect the specific ways in which the war on drugs is experienced, gender hierarchies locate poor and racialized women and men in different contexts of criminalization and violence (Sieder 2017; Speed 2016). According to data from the National Institute of Geography and Statistics (INEGI), women are murdered with greater violence or truculence, using methods that produce greater pain, for a longer period of time, before causing death.⁴

The cruelty with which women’s bodies are violated seems to be part of the strategy of terror used by the armed groups fighting each other in this nonconventional war. Segato (2013) notes that violence against women is no longer a collateral effect of war, but a strategic objective in a new war scenario. Segato describes the existence of a “pedagogy of cruelty” that utilizes women’s bodies as canvases to inscribe messages directed to enemy groups and to delimit territories. The following sections analyze how this patriarchal semantics affects the bodies and lives of indigenous women in poor racialized territories.

Militarization and Sexual Violence as Counterinsurgency Tools

The Felipe de Jesús Calderón Hinojosa administration (2006–12) marked the beginning of the armed forces' intrusion in security tasks that formerly corresponded to police work. During this period the country's militarization reached its peak across the states, where some thirty thousand troops were mobilized, while army authorities were appointed to head the secretariats of public security. This was the beginning of the "war on drugs" that focuses on the military component in an attempt to recover public spaces and confront organized crime (Moloeznik and Suarez de Garay 2012). It is a strategy for territorial control that continues under the current Enrique Peña Nieto administration (2012–18).

Rather than diminishing the influence of drug trafficking, this territorial occupation by the army has led to an increase in alcoholism, drug sales, and prostitution.⁵ The increase in military presence in indigenous regions has limited women's mobility: women relate the military presence to the latent threat of sexual violence, as exemplified by the sexual violation of the González sisters at a military checkpoint in Chiapas in 1994, of Inés Fernández Ortega and Valentina Rosendo Cantú in 2002 in Guerrero, and of the women members of the People's Front in Defense of Land raped by police forces in Atenco in 2006, to mention only some of the better known cases.⁶

The use of sexual violence as a counterinsurgency tool is present in the historic memory of recent decades in many regions where indigenous women have actively participated in the struggle for the defense of their lands and territories. The indigenous women of the Regional Coordination of Communal Authorities (CRAC) in Guerrero, the women members of the Me'phaa Indigenous People's Organization (OPIM), and the peasant women from Atenco have denounced the genocidal impact of neoliberal economic policies and these "security" policies on their peoples and, specifically, on women's lives. Their voices have reached international tribunals, constructing new self-representations that confront patriarchal semantics. The presence of organized women in a given community or region has almost become synonymous with political radicalism. In many indigenous regions such women have become symbols of resistance and subversion, and have therefore become the target of political violence.

On January 16, 2018, Purépecha activist, Guadalupe Campanur Tapia, was found strangled and raped in the Mexican state of Michoacán. Campanur was part of an indigenous autonomic project and had participated in local security patrols in defense of the forest. Guadalupe, along with other women and men from Cherán, not only expelled organized criminals from their communal lands but also undertook a legal struggle for the defense of land and territory against the presence of political parties in the municipality, and for recognition of their own systems to elect authorities, as will be discussed further in the last section of

this article. Her murder has been denounced as femicide, but also as a politically motivated homicide against the indigenous autonomic project of Cherán.⁷ The army, police forces, and paramilitary groups have turned women's bodies into their battlefield, in a counterinsurgency strategy that treats social movements as a potential danger for "social stability." Rather than an act of repression, sexual violence is a message in patriarchal semantics to promote demobilization and, eventually, displacement and dispossession.

In the face of this counterinsurgency strategy, organized indigenous and peasant women have responded with denunciations in national and international forums. Their voices have confronted the patriarchal semantics that intended to use sexual violence inscribed on their bodies as a form of colonization. This was the case with Inés Fernández Ortega and Valentina Rosendo Cantú.

The invitation by the Inter-American Commission on Human Rights (IACHR) to elaborate on a cultural expert witness report on the communal impact of the sexual violation of these two leaders led me to analyze the current militarization and paramilitarization processes in the mountain region of Guerrero.⁸ The two members of the OPIM were raped by soldiers in 2002 when they promoted the organization of indigenous women against violence in the region. After eight years of impunity for the perpetrators, they decided to take their case to the international justice system, given the unresponsiveness of the Mexican legal system to their demands. After two public hearings in 2010 at the Inter-American Court of Human Rights (IACtHR), the Mexican state was found guilty of "institutional military violence," which meant that the army's responsibility in the violation of both women's human rights was acknowledged. In two public acts, Alejandro Poiré, the Minister of the Interior, apologized in the name of the Mexican government to Inés and Valentina. These acts of "Acknowledgement of Responsibilities" symbolized a political and moral triumph for both indigenous leaders. The apologies of the minister recognized the veracity of Valentina and Inés claims that were so many times distorted by the operators of civil and military justice.

Inés and Valentina's testimonies speak of a decades-old *continuum of violences*—a main axis of which is the role of the army and paramilitary groups in the "dirty war" of the 1960s and 1970s. What we see today is a transformation from the counterinsurgency tactics of that time to those of the "war on drugs," which justify the role of the army in the everyday lives of hundreds of indigenous and peasant communities.

Throughout this process, Inés and Valentina highlighted the complicity of the army with municipal governments, organized crime, and paramilitary groups. Through their testimonies and denunciations they developed a structural analysis of their experiences of violence, which points to the state's liability not only by omission, but also by commission.

The lucidity of the analysis of social actors in the region is notable. In the case of the cultural expert witness reports elaborated in the context of the denunciations by Inés Fernández Ortega and Valentina Rosendo Cantú, both women highlighted the existence of a policy of repression that transcended the violent acts of some soldiers. Although the word “racism” was never used in their oral statements, the denunciation of a systematic use of military violence against indigenous peoples and the disrespect shown to their human dignity by the justice officials was central to their testimonies. Because the institutional character of the violence they suffered was so clear to them, the imprisonment of the soldiers who raped them did not represent real justice and they demanded collective reparations. These communal reparations included the demilitarization of the region as a guarantee of nonrepetition.⁹ The “war on drugs” has implied new strategies of colonization and occupation of indigenous territories. The struggle by Inés and Valentina has not been only for justice in their individual cases, but a means to denounce the continuity of multiple violences affecting the lives of their people.

Controlling Bodies: The Criminalization of Indigenous Women

In conjunction with the militarization of indigenous regions, the war on drugs has brought about a new legal framework that enables the controlling and imprisoning of poor racialized bodies. The impact of imprisonment in racialized geographies has been analyzed by Gilmore (2007) who argues that prisons are geographical solutions to social and economic crises, politically organized by a racial state. The neoliberal economy has created a crisis of “surplus labor” that in the context of the USA has been combined with farm crises and “surplus land” in rural areas to create the conditions for the expansion of prisons in rural areas. For Gilmore (2007), the prison system is part of a project of state building that has a racializing effect in particular geographic areas. In Mexico, the prison industrial complex is also being developed in rural areas, although there is no “surplus of land,” and dispossession takes place in the name of security: prisons have become the new *maquilas* with cheap labor, through what has been called “labor therapy” (Hernández Castillo 2016).¹⁰

In the context of the war on drugs in Mexico, the imprisonment of indigenous people in general, and of indigenous women specifically, has been another form of displacement, from communities of origin to federal prisons that are usually isolated and far away from their indigenous regions. The Constitutional Reform on Criminal Justice and Public Security, approved in June 2008 in relation to the war on drugs, increased indigenous peoples’ vulnerability before the criminal justice system, militarized their communities, and criminalized social movements.¹¹ This reform has been described as providing guarantees, and the official discourse

emphasizes the importance of oral trials as a strategy to reduce costs and expedite legal processes; however, the reform has also led to a reduction in the standards applied to the criminal process, compromising the civil rights of those suspected of participating in acts of organized crime.

The reform limits the right to the benefit of parole for people sentenced for drug-related crimes, leaving a margin of exception for indigenous detainees but in the process reproducing the racist discourse by using “ignorance” as mitigating circumstances. It states, “Parole shall not be granted to: People sentenced for *crimes against health*¹² unless they are individuals who are evidently in a condition of cultural backwardness, social isolation, and extreme economic need” (Art. 85 of the Federal Penal Code). Despite this “exception,” indigenous men and women continue to serve long sentences for small-scale drug dealing and continue to be held in custody for an average of five years before being brought to trial (Corral 2017).

At the time of writing, a series of political events heralded a strategic turn in the legalization of marijuana, creating hope for the decriminalization of consumption and the release of many poor men and women whose lives have been severely affected by the prohibitionist strategy. On April 19 and 21, 2015, in the context of a Special Session of the United Nations General Assembly on the World Drug Problem (UNGASS) 2016, President Enrique Peña Nieto changed his discourse regarding drug legalization, speaking for the first time of the need to face the issue of consumption of psychoactive drugs as a public health problem. Incorporating the discourse of a broad sector of Mexican society that has been questioning the “war on drugs” strategy, the Mexican president spoke for the first time of the need to move from “mere prohibition to effective prevention and efficacious regulation.”

Two days later he submitted the Reform Proposal for the General Health Law and the Federal Penal Code, which proposes legalizing marijuana for medicinal and therapeutic purposes. This legal initiative signals a change in national policies, which for several decades have revolved around prohibition and criminalization. The initiative’s approval would lead to the release of all people imprisoned or undergoing trial for possession of marijuana, as long as the amount carried did not exceed a limit of twenty-eight grams (the permissible amount is currently set at five grams).

The reform would benefit consumers, but would have no effect on poor women imprisoned for small-scale drug dealing. We have no access to an updated census that would show how many indigenous men and women would be released if the initiative were approved, but qualitative research indicates that the problem of addiction is not the main reason indigenous women participate in small-scale drug dealing. Among the few studies with imprisoned women that recognize their ethnic specificity is Hernández’s work (2011), which states that indigenous women

represent 5 percent of the total population of women in prison: they make up 43 percent of the women imprisoned for drug-related crime.

Although there is currently no information detailing ethnic origin, last year the National Human Rights Commission presented the “Informe Especial sobre las Mujeres Internas en Centros de Reclusión de la República Mexicana” (Special Report on Imprisoned Women in Detention Centers in the Mexican Republic) 2015, which noted that of 249,912 people imprisoned in Mexico, 12,690 (5.08 percent) were women. According to the “Reform Proposal for Cases of Women Imprisoned for Drug-Related Crimes,” elaborated by civil society feminists, drug-related crimes are the main cause of imprisonment of women at the federal level and the third cause of imprisonment of women at a local level (Giacomello and Blas Guillen 2016).

In the context of a study on Morelos and Puebla, this tendency is corroborated by the legal records of indigenous women in the women’s prisons of Atlacholoya in the state of Morelos and San Miguel in the city of Puebla. Of the thirty indigenous women imprisoned in both states, twenty-four spoke Nahuatl, the language most commonly spoken by indigenous people in both states. Sixteen of the thirty—that is, more than half—were imprisoned for drug-related crimes and were serving sentences that ranged from ten to fifteen years, even though only three of them had prior criminal records and none of them was armed or had participated in violent crimes. None of the thirty women were aided by a translator during their trial (Hernández Castillo 2016).

In the thirty in-depth interviews we conducted in the women’s prisons in Morelos and Puebla, half of the women denied having participated in drug dealing, while the other half acknowledged their participation in small-scale drug dealing because of a lack of work options and as a way out of extreme poverty. Several mentioned that before their arrest, they spoke no Spanish and that they learned Spanish in jail. Monolingualism and illiteracy contributed to several of the women being forced to sign written declarations acknowledging their guilt, without understanding the content.

As we observed while reviewing the records of the indigenous women imprisoned in Morelos and Puebla, a lack of translators is almost the norm in legal processes involving indigenous men and women, even though the 2001 constitutional reform established the right to a translator and to anthropological expert witness reports on the cultural context of defendants, which could provide attenuating circumstances. This breach of linguistic and cultural rights is not only explained by a lack of qualified personnel who could promote access to justice for indigenous peoples, however; it is also a result of a larger framework of derogatory and racist behavior from public officers—a characteristic of the justice system that in many ways furthers the ingrained societal racial hierarchies (Escalante Betancourt 2015).

The imprisonment of indigenous women in many cases uproots the entire family, and can result in their displacement from communities and a new context of vulnerabilities for their children. This “security policy” is clearly not keeping indigenous communities away from drug-trafficking networks. The racializing effects of the criminalization of poverty are also being suffered by the sons and daughters of these women who become easy targets for recruitment by those involved in organized crime.

Indigenous Women at the Bottom of the Crime Pyramid: New Vulnerabilities

The representations of “women of the drug trade” in the media have contributed to the development of a collective imaginary that mirrors the film images of *La Reina del Sur* (The Queen of the South) or pop music’s descriptions of *Camelia la Texana* (Camelia the Texan). Not only do these images deploy a hypersexualized representation of femininity—where the heroine is usually an attractive woman who uses her sexual attributes as strategic tools—the characterizations also include male chauvinist attributes that represent them as intelligent and cruel women who will do anything for power.

Howard Campbell has interviewed women who feel “empowered” by their participation in organized crime and describes them as “attracted by crime and the opportunity of adventure and rebellion against bourgeois lifestyles” (2008:246). In an attempt to problematize a homogeneous and victimizing view of the women involved in drug trafficking, Campbell claims that their participation takes place in the context of a contradictory process, since, despite the violence that organized crime exerts on the lives of some women, others are strengthened by their participation in it. This perspective is shared by Muehlmann (2014) who argues that narco-trafficking offers one of the few paths for poor men and women living along the U.S.–Mexican border to experience upward mobility; it is a powerful source of local prestige. These scholars speak of women who find in their participation in the drug market the tools for self-sufficiency and, in some cases, a means by which they may free themselves from male domination of their domestic lives. However, differences in class and racialization processes deeply affect women’s experiences with organized crime.

Studies on women arrested for drug-related crimes speak of a different type of woman who essentially participates in organized crime out of economic necessity. They describe poor women, generally heads of household—single mothers or women who look after the elderly—who are at the bottom of the crime ladder as collectors, small-scale drug dealers, human couriers, or “mules” (Boiteux 2015; Giacomello 2013; Giacomello and Blas Guillén 2016; Hernández Castillo 2012). This is a replaceable and disposable workforce in the transnational drug trade.

Working with indigenous women in prison, we observed that these attributes are compounded by low educational levels, limited knowledge of Spanish, structural racism in the legal system, and prior experiences of violence in militarized and paramilitarized regions.

In addition to noting the criminalization of poverty and the justice system's structural racism, our work on the life histories of women in prison has enabled us to document a seldom-discussed phenomenon in drug trade studies: the forced recruitment of peasant women by organized crime cartels. In our work with women in Mexican federal prisons, we found cases of women whose communities were occupied by a criminal group that violently took whatever it wanted from the communities, under the logic of terror they have imposed upon entire regions.

The problem of domestic violence has taken a new turn, and now the aggressors are not only the women's spouses but also their kidnappers—paid killers who are accustomed to using violence on an everyday basis. Behind many of the armed men who control the drug trade, there are terrified women who cannot denounce the violence and are the first to be sacrificed if something goes wrong. In this regard, Rosalba, a woman accused of having links to the Familia Michoacana cartel, described to her cellmate how she was “chosen” to be the woman of the capo who controlled the “turf” where she lived:

He came to my house and told me: ever since I saw you I was interested in you and I can't deny that I like you. I'm a man of few words and I don't like to lie; in this town alone I have ten women and I have children with six of them. I tell each one what I want from her: “I want you to show you off; you to be my children's mother; you to be my lover.” “And what do you want from me?” “I'd like you to be the mother of my children. That's why I had a bank account opened for you and tomorrow you're going to go with a driver I trust to pick up your credit cards. So don't worry about money, you won't lack anything with me. You can feel safe. Being my woman, no one will disrespect or harass you.” The decision was made; it wasn't a question; he never asked me whether I agreed. No one said NO to Don Fernando: he took what he wanted. (Nocturno 2015:259)

Some studies note the role of romantic love (Torres Angarita 2007) and male chauvinism (Gaeta Hernández 2014) in the conditions that make women's relationship with organized crime possible. These conditions lead them to become *pagadoras* (payers); in other words, they are declared guilty and are penalized for their spouses' or children's activities, only to be later abandoned by them. However, there has been no research that documents women's kidnapping or forced recruitment by organized crime. This phenomenon has been recorded in the mountain region of Guerrero in a testimonial novel (Clement 2014) and in the life histories we have collected from women, in which we documented several experiences of forced recruitment in Guerrero and Michoacán. These forms of violence and the

control of women's bodies lead many women to experience prison as a form of "security" in comparison to the violence and fear under which they lived when under the control of the cartels (Nocturno 2015).

This phenomenon takes place at the same time as the "pedagogy of cruelty" described by Segato (2013), which uses murder and the mutilation of women's bodies to obtain the loyalty and submission of those women who are allowed to live. While it is impossible not to construct a victimized representation of indigenous women before the violence that affects their bodies and territories, it is important to recognize that even in these contexts of extreme violence, dispossession, and criminalization, resistance strategies have developed. I will conclude this article by describing some of the experiences by which some women have collectively confronted violence, and the patriarchal semantics that intend to use sexual violence and women's bodies as signs in this new war.

Resistance Strategies Before Multiple Acts of Violence

The multiple acts of violence suffered by indigenous women have been made possible not only by the impunity and ineffectiveness that characterize the security and justice systems, but also because violence often operates in the institutions that are supposed to protect us. Rather than the existence of a *Parallel State* (Segato 2008) or a *Shadow State* (Gledhill 2015), what we have is a *narco-state* in which the borders between organized crime and state officials have been erased, as was evident in the Ayotzinapa case (Mora 2016).

In this context, indigenous women have found spaces of resistance in their communal security and justice systems, enabling them to confront the multiple acts of violence that affect their lives. The case of the CRAC of Guerrero, analyzed by Sierra (2004, 2009), is an example of the way indigenous women have wagered on the transformation of their own justice institutions to gain greater space for participation while simultaneously developing practices of security and justice that the state has denied them. In the last eighteen years, CRAC members have volunteered in the coastal and mountain regions of Guerrero, building an indigenous justice and security system that has significantly reduced crime and promoted reeducation processes to keep organized crime from recruiting young people. Although the CRAC, locally known as the community police, is recognized under Law 701 for the Recognition, Rights and Culture of Indigenous Peoples of the state of Guerrero, and by Article 2 of the Mexican Constitution, many of its leaders are in prison, charged with "kidnapping"—for detaining criminals and submitting them to reeducation processes.

Among the CRAC members whose work has been criminalized is a commander from Olinalá, Guerrero, Nestora Salgado García, who was in jail for two years and

eight months, charged with “kidnapping” for confronting networks of organized crime in the region. The community police of Olinalá had been recognized by the government of the state of Guerrero, which provided communication and transportation equipment. However, when they went beyond solving minor local problems and started to confront the networks of organized crime that colluded with the municipal government, their actions were declared illegal. In the context of an expert witness report I examined for Nestora’s defense, I collected testimonies from members of the CRAC in Olinalá and from people who had gone through the reeducation system. These testimonies reveal that her gender had an influence on the virulence with which her leadership in the CRAC was criminalized.¹³ For a woman to denounce narco-state corruption and to refuse to sell herself at any price was taken as a personal offense by those who hold local power.

During the two years she was in prison, Nestora Salgado became a symbol of resistance for many women who struggle against patriarchal violence and in favor of indigenous communities that defend their security and justice systems. Even though authorities attempted to isolate her in a high-security prison, Nestora did not stop denouncing the human rights violations committed not only against her and the CRAC, but also against several indigenous resistance movements. Her freedom was obtained due to a combination of legal struggle, national and international solidarity, and the political pressure exerted by the United Nations Working Group on Arbitrary Detention. Now out of prison, Nestora has been heading a campaign to free political prisoners and to end the criminalization of indigenous movements.

Similarly, in 2011, some Purepecha women from Cherán, Michoacán, headed a resistance movement against dispossession and the destruction of their forests by loggers with connections to organized crime, who in complicity with state and federal police maintained a state of terror in the community (Velázquez Guerrero 2013). In a seminar on Critical Law, the traditional authorities (*keris*) spoke of the important role played by women from Cherán in heading the struggle against dispossession and for autonomy. In their testimonies they described how in April 2011, confronted with ongoing logging and the desecration of their sacred water springs, the Purepecha women grabbed sticks, hunting rifles, and machetes and went to confront the loggers. María, one of the participants in the uprising, said: “They destroyed all the forest, they are destroying our water sources; they took the men, they murdered them for doing their work. That’s the reason for our rage, that’s the reason we rose up” (García Martínez 2011:1).¹⁴

The women and men from Cherán expelled organized crime from their communal lands, and also undertook a legal struggle for their autonomic rights, in litigation that included a demand for recognition of their own systems to elect authorities. This struggle culminated with the sentence issued on November 2, 2011, by the Superior Chamber of the Electoral Tribunal of Justice of the Federation,

in which the government recognized their political and territorial rights (Aragon Andrade 2013).

Conclusion

Although in Mexico military and paramilitary violence have not displaced as many people as in some other Latin American countries, such as Peru and Colombia (Global IDP 2004; Roldan 1998), the issue of forced displacement is becoming a political concern of social movements, as can be seen in communities of the mountain region of Guerrero, in San Juan Copala in Oaxaca, and in Acteal in Chiapas. In these racialized territories, women's bodies have become a battlefield, and a means of distributing patriarchal messages of the dispossession of territories and resources. Sexual violation and imprisonment tend to precede the violation and dispossession of indigenous territories.

The connections among sexual violence, displacement, and dispossession have been analyzed in contexts of armed conflict and paramilitarization as part of what have been defined as "rape regimes," in reference to the relationship between the act of sexual aggression and the broader objectives of control and dispossession (Boesten 2010). Establishing analytical relationships among the multiple acts of violence experienced by displaced indigenous and peasant women has been a challenge for women's human rights defenders who have set themselves the challenge of demonstrating that sexual violations on the part of paramilitary groups or state agents are neither the product of "uncontrolled sexual impulses" nor abuses by violent men, but are part of a broader strategy to promote displacement and dispossession (Céspedes-Baéz 2010; Meertens 2009). Human rights lawyers, such as Lina María Céspedes-Baéz in Colombia, have expressed that, given the difficulty in proving such inter-relationships among multiple acts of violence under current legal terms, it is necessary to *create* legal tools to make visible the connections between these acts of violence. One such tool is what the author describes as "an irrefutable constitutional presumption that assumes the connection between the regime of sexual violence for the purpose of land and real estate dispossession, which would facilitate proving in a legal process not only the event of sexual violence, but the purposes behind it" (Céspedes-Baéz 2010:300).

As argued here, violence against women experienced in the context of the war on drugs reproduces old war strategies that have taken on more violent forms in the context of "new informal wars" (Calveiro 2012); there have been racializing effects in indigenous territories because of the increased conditions of vulnerability among these populations. From the perspective of patriarchal ideology, which continues to view women as sexual objects and as the keepers of family honor, rape, sexual torture, and bodily mutilations of indigenous women also constitute an aggression

against all the men in the enemy group: it is a way to colonize their territories, their goods, and their resources. However, it is important to remember that this semantics of violence works because the notions that give it meaning are shared by society as a whole and not only by those who defend the interests of large capital.

The multiple strategies of resistance deployed by indigenous women, and their voices in national and international forums, have confronted the patriarchal semantics that use the sexual violence inscribed on their racialized bodies as a form of colonization.

Notes

Translated by Alejandro Reyes.

¹This situation is changing due to the creation of networks such as *Integra*: <http://redintegra.org/> and #SOS Anti-racism, *Gender and Justice*: <http://www.colectivos.com/en/>, which have been created by scholars working on the analysis of racism. In relation to the link between state violence and racialized geographies in Mexico, see Mora (2016).

²*Coloniality* designates a characteristic of the modern world relating to the inconclusive nature of decolonization. It describes the way colonialism continues to be present in the knowledge and bodies of Latin American modernity. For Quijano (2000), colonialism is a specific period that ended with the national liberation wars in the mid-twentieth century. However, coloniality is a long-term phenomenon: it began with the conquest of America and the first Iberian globalization and it continues to this day. Coloniality is marked by social hierarchies and is the other side of modernity.

³For the human rights violations during the Felipe Calderon administration (2006–12), see <http://www.proceso.com.mx/348816/mas-de-121-mil-muertos-el-saldo-de-la-narcoguerra-de-calderon-inegi>. For the situation during the Enrique Peña Nieto Government (2012–18), see Secretariado Ejecutivo Del Sistema Nacional De Seguridad Pública (2016), available at <http://secretariadoejecutivo.gob.mx/docs/pdfs/victimas/Victimas2016'012016.pdf>. Based on these data, the Insyde organization estimates that, if this rate continues, by the end of the Peña Nieto administration there will be 124,975 deaths.

⁴See <http://www.inegi.org.mx/saladeprensa/aproposito/2015/violencia0.pdf>.

⁵For the impact of militarization on Chiapas indigenous regions, see the report of Centro de Derechos Humanos Fray Bartolomé de Las Casas (2015); for the impact of militarization in indigenous regions of Guerrero, see the report of Tlachinollan (2011).

⁶The cases of the González sisters, Zapatista bases of support raped at a military checkpoint, and the women raped in Atenco are currently being analyzed in the Inter-American Commission on Human Rights. All these cases were presented at the Permanent Peoples' Tribunal at the Hearing on Femicide and Gender Violence in Ciudad Juárez, on May 27–29, 2012.

⁷More about this case at <http://www.jornada.unam.mx/2018/01/24/opinion/020a1pol>.

⁸The Anthropological Expert Witness Report was drawn up by Rosalva Aída Hernández Castillo and Héctor Ortiz Elizondo and was presented by the former at the Inter-American Court of Human Rights on April 15, 2010, in Lima, Peru. The complete document can be found in *Boletín del Colegio de Etnólogos y Antropólogos: Peritajes Antropológicos en México. Reflexiones Teórico Metodológicas y Experiencias*, Mexico, 2012; available at <http://es.scribd.com/doc/109260764/Boleti-n-Ceas-2012-Peritaje>. An English version can be found in Hernández Castillo (2016, Appendix 1).

⁹For an analysis of these two cases and the outcome of the trial at the Inter-American Court of Human Rights, see Hernández Castillo (2016).

¹⁰*Maquilas* are a foreign-owned factory that uses cheap labor to assemble products and then exports the products back to the country of origin.

¹¹Articles 16–22 were reformed; Fractions XXI and XXIII of Article 73; Fraction VII of Article 115; and Fraction XIII of Paragraph B of Article 123, all in the Mexican Constitution.

¹²*Crimes against health* is a legal term used for drug-related crime.

¹³The details of Nestora Salgado's case and the challenges faced by the expert witness report drawn on for her defense can be found in Hernández Castillo (2017).

¹⁴Seminar on Critical Law, CIESAS, Mexico City, October 30, 2017.

References Cited

- Aragón Andrade, Orlando. 2013. "El derecho en insurrección: El uso contra-hegemónico del derecho en el movimiento purépecha de Cherán." *Revista de estudios e pesquisas das Americas* 7(2):37–69.
- Boesten, Jelke. 2010. "Analyzing Rape Regimes at the Interface of War and Peace in Peru." *International Journal of Transitional Justice* 4:119–32.
- Boiteux, Luciana. 2015. *The Incarceration of Women for Drug Offenses*. CEDD.
- Cacho, Lisa Marie. 2012. *Social Death: Racialized Rightlessness and the Criminalization of the Unprotected*. New York: New York University Press.
- Campbell, Howard. 2008. "Female Drug Smugglers on the U.S.–Mexico Border: Gender, Crime, and Empowerment." *Anthropological Quarterly* 81:233–67.
- Calveiro, Pilar. 2012. *Violencias de Estado. La Guerra antiterroristas y la guerra contra el crimen como medios de control global*. Mexico City: Editorial Siglo XXI.
- Camus, Manuela. 2012. "Fronteras, comunidades indígenas y acumulación de violencias." *Revista Desacatos. Número Especial Narcoviencia y Ciencias Sociales* 38:73–95.
- Castellanos Guerrero, Alicia, Jorge Gómez Izquierdo, Guy Rozat, and Fernanda Núñez. 2008. *Los caminos del racismo en México*. Mexico: Plaza y Valdez.
- Centro de Derechos Humanos Fray Bartolomé de las Casas. 2015. *La insurgencia de los Derechos Humanos*. San Cristóbal de Las Casas: CDFBC.
- Céspedes-Baéz, Lina-María. 2010. "La violencia sexual en contra de las mujeres como estrategia de despojo de tierras en el conflicto armado colombiano." *Revista Estudios Socio-Jurídicos* 12(2):273–304.
- Clement, Jennifer. 2014. *Ladydi*. Mexico: Editorial Lumen.
- Corral Paredes, Carolina. 2017. "La incertidumbre del proceso penal. Un castigo sutil." In *Resistencias penitenciarias: Investigación activista en espacios de reclusión*, edited by Rosalva Aída Hernández Castillo, 263–94. Mexico: CIESAS/TWGIA/Juan Pablos Editores.
- Costa Vargas, Joao H., and Jaime Amparo Alves. 2010. "Geographies of Death: An Intersectional Analysis of Police Lethality and the Racialized Regimes of Citizenship in Sao Paulo." *Ethnic and Racial Studies* 33(4):611–36.
- Emmerich, Norberto. 2013. "El narcotráfico en los territorios indígenas de América Latina." Accessed November 20, 2016. <https://es.scribd.com/doc/194724881/El-narcotrafico-en-los-territorios-indigenas-de-America-Latina>.
- Escalante Betancourt, Yuri. 2015. *El racismo judicial en México*. México: Juan Pablos Editores.
- Gaeta Hernández, Ana Christina. 2014. "El papel del machismo en la victimización de las mujeres involucradas en el tráfico de droga." *Revista Bricolage* 20:15–22.
- Gall, Olivia. 2004. "Identidad, exclusión y racismo: reflexiones teóricas y sobre México." *Revista Mexicana de Sociología* 66(2):221–59.
- García Martínez, Anayeli. 2011. "Mujeres encabezan la resistencia en Cherán." CIMAC México, July 19.
- Giacomello, Corina. 2013. *Mujeres, delitos de drogas y sistemas penitenciarios en América Latina*. Mexico: Consorcio Internacional sobre Políticas de Drogas.
- Giacomello, Corina, and Isabel Blas Guillen. 2016. *Propuestas de reforma en casos de mujeres encarceladas por delitos de drogas en México*. Mexico: Equis-Justicia para las Mujeres e INACIPE.
- Gilmore, Ruth Wilson. 2002. "Fatal Couplings of Power and Difference: Notes on Racism and Geography." *Professional Geographer* 54(1):15–24
- . 2007. *Golden Gulag: Prisons, Surplus, Crisis, and Opposition in Globalizing*. Berkeley, CA: University of California.
- Glassman, Jim. 2010. "Critical Geography II: Articulating Race and Radical Politics." *Progress in Human Geography* 34(4):506–12.
- Gledhill, John. 2015. *The New Wars on the Poor: The Production of Insecurity in Latin America*. London: Zed Books.

- Global IDP. 2004. *Profile of Internal Displacement in Peru*. Switzerland: Norwegian Refugee Council/Global IDP Project.
- Hernández, Ana Paula. 2011. "Drug Legislation and Prison Situation in Mexico." In *Systems Overload: Drug, Law and Prisons in Latin America*, edited by Metaal Pien and Coletta Youngers, 60–70. Amsterdam–Washington: WOLA.
- Hernández Castillo, Rosalva Aída. 2012. "Del Estado multicultural al Estado penal: Mujeres indígenas presas y criminalización de la pobreza en México." In *De las reformas multiculturales al fin del reconocimiento: Justicia, pueblos indígenas y violencia en México y Guatemala*, edited by María Teresa Sierra, Rosalva Aída Hernández Castillo, and Rachel Sieder, 79–101. Mexico: FLACSO/CIESAS.
- . 2014. "Cuerpos femeninos, violencia y acumulación por desposesión." In *Desposesión. Género, territorio y lucha por la autonomía*, edited by Marisa Belaustegigoitia and María Josefina Saldaña, 79–99. Mexico: UNAM/Instituto de Liderazgo Simone de Beauvoir.
- . 2016. *Multiple Injustices. Indigenous Women, Law and Political Struggle*. Tucson, AZ: University of Arizona Press.
- . 2017. "Activismo legal y las paradojas de la antropología jurídica feminista." In *Resistencias penitenciarias: Investigación activista en espacios de reclusión*, edited by Rosalva Aída Hernández Castillo, 51–83. Mexico: CIESAS/Juan Pablos Editores.
- Lichter, Daniel, Domenico Parisi, and Michael C. Taquino. 2012. "The Geography of Exclusion: Race, Segregation, and Concentrated Poverty." *Social Problems* 59(3):364–88.
- López y Rivas, Gilberto. 2010. "Pueblos indígenas y narcotráfico." *La Jornada*, October 15, p. 31.
- Maldonado Aranda, Salvador. 2012. "Drogas, violencia y militarización en el México rural. El caso de Michoacán." *Revista Mexicana de Sociología* 74(1):5–39.
- Meertens, Donny. 2009. "La tierra, el despojo y la reparación: Justicia de género para mujeres víctimas en Colombia." In *Justicia Desigual? Género y Justicia de las Víctimas en Colombia*, 195–223. Bogotá: Fondo de Desarrollo de las Naciones Unidas para la Mujer-Unifem.
- Moloeznik, Marco, and María Eugenia Suárez Garay. 2012. "El proceso de militarización de la seguridad Pública." *Frontera Norte* 24(48):121–44.
- Mora, Mariana. 2016. "Ayotzinapa and the Criminalization of Racialized Poverty in La Montaña, Guerrero, Mexico" *POLAR* 40(1):67–85.
- Moreno, Mónica. 2012. "Yo nunca he tenido la necesidad de nombrarme: Reconociendo el racismo y el mestizaje en México." In *Racismos y otras formas de intolerancia: De norte a sur en América Latina*, edited by A. Castellanos Guerrero and G. Landázuri Benítez, 15–48. Mexico: Universidad Autónoma Metropolitana/Juan Pablos Editor.
- Muehlmann, Shaylih. 2014. *When I Wear My Alligator Boots: Narco-Culture in the U.S.–Mexico Borderlands*. Berkeley, CA: University of California Press.
- Nocturno, Sol. 2015. "La protección del hombre equivocado." In *Bajo la sombra del guamuchil: Historias de vida de mujeres indígenas y campesinas en prisión*, edited by Rosalva Aída Hernández Castillo, 249–63. Mexico: CIESAS/IWGLA/Colectiva Hermanas en la Sombra.
- Quijano, Aníbal. 2000. "Colonialidad del poder, eurocentrismo y América Latina." In *La colonialidad del saber: Eurocentrismo y ciencias sociales. Perspectivas Latinoamericanas*, edited by Edgardo Lander, 201–46. Buenos Aires: CLACSO, Consejo Latinoamericano de Ciencias Sociales.
- Roldan, Mary. 1998. "Violencia, colonización y la geografía de la diferencia cultural en Colombia." *Análisis Político* 35:3–22.
- Secretariado Ejecutivo Del Sistema Nacional De Seguridad Pública. 2016. *Informe de víctimas, secuestro y extorsión*. Mexico City: Secretaría de Gobernación.
- Segato, Rita Laura. 2008. *La escritura en el cuerpo de las mujeres asesinadas en Cd. Juárez*. Mexico: Tinta Limón.
- . 2013. *Las nuevas formas de la guerra y el cuerpo de las mujeres*. Mexico City: Editorial Pez en el Árbol/Tinta Limón.
- Sieder, Rachel, ed. 2017. *Demanding Justice and Security: Indigenous Women and Legal Pluralities in Latin America*. New Brunswick, NJ: Rutgers University Press.
- Sierra, María Teresa. 2004. "Diálogos y prácticas interculturales: Derechos humanos, derechos de las mujeres y políticas de identidad." *Revista Desacatos* 15/16:126–48.
- . 2009. "Las mujeres indígenas ante la justicia comunitaria: Perspectivas desde la interculturalidad y los derechos." *Revista Desacatos* 31:73–88.
- Smith, Andrea. 2005. *Conquest: Sexual Violence and American Indian Genocide*. United State of America: South End Press.
- Speed, Shannon. 2014. "A Dreadful Mosaic: Rethinking Gender Violence Through the Lives of Indigenous women migrants." *Gendered Perspectives on International Development, Special Issue: Anthropological Approaches to Gender-based Violence and Human Rights*, vol. 304, 78–94. East Lansing, Michigan: Michigan State University.

- . 2016. “States of Violence: Indigenous Women Migrants in the Era of Neoliberal Multicriminalism.” *Critique of Anthropology* 36(3):280–301.
- Tlachinollan. 2011. *Pueblos indígenas y militarización*. Guerrero: Centro de Derechos Humanos de la Montaña Tlachinollan AC Tlapa.
- Torres, Angarita, and Andreina Isabel. 2007. “Drogas y criminalidad femenina en Ecuador: el amor como un factor explicativo en la experiencia de las mulas.” PhD diss., FLACSO.
- Velázquez Guerrero, Verónica. 2013. “Reconstitución del territorio comunal: El movimiento étnico autonómico de San Francisco, Cherán, Michoacán.” PhD diss., CIESAS-Mexico.
- Wade, Peter. 2011. “Multiculturalismo y racismo.” *Revista Colombiana de Antropología* 47:15–35.