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# Terror through rape: Sexual violence inflicted in the context of the Mexican drug war

## Terror poprzez gwałt: przemoc seksualna stosowana w kontekście meksykańskiej wojny narkotykowej

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### Abstract

This essay examines the violent conflict between the Mexican government and cartels operating inside Mexico, which is still not legally recognized as a war. The result is the inability to punish soldiers-aggressors who commit rape as an official crime against humanity.

**Keywords:** sexual violence, war crimes, conflict, feminism

### Streszczenie

Esej porusza problem brutalnego konfliktu między rządem meksykańskim a kartelami działającymi na terenie Meksyku, który wciąż nie jest prawnie uznany za wojnę. Skutkiem tego jest brak możliwości karania żołnierzy – agresorów dopuszczających się gwałtów jako oficjalnej zbrodni przeciwko ludzkości.

**Słowa kluczowe:** przemoc seksualna, zbrodnie wojenne, konflikt, feminizm

## Introduction

Much has been written about war. It has been fictionalized, studied, theorized, but above it all, attempts have been made to regulate it through international law (humanitarian law and human rights law). These international instruments seek to limit the weapons that are used, the way in which military attacks can be strategized, and whom can be targets of attacks. If these minimums are not met, these instruments in turn generate mechanisms to hold accountable and judge the actions of the countries and people involved in those conflicts.

However, these instruments are only applicable once an armed conflict is determined to be a *war*. The classification of international conflicts seems easy and objective if an occupation or invasion of territory can be distinguished. However internal conflicts do not have such clarity, and there is greater reticence of the international community to exceed the limits of national sovereignties. There are exceptions, for example, when there are economic revenues at stake. The instrumentalization of conflicts in the era of globalization era has begun to be classified as “new wars”<sup>1</sup>.

This lack of clarity in determining whether an internal conflict is recognized as a war under international law provides States, armed groups, and paramilitary groups with a great deal of scope to act outside the limits established by international law without any mechanism of redress in an international court. In a country like Mexico, organized crime and drug cartels have consolidated in an extremely violent manner. State responses have oscillated between hyper-militarization and complete negligence. The so-called “War on drugs” has configured itself as a true war of extreme proportions that every day claims the lives of thousands in the national territory without the conflict being recognized as such in international law, with more than 350,000 dead and 72,000 missing according to official data<sup>2</sup>.

It is no coincidence that in this context, Mexico is an increasingly hostile place to be a woman, with high rates of violence, insecurity, and gender inequality<sup>3</sup>. Mexico is one of the countries with the most convictions for violence against women internationally. And in most of these cases, sexual violence against women has been unequivocally and permanently presented. Is it possible that there is a connection between the context of generalized violence and militarization, and the sexual violence experienced by women in Mexico? Is rape militarized and what are the conditions for its militarization? Is the Mexican case an unrecognized non-international armed conflict, therefore the rapes committed in this context could be catalogued under the International Humanitarian Law? This paper aims to outline some ideas in this regard and to elucidate the need to recognize sexual violence in Mexico as a crime against humanity.

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<sup>1</sup> M. Kaldor, *Defence of New Wars*, “Stability International Journal of Security and Development” 2013, No. 2, pp. 2–3.

<sup>2</sup> J.L.P. Veiras, Í. Arredondo, *Una guerra inventada y 350,000 muertos en México*, “Washington Post” 2021, June 15, <https://www.washingtonpost.com/es/post-opinion/2021/06/14/mexico-guerra-narcotrafico-calderon-homicidios-desaparecidos/> [access: 28.12.2022].

<sup>3</sup> For further information go to: <https://www.visionofhumanity.org/gender-based-violence-in-mexico/>.

## International Humanitarian law and the Mexican case

Conflict is a natural part of human relations, and the way in which we respond to this conflict is the result of the sociocultural constructions in which we find ourselves immersed as societies. And unfortunately, the violent resolution of conflicts has been a constant in the history of humanity. The Second World War was a watershed in the recognition of this violence and in the desire of the international community to not repeat the mistakes of the past. But despite this recognition and desire, international law allows military actions in conditions of legitimate defense or when the Security Council of the United Nations determines that it is legitimate to use military actions against threats to international security.

In this sense, International Humanitarian Law recognizes the inevitability of war and establishes a series of rules on which a war can be conducted, delimiting what is accepted and what is cruel under ten general principles<sup>4</sup>. Violations of these principles and other International Humanitarian Law regulations constitute international crimes and can be sentenced by the International Criminal Court.

Likewise, International Humanitarian Law distinguishes between two types of armed conflicts:

International armed conflicts, opposing two or more States, and non-international armed conflicts, between governmental forces and non-governmental armed groups, or between such groups only. IHL treaty law also establishes a distinction between non-international armed conflicts in the meaning of common Article 3 of the Geneva Conventions of 1949 and non-international armed conflicts falling within the definition provided in Art. 1 of Additional Protocol II<sup>5</sup>.

It is only evident to affirm that it is difficult for a State to recognize itself as part of an armed conflict in its national territory, since this would imply greater scrutiny of its actions and responses to the conflict by the international community.

But from an International Humanitarian Law analysis we can consider whether there is a non-international armed conflict in Mexico. Additional Protocol II of the Rome Statute establishes that the participation of the armed forces with other armed actors is necessary. In the Mexican case, there is a confrontation between organized crime groups, and between organized crime groups and the military forces of the State. This situation meets the treaty requirement. Additionally, according to the International Committee of the Red Cross, to consider the conflict as war, the situation must be defined as “protracted armed violence” evaluating the intensity of the violence through elements such as frequency, weapons used, displacement of the population, territorial control of armed groups, number of victims and obligation to use armed forces, as well as the organization of the parties:

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<sup>4</sup> Cruz Roja CEDIH (sf), El Derecho Internacional Humanitario, Principios básicos generales, <https://www.cruzroja.es/principal/web/cedih/el-dih#> [access: 28.12.2022].

<sup>5</sup> International Committee of the Red Cross. (sf), Treaties, States Parties and Commentaries, Commentary of 2016 Article 2: Application of the Convention, <https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/Comment.xs?action=openDocument&documentId=BE2D518CF5DE54EAC1257F7D0036B518> [access: 28.12.2022].

meaning that groups have a command structure, an operations center, the ability to procure weapons, plan operations, among others<sup>6</sup>.

In Mexico, in 2006 a lack of capacity of the police forces to confront organized crime was declared and from that moment (this conflict has lasted for the last 16 years) a militarized and centralized strategy has been used. The militarization goes to the extent that a new military corps called the National Guard has been created, which at the beginning of 2022 “reached a state of total force of 113,833 elements and with an operational force of 104,496 troops”<sup>7</sup>.

The military engagement of the State forces has resulted in an increase in the fatality rates, surpassing even traditional wars such as the Vietnam War (4 deaths for each wounded) with 7.9 civilian deaths for each wounded when the army intervenes<sup>8</sup>. The use of weapons commonly used in international conflicts, some of which are prohibited by international treaties, by organized crime groups has been recorded in practically all Mexican territory.

During the three years of Andres Manuel Lopez Obrador’s administration, Mexico totaled 105,804 murders, a figure that exceeds the first years of the start of the violence between 2006 and 2012<sup>9</sup>, when war began that continues to add deaths to this day and pain.

In relation to the organization of organized crime groups, the cartels in Mexico have their own intelligence mechanisms, infrastructure, and recruitment strategies, they charge “floor rights” (the right for people to work or live on certain territories), they control energy goods such as gasoline through the *huachicoleo* (clandestine milking of gas pipes), they sell not only their products but their culture and religion (which has crept into the mainstream media), silence media outlets, politicians and judges and even control States within the national territory where the inability of local and State governments to exert power has been evident.

In this sense, we can visualize how the Mexican case meets the criteria of intensity of violence and organization of the parties, proving a situation of prolonged armed violence in accordance with what is established by international regulations. This together with conformity to the criterion of the participation of the armed forces, means that the situation in Mexico could be classified as a non-international armed conflict according to International Humanitarian Law. Ergo, objectively there exists a state of war in Mexico.

In October 2022, the Mexican Senate approved a Law Reform proposed by the president for the National Guard to be responsive to the National Defense Secretary. This officially reaffirmed the National Guard’s military nature and spirit. This is important to underline given the fact that the militarization in Mexico has not only proven to be inefficient but

<sup>6</sup> International Committee of the Red Cross. (sf), Treaties, States Parties and Commentaries, Commentary Of 2016 Article 2: Application Of The Convention, <https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/Comment.xsp?action=openDocument&documentId=BE2D518CF5DE54EAC1257F7D0036B518> [access: 28.12.2022].

<sup>7</sup> Gobierno de México Prensa, *Guardia Nacional alcanza un estado de fuerza de casi 114 mil elementos*, January, 2022, <https://www.gob.mx/guardianacional/prensa/guardia-nacional-alcanza-un-estado-de-fuerza-de-casi-114-mil-elementos?idiom=es> [access: 28.12.2022].

<sup>8</sup> C. Silva, C. Pérez, R. Gutiérrez, *Índice de letalidad 2008–2014: Menos enfrentamientos, misma letalidad, más opacidad*, “Perfiles Latinoamericanos” 2017, November 11, pp. 331–359.

<sup>9</sup> O. Hurtadoy, R. Garcia, *El narcotráfico en México como problema transnacional*, “Revista mexicana de política exterior” 2013, No. 97, pp. 35–64.

also, a real danger for civilians, as “from 2014 to date, the Human Rights National Commission has received at least 6,661 complaints for human rights violations committed by the National Defense Secretary, the Marine Secretary, and the National Guard. In all those years, the National Defense Secretary is among the 10 institutions with the most complaints and that list includes the National Guard<sup>10</sup>”.

The Mexican conflict meets the criteria of International Humanitarian Law to be considered a war. In addition, the presence of military on regular police task forces and on the streets has resulted in human rights violations against civilians. And it has been already established that during times of war, women are the ones that suffer the most consequences, being more likely to be killed as civilians than soldiers<sup>11</sup> as well as being subjected to sexual violence, wartime domestic violence, the loss of family, homes, and work, and being treated as incubators for the sake of the nation. All the above apply to the Mexican case. Women are constantly subjected to specific forms of violence in a highly violent context produced by the War on Drugs.

## Sexual violence in war and the Mexican case

Throughout history, sexual violence has been an inevitable consequence of war and used as a military strategy to destabilize the enemy. The torture of political prisoners is highly gendered, and wartime rape has been used as a weapon for ethnic cleansing, to humiliate the enemy and to destroy communities<sup>12</sup>.

It persists as a devastating phenomenon with extremely damaging consequences for the victims, as well as their families and entire communities. Sexual violence can cause severe physical and psychological trauma, unwanted pregnancy, sexually transmitted diseases and even death.

In addition, victims often face double victimization: not only do they suffer potentially dangerous and long-lasting injuries and trauma, but they also face stigmatization and rejection from their families and communities, as they are “viewed as tainted, worthless property<sup>13</sup>”. Given the loss of their “honor” they could be excluded from their communities. As another side of social stigmatization, wartime rape can be seen as a “political act” that becomes remilitarized and used to mobilize vengeance and further militarization<sup>14</sup>”. Despite the pervasiveness of sexual violence in many armed conflicts, it often remains invisible due to stigmas and taboos surrounding the phenomenon as women weigh up their

<sup>10</sup> Amnistía Internacional España, *México: Militarizar La Seguridad Pública Generará Más violaciones de ... México: Militarizar la seguridad pública generará más violaciones de derechos humanos y perpetuará la impunidad*, n.d., <https://www.es.amnesty.org/en-que-estamos/noticias/noticia/articulo/mexico-militarizar-la-seguridad-publica-generara-mas-violaciones-de-derechos-humanos-y-perpetuara-la-impunidad/> [access: 1.01.2023].

<sup>11</sup> J. Turpin, *Many Faces: 'Women Confronting War'*, [in:] L.A. Lorentzen, J. Turpin (eds.), *Women and War Reader*, Ann Lois, New York 1998, pp. 3–18.

<sup>12</sup> *Ibidem*.

<sup>13</sup> *Ibidem*, p. 5.

<sup>14</sup> C. Enloe, *When Soldiers Rape*, [in:] *Maneuvers: The International Politics of Militarizing Women's Lives*, University of California Press, 2000, p. 109.

immediate context but also “their relationships to collective memory, national destiny and institutions of organized violence<sup>15</sup>”.

The patriarchal use of women’s bodies as objects and territories to be conquered in armed conflicts is an undeniable and widely recognized reality that operates as a mechanism of domination and power. This domination and power are not a consequence of the false myth of the unleashed nature of men but are performed directly by States and Institutions as militarized and strategized decisions<sup>16</sup>.

The conditions for the militarization of rape are varied, but Enloe proposes the understanding of those conditions in three main contexts: the use of rape as recreation, the use of rape as an instrument of national security and systematic mass rape<sup>17</sup>.

In the first context, military and government officials think of rape and prostitution together, as if providing organized prostitution to male soldiers can be a means of preventing those same soldiers from engaging in rape<sup>18</sup>, reinforcing the idea that men are unable to refrain from their “natural desires” and seem to have sexual needs beyond their capacity of choice. This frames prostitution as a necessary activity to attend an apparent basic need. With that gendered expectation reinforced by policy making, the idea that occupiers need to *supply female bodies* to quench the unrestrained nature of male soldiers normalizes rape and rape culture.

When analyzing the conditions of the use of rape as an instrument of national security according to Enloe, it is a strategy used when at least seven out of the eight following conditions are met:

[...] a regime is worried about „national safety”, the major part of the civilian population believe security is a military problem, policy making regarding national security is made by men from an elite, police and military are mainly male dominated, values such as honor, loyalty, and treason are defined by institutional militarized cultures, the predominating institutional culture is misogynous, and men are seen as security threats when seen as vulnerable by being fathers, lovers, husbands, and when local women are well enough organized in opposition to regime policies to become publicly visible<sup>19</sup>.

It is shocking to visualize the conditions of the use of rape as a strategy to maintain national security, as every single militarized regime on the world (and even militarized democracies) fall into these categories. And even more shocking to understand that the organization of women to become publicly visible can be read from those regimes as a threat, despite those women being organized to alleviate or palliate the effects of war. These strategies are based on gendered assumptions of women belonging to the private sphere, and all those who break the gender norm are seen as deviants and transgressors of the political norm that need to be put back in line and suppressed through de-personalization and re-education on gendered values.

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<sup>15</sup> *Ibidem*, p. 111.

<sup>16</sup> C. Enloe, *How Do They Militarized a Can of Soup*, [in:] *Maneuvers: The International Politics of Militarizing Women’s Lives*, University of California Press, 2000, pp. 1–34.

<sup>17</sup> C. Enloe, *When Soldiers...*, pp. 108–152.

<sup>18</sup> *Ibidem*.

<sup>19</sup> *Ibidem*, p. 124.

The last context proposed by Enloe, the strategy of systematic mass rape, contest the myth of wartime rape as the reduction of “primal raw misogyny” and the result of the violent nature and desires of individual men. Instead, mass rape is a blueprint used by strategists that think of women as the backbone of the enemy’s culture, breeders, men’s property, and symbols of men’s honors, who’s work sustains communities. Rape is part of an overall military operation, as “systematic rapes are administered rapes”<sup>20</sup>. The pervasive direct aim of war strategists to not even kill, but to ruthlessly violate women in order to affect the line of livelihood of enemy’s lines with full knowledge of the fact that women’s unpaid and unseen care work is what upholds societies in and out of times of war, so the enemy will falter and eventually ask for mercy, appears to me as one of the most disgusting causes and effects of militarized conflicts. The gendered construction of our roles in society not only affect our possibilities of choice and growth but also endanger our mere existence in times of war.

There have been several documented cases of the use of rape in times of war. The States accused of using systematic rape to ensure national security are Chile and Argentina in the 1970s, the Philippines in the 1980s, Guatemala in the 1970s and ’80s, Iraq, Israel, India, Haiti, Indonesia, Bhutan, Zaire, China, and Turkije in the 1980’s and 90’s<sup>21</sup>. But despite these accusations, the few cases that attracted international attention and were brought upon international courts where the case of the war in Rwanda and the former Yugoslavia, the latter being one of the first times in history that rape was “treated separately as a crime of war”<sup>22</sup>.

Since its understanding as a strategy, rape, and other forms of sexual violence, when committed in the context of an armed conflict, whether international or non-international, constitute violations of International Humanitarian Law and are prohibited by the Fourth Geneva Convention, as well as Additional Protocol I and Additional Protocol II. Sexual violence can constitute an act of genocide when it is a belligerent strategy aimed at breaking the social fabric of the community that is under attack.

The Statute of the International Criminal Court includes rape and some other forms of sexual violence on the list of war crimes and on the list of acts constituting crimes against humanity when committed as part of a widespread or systematic attack of an intentional nature and when directed at a person who is part of a specific social group, which implies that the crime is imprescriptible. But it is important to take into consideration that “while the crime against humanity requires that violent acts not be isolated and respond to an organizational and planned reason, war crimes are violations of International Humanitarian Law that exceed the limits in the use of war for reasons of an armed conflict, being able to be constrained to an individual level”<sup>23</sup>.

This means that war time rape can be judged systematically and individually, in and out of an internationally recognized armed conflict.

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<sup>20</sup> *Ibidem*, p. 134.

<sup>21</sup> *Ibidem*, pp. 108–152.

<sup>22</sup> *Ibidem*, p. 135.

<sup>23</sup> R. Brocate, J. Ríos, *Violencia sexual como crimen de lesa humanidad: los casos de Guatemala y Perú*, “Revista CIDOB d’Afers Internacionals” 2017, No. 117, p. 86.

The same criteria are found in the frameworks related to sexual violence in conflicts within the Inter-American Human Rights System, in which both the Interamerican Commission of Human Rights and the Interamerican Court of Human Rights have maintained very clear positions on the means of protection and integral procedural practices. The case of *Miguel Castro Castro Prison vs. Peru* set a great precedent in the region by applying the Belém do Pará Convention in the sentence and making use of the concepts of sexual violence established in article 7 of the Rome Statute. The importance of this sentence rests on its gender perspective and marks a turning point for the new criteria of evidence in cases of sexual violence in the Americas.

Based on these criteria, Mexico has been condemned by the Interamerican Court of Human Rights on various occasions<sup>24</sup>, in cases related to sexual violence against women with the participation of state forces or by State acquiescence: the *González y Otras* case (also known as Campo Algodonero) in which the Mexican State was condemned as responsible for the disappearance and femicides of Claudia Ivette González, Esmeralda Herrera Monreal and Laura Berenice Ramos Monárrez, whose bodies were found in a cotton field in Ciudad Juárez with signs of torture and sexual violence, the cases of *Inés Fernández Ortega and Valentina Rosendo Cantú*, in which the Mexican State was condemned for the rape of two indigenous women by members of the army, and the case of *Victims of Sexual Torture in Atenco*, in which the Court determined the physical, psychological, and sexual torture of 11 women detained by elements of the state's forces. However, these cases have been the result of many years of struggle by the victims and their defenders. Justice has been a late achievement and its effects individualized in a context of a widespread phenomenon in Mexico.

The Executive Commission for Attention to Victims reported between 2010 and 2015 an accumulated total of “110,914 people who appear as victims in the preliminary investigations for sexual violence crimes in that five-year period, 81% of them women (90,025), being the crimes more frequent those of sexual abuse (46,927) and rape (35,898)<sup>25</sup>”. The Secretariat for Citizen Security and Protection has reported that from 2015 to April 2022, 117,529 crimes of rape have been reported in Mexico<sup>26</sup> however this does not represent the reality of sexual violence in the country, as „the National Survey of Urban Public Security estimates that almost 5 million women were victims of sexual crimes and/or street harassment during the second semester of 2020. And 98.6% of the cases of sexual violence suffered by women over 18 years of age, from July to December 2020, were not denounced<sup>27</sup>”. The reasons why sexual violence is not reported are multiple, but it is undeniable to recognize that in a context of so much violence in the framework of the

<sup>24</sup> For more information visit, [https://www.corteidh.or.cr/casos\\_sentencias.cfm](https://www.corteidh.or.cr/casos_sentencias.cfm)

<sup>25</sup> Comisión Ejecutiva de Atención a Víctimas, Resultados preliminares del Diagnóstico sobre la atención de la violencia sexual en México, Comité de Violencia Sexual, 2016, [https://www.gob.mx/cms/uploads/attachment/file/118490/Resumen\\_Ejecutivo\\_diagnostico\\_violencia\\_Sexual\\_CEAIV.pdf](https://www.gob.mx/cms/uploads/attachment/file/118490/Resumen_Ejecutivo_diagnostico_violencia_Sexual_CEAIV.pdf) [access: 29.12.2022].

<sup>26</sup> Gobierno de México, *Información sobre violencia contra las mujeres (Incidencia delictiva y llamadas de emergencia 9-1-1)*, August 2023, <https://www.gob.mx/sesnsp/articulos/informacion-sobre-violencia-contra-las-mujeres-incidencia-delictiva-y-llamadas-de-emergencia-9-1-1-febrero-2019> [access: 29.12.2022].

<sup>27</sup> México Evalúa, Comunicado, 2021, March 5, <https://www.mexicoevalua.org/en-2020-el-98-6-de-los-casos-de-violencia-sexual-no-se-denunciaron/> [access: 29.12.2022].



Mexican Drug War and the high rates of impunity, the result is the invisibility of this horrible phenomenon.

As well as the abuses documented on civilians, by the end of 2022 the hacktivist group *Guacamaya* filtered documents of the National Defense Secretary that revealed more than 1000 official registers of sexual abuses committed from high ranks in the military against female soldiers, some of them even perpetrated in groups and through torture practices. The victims were silenced through fear and the complaints kept private<sup>28</sup>.

When looking at the conditions of militarization of rape proposed by Enloe, the Mexican scenario is conformed with most of them. The government is concerned with national security due to the war against drugs. Policy making, military, and police institutions are elitist, masculinized, and misogynistic. The macho culture uplifts military values and mocks vulnerable men as not being men enough. Feminist organizations and mobilizations have been categorized by public opinion and even the president himself as oppositional and conservative forces against the regime that seek to destabilize the government. Rape is systematically practiced by military, police forces and civilians alike in a highly militarized environment where it has been documented that when complaints have been filed, authorities and public opinion has labelled the victims as deserving of what they got for being outside of their houses and not conforming to gender roles. Rape culture portrays rapists as “animals” and exceptional cases, and high military ranks use rape as a means of even punishing women inside the ranks. It is evident that the cases that have been brought and sentenced by the Interamerican Human Rights System are the result of the militarization strategies and State forces that the Federal Government has created to deal with organized crime.

The recognition of rape as a crime against humanity demands that three conditions should be met. Firstly, that the crime is widespread or systematic (a condition that is fulfilled by the official reporting of more than 228,000 cases of sexual violence in the last 20 years, not to mention the chilling unofficial figures), secondly, that the rapes have an intentional nature (the conduct is fully prohibited in the Federal Penal Code, State Penal Codes and International Treaties) and lastly, that the rape is directed at a person who is part of a specific social group (mainly against women in a context of war that gives priority to values deeply rooted in the macho culture of our country).

If crimes against humanity can be recognized regardless of whether there is a recognized non-international armed conflict, why is the present paper proposing the recognition of the Mexican conflict as war according to international humanitarian law? The answer is very simple, because to this date, these systematic rapes have not been recognized as such. International recognition of the armed conflict in Mexico would imply greater scrutiny and pressure from the international community, as well as the possibility of enforcing the protections derived from the International Humanitarian Law and their enforceability at the

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<sup>28</sup> E.R. Georgina Zerega, “*Tengo miedo de que me hagan daño*”, *Los Correos del Ejército Mexicano Desvelan Decenas de Abusos Sexuales en la institución*, El País México, 2022, October 2nd, <https://elpais.com/mexico/2022-10-02/tengo-miedo-de-que-me-hagan-dano-los-correos-del-ejercito-mexicano-desvelan-decenas-de-abusos-sexuales-en-la-institucion.html> [access: 8.01.2023].

International Criminal Court, judging individualized cases as war crimes and systematic cases as crimes against humanity.

## Conclusion

In my country, every day 11 women are killed, every 18 seconds a person is raped and in 2020, 98.6% of sexual violence cases suffered by women older than 18 were not reported or when reported, no investigation was opened<sup>29</sup>. Misogynistic violence is deeply linked with our culture, it permeates in every sphere of our lives and shapes how we construct ourselves as people.

Mari Luz Esteban establishes that bodily itineraries are “individual vital processes [...] that always refer us to a collective, that occur within specific social structures and in which we give all the centrality to the social actions of the subjects, understood as bodily practices<sup>30</sup>”. The terror inhabits in all the women of Mexico, molds who we are, it determines us. Our vital processes revolve around the cruelty, war and violence that surrounds us. We are taught that we must train our minds and bodies to avoid being raped, mutilated, disappeared. Never trusting anyone, and above them all, never trust military or police. And despite complying with these bodily itineraries that have been imposed on our lives, it is not enough to escape bitter fate.

Sayak Valencia has proposed the term *gore capitalism* to refer to the explicit and unjustified bloodshed, to the very high percentage of gutting and dismemberment, frequently mixed with economic precariousness, organized crime, the binary construction of gender, and the predatory uses of bodies, all this through the most explicit violence as a tool of “necro empowerment<sup>31</sup>”. And for the Mexican reality, there cannot be a more accurate conceptualization.

When looking at militarization as a gradual process of militarized control that normalizes militaristic values, ideas, needs and presumptions that “involves cultural, as well as ideological and economic transformations ... the ability to understand the dynamics of memory, marriage, hero-worship, cinematic imagery, and the economies of commercialized sex<sup>32</sup>”, it is important to understand how these militarized standards permeate not only the institutions but the social imagery and gendered expectations. These militarized values come to be an engrained part of our societies and produce enemies outside of enemy lines, othering women and dissident bodies. And rape has been used repeatedly as the ultimate tool for deploying the domination of the regime and the cartels on these others.

The evidence to recognize the non-international armed conflict in Mexico is compelling, but political will is lacking. The Mexican government has shown itself time and time again

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<sup>29</sup> México Evalúa, Comunicado, 2021, March 5, <https://www.mexicoevalua.org/en-2020-el-98-6-de-los-casos-de-violencia-sexual-no-se-denunciaron/> [access: 29.12.2022].

<sup>30</sup> P. Campos, G. Guadalupe, *Reseña de „Antropología del cuerpo. Género, itinerarios corporales, identidad y cambio” Mari Luz Esteban*, “Alteridades” 2008, No. 18, pp. 1–5.

<sup>31</sup> Valencia, Sayak, *Capitalismo Gore*, Melusina Editorial, Madrid 2010.

<sup>32</sup> C. Enloe, *How Do They Militarized...*, p. 3.

not only incapable and negligent in the face of the violence that is plaguing the country, but also on many occasions as an accomplice of organized crime. The international community is indebted to the Mexican people, and especially to the Mexican women, women subjected to torture and rape.

By turning a deaf ear to the requests that have already been made before the International Criminal Court in The Hague since 2011 to judge President Felipe Calderón Hinojosa (who started the war on drugs in Mexico) and the majority of his cabinet for crimes against humanity, and even to the reports that show the situation in Mexico, such as in 2017 when the International Institute for Strategic Studies ranked the conflict in Mexico as the second most violent armed conflict in the world after Syria<sup>33</sup>, the international community is ignoring the pleas of all the victims of this terrible war. The sexual violence that women experience in Mexico is a symptom of an armed conflict that has settled into our daily lives and corrupts them. Recognizing rape as a crime against humanity would be one of the least ways, we would have to obtain justice and peace in a misogynistic context that wants us silenced and dead.

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