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"To know how to speak": Technologies of Indigenous Women's Activism against Sexual Violence in Chiapas, Mexico

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“To know how to speak”: Technologies of Indigenous Women’s Activism against Sexual Violence in Chiapas, Mexico

by

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Dissertation

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Dedication

To Cristina and Milo

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“To know how to speak”: Technologies of Indigenous Women’s Activism against Sexual Violence in Chiapas, Mexico

Vivian Ann Newdick, Ph.D.

The University of Texas at Austin, 2012

Supervisor: Charles R. Hale

Between 1994 and 2012, the Zapatista Army of National Liberation (EZLN) established a contested zone of exception to neoliberal governance in southern Mexico and women’s-rights-as-human-rights universalism reshaped international development and activist discourse. Within this context, Ana, Beatriz, and Celia González Pérez pressed claims against a group of Mexican Federal Army soldiers for rape at a military checkpoint in 1994. A rare instance of first-person denunciation of rape warfare, the Tseltal-Maya sisters’ own powerful representation of the physical and procedural violations committed against them forms the starting point of this analysis, which proceeds from there, chapter by chapter, through communal, national, and international representations. Centering the women’s speech, then moving to what are conventionally understood as broader fields of discourse produces new ways of understanding violence in relation to nation, culture, and gendered sociality.

Though in 2001 the human rights commission of the Organization of American States upheld the women’s claims, as of this writing (2012) the Mexican state has neither awarded reparations nor prosecuted the accused. I argue here that the women’s unmet demands for collective and individual justice produce a novel language of protest which I call *denuncia* [denouncement] rather than testimony. Denuncia, I argue, puts the physical

and the social body at the center of claims against sexual violation; enacts *coraje* [courage, rage] rather than petitions for recognition of truth; exposes the nationalist ideology of racial mixing that informs the production of testimony in Mexico, and establishes new audiences for its own reception despite the regimes of everyday violence it foregrounds. Formulated amid military occupation, denuncia exposes the gendered intimacy—control of the food supply, inhabitation of public-private architectural spaces, colonization of local enmities—that gave rise to military rape, which I call here "domestic violence." Denuncia emerges to refute the neoliberal discourse that links indigenous culture, gender, and violence just when the material basis of indigenous livelihood is under siege.

This dissertation's method would not have been possible without almost twenty years' engagement with Tseltal and Tojolabal-Maya men and women who have formed part of the Zapatista movement. This long-range perspective has engendered a form of feminist scholarly accountability that cultivates listening to ground critique on the terrain of self-determination.

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1. Introduction

I first met Doña Eloisa when I began research at the Chiapas Women's Rights Center in October 2007. The Center conducted its women's rights workshops in her spacious living room, which looked out over some banana trees and roaming chickens. Forty-five-year-old Doña Eloisa convened the women, also Tsotsil-Maya, who attended the meetings. Her older daughters, in their teens and twenties, helped with translation between the non-indigenous workshop facilitators and the women, many of whom traveled over an hour to attend the meeting. Doña Eloisa's fluent bilingualism presided over these affairs and she would enliven the lessons with bawdy humor.

Doña Eloisa was also something of a lay lawyer. She regularly arrived at the Chiapas Women's Rights Center (CDMCh) office with women from her municipality who sought to contest custody, spousal abuse, or unpaid child support. She would introduce them to the Center's lawyers, wait with them in the waiting room for long periods of time, and accompany them to the offices of the public prosecutor [*ministerio público]*, translating and advocating at the same time. In a resistant bureaucracy, she knew where to pick up an arrest warrant and where to drop it off; she called the lawyers "lic," the collegial term of address they enjoyed using among themselves, an abbreviation of "licenciado" [literally, licensee]. Her activism was so effective that many male Chenalhó school teachers reportedly sought to stop it; their government-issued paychecks were especially vulnerable to court-ordered child support deductions. But her work was

dangerous: in Chenalhó, a local politician and relative had told her to be careful; he'd heard rumors that someone was going to pay a taxi driver to rape her. Doña Eloisa herself collected child support from three ex-husbands, one of them a former municipal president.

After I'd known Doña Eloisa for about six months—she would usually accompany the CDMCh lawyer and translator on home or courthouse visits in Chenalhó, as would I—she asked me a favor. On his next visit, could my husband bring some walkie-talkies? She would pay us back. Doña Eloisa had taken up the habit of walking around at home with a walkie-talkie hooked to her belt under her blouse. Conversations with her were interrupted by loud static, some startling beeps, and a grainy voice, often her son's. From other locations in Chenalhó's steep valley, family members would call her handle, which translated into "smurf," a type of low-to-the ground, blue comic hero of the 80s: "Shhhhhhhhhh, shhhhhhhhh, *pitufo*! *Pitufo*!"

When I arrived at her house two weeks later with the handheld radios, she was pleased. She said these were better than the ones her son had gotten. A different model that looked cheaper sat in a basket under a baby's pink knitted cap and some small crochet needles. I asked her if these new ones were for the women who attended the rights workshops. They were. One was for a woman who lived alone with her child a ten-minute walk down the road. On two different occasions, a drunken man had tried to break into her house while she was sleeping—a threatened rape. The woman was tough; she wanted to "catch him and tie him up"—to arrest him and hand him over to the indigenous authorities of the municipality. That woman wanted the walkie-talkie for her safety. The

others? "They like to have what I have," she said, affirming and poking fun at her brilliant style.

I left Chiapas almost a year later, in August 2008, sure I would visit Doña Eloisa again. I returned in May of 2009, rented a car, and drove the hour to her municipality, set among jagged green mountains. My return visit inspired greater *confianza* [confidence in me]: topics that had once provoked disinterested summaries now enjoyed generous remembrances. "Where were you on January 1, 1994?" revealed some of the details of the six years she'd spent as a Zapatista, from 1990 to 1996. She had operated a radio in the extensive Zapatista network of citizens' band radios (CBs). She explained that "the people who analyze these things called it 'the rabbit.'" Why the rabbit? "Because whenever we heard that soldiers were going to come, we'd have to get everything and jump somewhere else. You can always see the radio shack because of the antenna. So we'd have to pack up everything and go hide in an even more secret place, a special house where they wouldn't find it. That's why we called it the rabbit. Because the rabbit knows how to jump!" We laughed at how the soldiers searching house-to-house for radios (and their operators) had been given the slip.

Doña Eloisa's mastery of the walkie-talkie, and of the Zapatista radio years before, combines a key aspect of indigenous women's activism—talking—with another, perhaps less obvious practice—walking. Like the other protagonists of this dissertation, Doña Eloisa has made her mark by "knowing how to talk": knowing what to say in what situation, from ceremonial argumentation before governmental Tsotsil Judges [*Jueces de la Paz y Reconciliación*] in Chenalhó to strategic argumentation with Ladino (non-

indigenous) prosecutors and policemen of the nearby colonial city of San Cristóbal. With walkie-talkies or CB radios she has invented, learned, and/or repeated the codes and handles that link hamlets with municipal seats in a web of communication that, unlike the old colonial network of roads, does not radiate from the *ladino*[1] center. With her radios, Doña Eloisa has brought a temporal-spatial effectiveness to "walking," the Tsotsil and Tseltal-Maya metaphor for activism. This dissertation shows that indigenous women's activism is entering ever wider arenas of discourse as they walk and talk in the new territorialities their movements help create.

Doña Eloisa's affiliation with the Ejército Zapatista de Liberación Nacional (EZLN) is a primary antecedent to her activism. The Zapatista uprising, which famously occupied seven cities and towns on January 1, 1994, linked diverse, indigenous villages and valleys throughout a wide and dispersed zone of influence. The story of Doña Eloisa's activism and its consequences has much in common with those of the other Mayan women in this dissertation: the Pérez González sisters and their mother, who pressed charges against the Mexican Armed Forces for rape in 1994, and Alberta Entzin Entzin, who pressed charges against an acquaintance for rape in 2007. All took part in the indigenous struggle of the EZLN and became activists for gender justice, but as activists also became "public women," misrecognized and marked by scandal. Their use of the technologies of walking, talking, and women's rights is thus powerful and paradoxical as

[1] A term used in Chiapas and Guatemala to identify people as non-indigenous. I use it interchangeably with *mestizo*, although the latter term, which literally means "mixed," acknowledges indigenous ancestry.

it articulates regimes of collective and individual rights, grounds universalisms on gendered, contested terrain, and in doing so invents new ways of knowing how to speak.

Dominga and Ana, women and Zapatismo

Since I first met Dominga in 1994, I have visited her as often as possible. She lives in a small village that is an hour's walk, uphill and downhill, from a winding highway. When living in the United States, I've seen her about once a year. When living in Chiapas, I make sure to visit for a few days or more every two months. During my field work, in the fall of 2007, I visited her and we hiked up the hill behind her house to call her teenage son who was picking vegetables in northern Mexican state of Coahuila. On a later visit, in the Spring of 2009, Abram had walked by on the road, flashing me a slight smile with the shyness of a teenager hanging out with the older girls—his cousins who walked beside him. He was back from his seasonal work. Even though he still looked like he had grown little since his mother worried about how "he didn't grow" when he was 11, Dominga didn't talk about these concerns anymore.

Dominga's life had become rather routine since I had met her seventeen years ago in the first months after the 1994 Zapatista uprising. At a women's rights workshop in her father's village of Morelos, she was among the women who spoke the most Spanish. Her confidence, wit, and playfulness drew me to her. As it turned out, she came from a noteworthy family: her brother was a regional leader (and a women's rights advocate, proud of his vasectomy), her father one of the first of his generation to join the EZLN, and all of them stood out for their careful fulfillment of community service work. Unlike

other community members, there was no outward grumbling—just pride in the admittedly taxing service. Their knowledge of Spanish, Tseltal, and another Mayan language, Tojolabal, attested to the wide range of their potential influence and alliances, which made sense in their municipality, where Tojolabales and Tseltales shared similar histories and lived in adjacent communities, and where Spanish-speaking mestizos dominated the economy of the central town, Altamirano.

The NGO I worked with between 1994 and 1997, CONPAZ, had appointed me as the coordinator for the "peace camp" in Morelos after an Army offensive in February 1995.[2] Living in the community for four months, I'd learned that Dominga was staying in her father's house with her two young children, Leo and Susi. Dominga was about twenty-three then. Somewhat begrudgingly, Don Genaro was letting her stay there since she had left her husband who drank and beat her (this same man would later survive a machete attack by his second wife, an act judged self-defense by Zapatista justice committee). Ironically, this major setback in Dominga's life had freed her up in the eyes of the community to take on a position of leadership, since she didn't have to keep house for a husband. So I had a chance to work with Dominga when she was *nombrada* [chosen by a village assembly] to be the unpaid, volunteer schoolteacher in the village of Pueblo Nuevo, a nearby Zapatista land occupation peopled by former Morelos residents.

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[2] CONPAZ is an acronym that literally means "with peace." CONPAZ was a coalition of non-governmental organizations from Chiapas that formed in response to the Mexican Federal Army's bombardment of indigenous villages on January 2, 1994, the day after the EZLN uprising. CONPAZ in Spanish stands for Coordinación de Organismos No-Gubernamentales por la Paz. In February 1995 the Mexican Federal Army caused mass evacuations of indigenous villages in the Zapatista zone of influence when it sent in troops to search for members of the Zapatista high command.

I had lots of opportunities to get to know Dominga as our paths continued to cross in the early stages of Zapatista autonomy. I became fascinated with her public speaking in the teacher-training courses I taught for the volunteer educators who replaced government schoolteachers as part of Zapatista autonomous self-governance. The course I organized with my Mexican co-worker had an internal assembly modeled on the village assemblies that ran Zapatismo. Dominga would occasionally stand up and speak out: composed, eyes ahead, with a slow, tense clarity to her Tseltal (and she would repeat herself in Tojolabal) that transmitted authority and obedience at the same time. Once she reminded a breakaway faction of the teachers-in-training of the meaning of their presence in the course: they had been nombrados by their communities. They were there to learn for the benefit of their communities. The group eventually lost its bid to end the course early to go to the town fair in Altamirano, a few miles away. In Tseltal translated to Spanish, Dominga "knew how to talk."

Dominga didn't stay single long. In 1996, she married Donaldo, who came from a tiny village up above the larger town of Saltillo, and, to her father's dismay—until his death he would feel she owed them to him for her extended stay at home—brought Susi and Leo to live with her there. She continued for a time as the teacher for her new village, but her husband was ambivalent about her community service. The new marriage, and the move to Santa Clarita, would lead Dominga away from her Zapatista community service work and eventually from membership in the EZLN. But I saw this rupture in slow motion, interwoven with the founding of her new family. In her mid-twenties, she quickly had two more children, both girls. She told me she wanted no more than five, total. But

Donaldo wouldn't agree to use birth control, especially because he wanted sons. She told me that he beat her, but that she had known what to do. She had gone to the village *responsable* (the EZLN leader who was also her husband's half brother) and *pidió parte*—asked him to intervene on her behalf. "But how did you know how to talk like that?" I asked her. "You know I've always known how to talk, Viviana!" She had also gone to her father to petition for his help, and the abuse had stopped, for a while. When the community left the EZLN, and the men began drinking in earnest, it started again. Her decision to marry Donaldo would lead her away from the structured community service and political participation that Zapatismo offers women; it would also lead her away from the ejidal collective ownership of land that the EZLN embraced in defiance of the neoliberal changes in the Mexican constitution that privatized communal landholdings[3]. From then on she lived on a small plot of land that her husband and brothers-in-law owned, hemmed in by other privatized plots, and cut off from both collective ejidal decision-making and the public footpaths that ejidos establish. On my last visits she and her extended family members, three households in all, had secured about a hectare for them to plant corn, coffee, and to live on. Now in her late thirties, she had become a grandmother after a solider had impregnated and then left adolescent Susi, who had gone to work in the nearby town of Ocosingo.

[3] In preparation for the North American Free Trade Agreement, Mexico amended Article 27 of its constitution to make formerly protected communally held lands available for purchase or as loan collateral.

Her decision to marry Donaldo would also introduce me to the central protagonist of this dissertation—*Ana González Perez*.[4] Ana's extraordinary first-person *denuncia* [public accusation] of a group of on-duty soldiers for rape had provoked a flurry of intense human rights activity in the offices of CONPAZ in mid-June of 1994. As a CONPAZ volunteer, I heard second-hand accounts of meetings among CONPAZ activists, Ana, and her two younger sisters, who were also raped in the attacks; a lawyer had pressed charges against the soldiers. But by the time, a year later, in mid-1995, that Dominga told me her sisters-in-law-to-be were "the ones raped by the soldiers," the NGO activity and press coverage had died down, and Ana and her two sisters were entering into their own marriages. It seemed strange to me that there was never any NGO news of the case anymore, nor apparent psychological or medical help for the women. But on my visits with Dominga in the 90s, I opted to be as discrete about the women's status as rape victims, as it seemed their community was.

Only in 2004, after ten years of occasional visits to Dominga, did I become involved in the sisters' case. Their lawyer, who I had known since my days as a CONPAZ volunteer, requested I begin conveying messages to the women when she found out that I frequently visited their village. She was in the process of trying to secure what she called "humanitarian aid" for them, in the form of a grant from a federal agency. In the village, Ana González was so sick that she often traveled to distant *curanderos* [ceremonial healers] with her husband. Relatives visited her in the evenings, her husband prayed at an altar for her, and she complained of stomach pain that would let her neither

[4] Pseudonym, like the other names in this dissertation.

work nor eat. I learned that the Inter-American Commission for Human Rights (IACHR) of the Organization of American States had vindicated her and her sisters' claims against the Mexican military (OAS 2001), but that seemed like a distant, irrelevant process. *Ana, Beatriz, and Celia González v. Mexico* became the subject of this dissertation when I began to try to make sense of the contrast between the apparent import of the human rights findings of the IACHR and their utter lack of importance in the face of petitions to me from Ana and her husband to help them find a cure for her illness. Both as a messenger for the lawyer and independently, I made community visits and conducted interviews focused on trying to understand the situation in which I had found Ana.

I introduce Ana González Perez via my relationship with Dominga and her family to place Ana's extraordinary story within another story—that of gendered community life in the Zapatista uprising. As Dominga and her family's trajectory shows, community service ethos and mechanisms are at the heart of the rebellion's local power. Many women and men are transformed by and transforming Zapatismo within the logic of "to lead by obeying" [*mandar obedecidendo*]: to lead others by obeying the consensus of the communal assembly, as Cristina and thousands of other Zapatistas have done through volunteer *cargos* [community service positions]. Individual women's stories like that of Dominga—though not stories of linear improvement in prefabricated indicators—are part of a collective phenomenon of indigenous militancy with effects beyond the boundaries of Zapatista membership and meanings that defy the liberal political boundaries of "public" and "private." Most importantly, among these effects is the production of new ways of being gendered indigenous activists, subjectivities that rework histories of

dispossession, occupation, and terror to establish novel meanings in everyday tasks and mechanisms of negotiating power.

This transformation has taken place under conditions of everyday and extraordinary violence. On December 19, 1994, the Zapatistas declared "autonomous" thirty-eight of Chiapas's then 111 municipalities in a show of military presence that defied the Federal Army's occupation of the Zapatista zone of influence. For the next year, the Zapatistas remapped local power even as military, police, and paramilitary organizations rearticulated themselves under a strategy of establishing "*bases de operaciones mixtas,*" or inter-institutional units, maintaining hundreds of checkpoints and establishing dozens of camps and bases in the mountain, river valley, and jungle areas of Chiapas that make up the Zapatista region. This increased militarization was only an intensification of the militarization of the state that had begun in the 1980s—as revolutionary movements swept neighboring Central America—under the governorship of Absalón Castellanos Domínguez, and continued through the 90s under Patricio González Garrido. Despite the appearance of exceptional violence that human rights litigation suggests, *Hermanas González v. the State of Mexico* was exceptional only in the fact of its denunciation. Though sparsely documented, human rights reports and local memories of violence show that security forces raped at the same time they beat, tortured, abducted, and disappeared, and massacred[5].

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[5] See, for example, Amnesty International (1986), two reports from the early 90s by Minnesota Advocates for Human Rights (Gerdts et al. 1992; Rosenthal et al. 1993), and Bobrow-Strain (2007).

Security forces are not the only sources of violence in Chiapas. Conversing intimately with women and men there, one learns of dozens of human rights violations by government health and judicial personnel. For example, Adriana, the younger sister of a teacher-in-training, went to the government hospital during a labor complication and was sterilized involuntarily under sedation. Though news of forced sterilizations at that hospital made it to the office of the regional Zapatista *mayor*, as well as to the meetings of women's human rights defenders in San Cristóbal, they never became (in)famous, and instead exist in the thick layer of atrocities that make publicized violations seem so urgent, yet so weakly representative of the true dimensions of violence that characterize indigenous people's daily lives in Latin America.[6] On January 12, 1998, at this same hospital where the sterilization took place and within weeks of the Massacre of Acteal, I saw nurses laughing at TV coverage of nurses firing on a crowd of unarmed Zapatista men and women—the same hospital where some of the wounded would be treated.

Autonomy, phase I: Compañera (1994 – 2003)

On February 6, 1994, only a month after the EZLN occupied seven cities and towns in Chiapas, Marcos addressed "all the non-governmental organizations of Mexico" in an open letter published in the national news (Marcos 1994 [1994]). His "request" called middle-class activists from all over the country to come to Chiapas and form a "peace cordon" for the imminent negotiations between the rebel group and the federal

[6] For a stunning representation of the everydayness of violence in Chiapas, see "Concentrado de Testimonios" in Reclamo de las Mujeres ante la Violencia y la Impunidad en Chiapas: Memorias de un Encuentro por la Justicia 1999: 59-96.

government. It was a simple start to what would be a complex and changing politics of political alliances between the EZLN (as a military structure and as a large group of indigenous "base" communities) and NGOs, grassroots organizations, oppositional political leaders, and other individuals drawn to the movement. The Zapatistas grouped these people under the name "civil society," the implication being that as long as they were not representatives of the government they were welcome.

This first communiqué hailed Mexican NGOs, specifically. But after the February 1995 Federal Army offensive, in which then-President Ernesto Zedillo ordered troops to raid the Lacandón Jungle in search of Marcos, the Zapatistas embraced a policy of setting up "peace camps," a basic element of solidarity politics in which outsiders (generally foreigners) defend villages with their mere physical presence and implicit capacity to publicize attacks. These peace camps were populated by Mexicans and foreigners.

The peace camps and the invitations to NGOs initiated a long period in the Zapatista politics of alliances which I will call the *compañero* phase, a term that roughly translates as "comrade" and which Zapatistas readily called these supportive visitors to their villages. In San Cristóbal, just after the January uprising, CONPAZ marched to the mountains on the outskirts of San Cristóbal, where the army was shelling Zapatistas in retreat, in a first sign of non-governmental intervention in the conflict. Many members of these NGOs were known to the Zapatistas, having worked either in the Zapatista regions of Chiapas, or with Guatemalan Maya refugees in camps on the Mexican side of the border, an area contiguous with Zapatista territory. After some initial jostling (some NGOs leaving--notably the Women's Group of San Cristóbal which would later take up

the *González* case), CONPAZ became a key site for those who sought to make contact with the EZLN. CONPAZ members also began to write grant proposals and get both "humanitarian" and "development" funding for communities that supported the Zapatistas.

Between the NGOs and the peace camps, a diverse group of Mexicans (mostly mestizo and middle-class) and foreigners (mostly from Europe and the United States, but also from South America) became involved in the messy co-construction of Zapatista autonomy. I coordinated a peace camp for three months in 1995 as I became involved with the CONPAZ education project that I would eventually co-lead with a woman from Mexico City. With good humor, Zapatista community members often rendered invisible the hardships of face and faction that the presence of so many outsiders provoked. I suspect few visitors assessed the effects on gendered household economies of the Zapatista requirement that every family's donate of a small pile of tortillas to maintain the peace campers. The EZLN leadership issued orders against too much contact with us, stealing from us, or asking us for money or gifts. Zapatista community leaders generally kept a safe distance, while regional *comandantes* entertained a select few who convinced them that they represented a political collective in their home country or city. Many visitors proposed "projects" to educate or train Zapatista men, women, and/or children. These projects continued already existing patterns of NGO activity in the region, including women's rights education, training of *promotores de salud* (health promoters—community health workers who learned to diagnose disease and administer widely available allopathic medicine), and livestock husbandry.

The EZLN appeared to have a policy of tolerant supervision over the many projects of the motley compañeros. Most projects lasted a matter of months or years, some even longer. Amid the Zapatistas' rebel experiment in expansive alliances, the foreigners and Mexicans alike were called compañeros and compañeras, the same terms of address that the Zapatistas called themselves. Peace camps were strategically placed on lands Zapatista militants had occupied, giving visitors to the territory the sense that they were taking part in material restructuring of rural relations of power. The peace camp where I often stayed was installed in the "big house" of an occupied ranch—the former owner's house.

The sense of shared purpose was only enhanced by the Army occupation that riddled the region: checkpoints (mobile and fixed), garrisons, encampments and related acts of individually or collectively directed violence. This violence reached its peak four years after the uprising: December 22, 1997, saw the massacre of Acteal, in which one infant, fourteen children, twenty-one women, and nine men were killed. Throughout 1998, the state and federal governments launched their campaign against Zapatista autonomy: a coordinated series of military/police attacks on Zapatista autonomous municipalities—new groupings of communities around an indigenous village that served as the political center. Over the years, Zapatista communities would periodically go on "red alert"—a state of heightened vigilance and preparedness. During these times, leaders were not available for meetings and project activities were canceled. Women would dry tortillas on the *comal* [ceramic griddle] and store them in large sacks by the door, ready to carry into the mountains if the community were evacuated.

Conservative Sancristóbalenses who marched to protest land occupations, the liberation theology of their Bishop, Monseñor Samuel Ruiz, and foreign presence in the Zapatista rebellion coined the term "*extranjero pernicioso*" [literally, pernicious foreigner], but the term that stuck was "Zapaturista." The word captured the awkward divide between the indigenous organization and the class and color of foreigners who visited them to enjoy the view of the waterfall as well as the rebel cause. Yet among the inevitable *desencuentros* [mishaps] the Zapatistas and their visitors did forge political community across that difference (see Speed 2008). As with the larger process of building autonomy, the Zapatistas balanced the utility of the presence of outsiders in their territory against their possible debilitating political effects, and during the 90s they tolerated the Zapaturistas.

As a compañera, I was deeply drawn to the Zapatista political project. In order to better coordinate the autonomous education project, which trained Zapatista youth to teach elementary school in place of ousted government teachers, I set out to "understand" the region in which I lived by visiting as many of the thirty-five participating communities as I could, living there for two weeks, and helping with women's (backbreaking) domestic work. I visited about eight communities in this way. In many others, I attended assemblies where elements of the education project would be discussed. These encounters were successes and failures (Visweswaran 1994). In Catalonia, in Berkeley, in various places around the globe, activists were trying to interpret Zapatismo for the benefit of their own local struggles. Zapatismo encouraged this with a slogan to

the effect of "be a Zapatista at home." The flip side of this, of course, was ours was a deeply contradictory presence in the construction of Zapatista autonomy.

Autonomy, phase II: Be a Zapatista at home, but not in our home! (2003-2009)

In 2003, the Zapatistas inaugurated a new phase of their struggle aimed at reducing the influence of the organization's political-military leadership in the day-to-day governance of Zapatista communities. They designated five centers of autonomous governance. These were called "Caracoles" and one of the explicit mandates was to more democratically control the relationships between "civil society" and Zapatista communities. The politics of charity [*assistencialismo*] had colonized them, Subcomandante Marcos wrote in a communiqué, and this would no longer be tolerated (Subcomandante Marcos 2003).

In 2006, parallel to the national presidential elections, the EZLN launched its "Otra Campaña" or "Other Campaign," in which Subcomandante Marcos and other comandantes traveled to various regions of Mexico to meet with grassroots organizations in struggle. This campaign continued the Zapatistas' efforts at influencing national politics while refusing to participate in political parties. Pointing out the neoliberal economic affinities of the PRD's presidential candidate, the EZLN broke with Mexico's political left. *La Jornada*, the leftist national newspaper that had until then covered Zapatismo as national news, demoted the EZLN to a section entitled "News from the States," an editorial decision that symbolized the EZLN's loss of national influence after breaking with Mexico's left political class.

In the Caracol where I had worked between 1994 and 1999, there was distinct closure after the 2006 Other Campaign. Zapatistas appeared to have decided that the presence of "civil society" in Zapatista villages was of little political value. Authorities of the Good Government Councils permitted few visits to Zapatista villages. Among foreigners who continued to arrive in San Cristóbal to work with Zapatistas, and among those who never left, serious criticism of the Zapatistas emerged. Most notably, many began to claim that their loyalties lay "with the communities" rather than with the EZLN itself. The new centralization of the Caracoles, and their slow responses to requests for visits due rotating leadership positions, irked many who worked with the Zapatistas precisely for their anti-authoritarian politics. Longtime allies of the Zapatistas, as well as high ranking EZLN military leaders, were cut off or driven from the organization. In 2004, Ana and her family left the organization, along with half their small community—a pattern of Zapatista attrition that had been present from the beginning of the movement. The consolidation of the movement in Caracoles has also been a time of retrenchment, disassociation, and withdrawal from "civil society" as the Zapatistas originally embraced it. It has also coincided with the growth of narcoviolence throughout the country.

During this post-2003 period—in 2007, specifically, the Zapatistas rejected my proposal to conduct research in a Caracol. In posing the question of the relationship between my positionality, my participation in (and disassociation with) Zapatista autonomy, and how this shapes my ethnography, I propose to retain the idea of "accountability" despite the dynamics of association and disassociation in which I have

taken part.[7] This question foregrounds various problems, various other questions: how is one accountable to a set of ideas, rather than a group of people? There is a problem of temporality: to which ideas do I hold myself accountable, since Zapatismo itself has changed. Is it enough to discuss and validate this dissertation with the Hermanas González? Or am I accountable to the EZLN itself, despite its own disassociation with their case? Finally, what of the member of the high command who, during a period in which he distanced himself from the organization, told me that it was better that they didn't approve my project since now they wouldn't be controlling what I wrote?

Relationship with the EZLN

In the time I spent working as co-coordinator for the autonomous education project I spent thousands of hours in Zapatista communities, in the political center that would be named Caracol IV in 2003, and occasionally meeting with a Zapatista comandante to work out especially vexing aspects of autonomous education in the region. My relationship with the Zapatista leadership, however, was not comfortable. Though the education project that I co-coordinated eventually became popular among the Zapatista youth in the Ejido Morelia region, the comandante that in theory oversaw it seemed only mildly to support it. In meetings with him I felt awkward, nervous, and out of place. The fact that EZLN leadership allowed the education project to continue operating in the region, with monthly meetings of sometimes more than a hundred teachers-in-training representing dozens of communities, was the most important fact of my relationship with

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[7] For a discussion of accountability that inspired this one, see Stephen (forthcoming).

the *comandancia*; most NGO-funded projects lasted less than a year. The extensive experience that I accrued with my work partner over the years between 1994 and 1999 also allowed our team to gather enough knowledge and advice to design popular, effective courses.

The ongoing war brought occasional attacks on Zapatista villages, the height of which was the series of large scale, inter-institutional raids on unarmed autonomous municipal seats in 1998. Part of these offensives included identifying and immediately deporting foreigners (soldiers and police violently deported my housemate after denying her access to counsel). The infrequent but terrifying attacks on villages, and the atmosphere of beatings and jailings for Mexicans and deportations for foreigners isolated me and my mestiza work partner in a dynamic of fear and factionalism.

My experience with Zapatismo took place with the communities rather than with the regional leaders. Living and working in Zapatista communities led me to the conclusion that to equate Zapatismo with Subcomandante Marcos, an international superstar since January 1, 1994, was to misread the movement. Its true eloquence was the collective work of those giving their lives and labor to build autonomy and support the *insurgentes* [guerrilla fighters] with collections of home-made tortillas and beans. Furthermore, coordinating the education project led our work team, and even the educators themselves, into occasional conflict with leadership. For example, in 1995 a representative from a federal-government indigenous education initiative arrived in the region, offering (at a meeting called in our absence) to take over our education project, promising official school records and salaries for the teachers in return. The local

leadership's inclination in favor of this offer differed from our hesitant position: how would this be "autonomous" if it were funded by the government? With little input from the leadership we had tried to design the training courses in line with Zapatista autonomy; this possible acceptance of a government-funded project seemed to indicate that our sincere (if fairly uninformed) work in support of autonomy was held in less esteem that a government offer that contradicted autonomy's most basic principles. Presumably for this same reason, higher-ups in the EZLN overruled the local leadership's acceptance of the program. We continued our work, but as the EZLN repeatedly broke from oppositional organizations because of these groups' willingness to accept state funds, we felt that the local leader had contradicted EZLN policies. Our exclusion from the decision-making process gave us the sense that our opinions and positions mattered little. Experiences such as these revealed that our education work had little importance in the eyes of the EZLN, that the leadership fought over the very meaning and practice of autonomy, and gave a distinct impression that as an outsider, I was only invited as long as I might be useful.

Yet I continued to support the larger organization. The power of inter-communal Zapatismo's small but powerful truths—the assemblies to which I was invited, the fresh, arresting language of Zapatista men and women, and the experience of getting to know the changes taking place across generations within families such as Dominga's—rendered personal slights and the missteps of the leadership small in comparison.

The attrition of Zapatistas from the organization itself, often in the context of intra-communal violence, was another source of complexity. The option for Zapatismo in

the region had not been unanimous, and many large communities had groups of families that did not agree with Zapatista policies of autonomy, which required economic sacrifice just when neoliberal policies were rendering agricultural livelihoods impossible. In 1996, I sat in the Aguascalientes (the complex of meeting halls, offices, and dormitories that housed Zapatista offices and training courses) in Morelia at dusk when, "Bang!" we heard a loud noise on the tin roof. Anti-Zapatista men, residents of Morelia, had formed a crowd and were directing their ire (and stones) at the peace camp. These Morelia residents had decided to separate from the ejidal assembly; there were conflicts over land that the Zapatistas had occupied during the uprising. Among the dissidents were men I had previously known as loyal Zapatistas. This was a vivid lesson in how Zapatista members could quickly become opponents, even enemies, of the organization. (That night a Zapatista compañero was injured.) This was another paradoxical, troubling aspect of Zapatismo's power. After that incident I no longer assumed that any particular Zapatista compañero or compañera would continue as a Zapatista indefinitely; but I did not see that as question of personal failing. Membership in the movement was impermanent and fluctuating.

Within a few months of when I left Chiapas in January of 1999, a new political-military leader took control of the large Tsotsil, Tseltal, and Tojolabal zone that included Morelia. She replaced a *mayor* [major] who had been disciplined and left the EZLN. A strict disciplinarian and member of the organization since her mid-teens, she took it upon herself to reinstitute autonomy in the region, principally be enforcing rules already in

place (for example, the prohibition on accepting any government money) and reducing the influence of NGO projects.

The education project was disbanded, and then reinstated with my work partner in the inner circle of this new mayor, the most powerful Zapatista in the region. When I returned to Chiapas in the summer of 2000, I joined the work team and its troubled, excessively hierarchical relationship with this powerful woman. Then, in about 2002, she was expelled from the organization in a clash with other leaders. On subsequent visits, she was no longer a military leader with restricted access; we celebrated birthdays together, discussed her building her life after the end of her career, and our love lives as single women in our late thirties. She resisted pressures to go to the US to work. Her disassociation with Zapatismo has not been that of the insider-turned-enemy, she simply returned to her rural community to apply her planning, education, and medical skills there. Even this most Zapatista of women retained her loyalty to Zapatista principles and practices after she had been unjustly expelled from the movement. Her example demonstrated Zapatismo's profound effect: many members and supporters can differ with the movement even as they take for granted and put into practice its just ideas.

In 2007, I returned to Chiapas with hopes of conducting my fieldwork with the Good Government Council in Morelia; my proposed project was a comparison of indigenous women's cases before public prosecutors' offices and the Comisión de Honor y Justicia at the Caracol—the Zapatista group that adjudicated problems among men and women. A president of the Good Government Council at the time was the first *compañero* in whose house I'd stayed in '94, Gustavo; the incoming president of Honor

and Justice was Dominga's brother, Meño. In a burst of enthusiasm he had told me I could be his "*secretario*" or administrative assistant. Yet I don't think I should have been shocked when my research proposal was rejected; the same had happened to many friends much closer to the leadership than I; I was told it was a time of "no theses." Even though the rejection appeared consistent with the ever-stricter Zapatista policies of closure to former allies, it was difficult to accept.

After the decision, the Good Government Council restricted my access to certain Zapatista communities. I could only visit the community where Meño's and Dominga's father, Don Genaro, was dying of cancer. (On every visit I would bring a box of colostomy bags, which were unavailable in Altamirano.) My relationship with Zapatismo has since become exclusively a relationship to families and communities that I have known since the 90s. Increasingly, members of these families have left the EZLN, either because they are women and their husbands do (such is the situation with Dominga's little sister, the sparkling Lucia), or because a long, conflictive relationship has ended in rupture—the situation with Gustavo, the former president of the Good Government Council.

This narrative is not meant to suggest that my path of association and disassociation with the EZLN is similar to the many Zapatistas' trajectories I mention here. Instead, I am trying to point out the ways in which a long involvement with the movement leads to an understanding that formal inclusion imposes strict requirements. These rules may be flawed or unevenly applied. Nevertheless, they are much less

important than the aggregate of the collective drive for autonomy and resistance to neoliberalism.

Defining accountability

When I first began traveling regularly to Morelos in mid-1994, I took a route that avoided the military checkpoint in Altamirano. The government was paving the road to the village. The small bus traveled confidently along most of the road and then, when it encountered an s-shaped curve on a steep hillside, just slid down the mud. After the curve, the land was level again. Morelos was only about ten minutes from that striking landmark that continued to strain brakes and engines even after the new blacktop hardened. Toward the end of the 90s, as Central Americans on their way north passed through the area in increasing numbers, residents of Pueblo Nuevo told of a bus of migrants that had tumbled over the edge of the curve. A few of the injured had walked to the village and recuperated in Don Rogelio's home. They had helped with the *milpa* [traditional maize, bean, and vegetable field] for a while and then kept traveling north. At Don Rogelio's request I tried to contact them on a phone in Altamirano (most residents of Pueblo Nuevo were uncomfortable with phones at the time) but the number written on a small piece of cardboard box didn't work.

The mountains near Morelos, Pueblo Nuevo, and Morelia became increasing populated with stories of the costs of the uprising as I continued to work in the region between 1994 and 1999, linking me to the region's residents in a form of collective memory. A hostile neighbor had shot and killed Gustavo's older brother and wounded

Don Rogelio on January 1, 1994 in the mountains outside of town. To build its checkpoint, the Army had occupied a plot of land and its ramshackle house at the exit of Altamirano, leaving a memory of black plastic flapping in the wind. The quiet beauty of the flat passage, pine forest on each side, from Altamirano to Ejido Saltillo never fully drowned out the invocation of Army checkpoint where the terror against the Gonzálezes had taken place.

I began my relationship with Morelos in the house of Gustavo's father, Don Aureliano, a soft-voiced elder with a craggy face and a leader of Zapatista blessings and prayers at public events. Don Aureliano's family cultivated close connections of family and *compadrazgo* [ceremonial kinship] with the Gonzálezes. One of his sons, Lauro, married Beatriz, the middle sister. Gustavo, the eldest after his brother's accidental death, was a sharp leader; a tall, thin, astute man. He exited and then re-entered the Zapatista organization every few years because of his alcoholism. During his long binges his wife, who was a leader of the influential Diocesan women's group, would tell me she was ready to leave him. But she couldn't.

These three families: Don Aureliano's, the Gonzálezes, and Dominga's formed the fabric of my relationship to Zapatismo. My sense of accountability emerged from the places they made for me in their inter-related houses; their land occupations; and their relationship to Zapatismo as regional founding families who nevertheless went through processes of association and disassociation. There was a recognized term for visitors—*ula'* in Tseltal—a figure whose subsequent absence may be reproached. When Don Aureliano and his wife first hosted me in their kitchen in Morelos, I felt that in order to

honor the place these families had afforded me, and follow the process in which I had become involved, I would need to stay in Chiapas for years and continue visiting the families for the foreseeable future.

The accountability I am trying to define has emerged from the fact Zapatismo was "*redimensionando*" the domestic and the public while I worked in the autonomous municipality from 1994 to 1999. There is no precise English equivalent for "*redimensionar*" but it is a transitive verb that denotes the act of changing dimensions. "Upscaling" might be the nearest equivalent. The facts of the movement—its women's laws, its assemblies, its territoriality—all had powerful material effects that transcended the entrance and exit of certain families or communities at certain times. In mealtime conversations about the everyday activities of "the struggle," I learned of this project of resignifying the gendered relationships among people and places (think of Dominga's public speaking, or her brother's promotion of vasectomies). This dense fabric of political transformation is a collective process to which one can hold oneself accountable as one writes and thinks about its contradictions. This dissertation is the result of commitment to keep visiting and the related challenge of writing accountably to the multiple dimensions of that place in rebellion.

Questioning "fluidarity"

In *A Finger in the Wound*, Diane Nelson develops the subject position of the "solidarity gringa." This form of identification is deeply invested in the solidity of the people and politics through which she problematically crafts her identity. A figure in Guatemala's

political scene from the mid-80s to the beginning of the peace process, the solidarity gringa is a transnational activist who campaigns state-side against US complicity in Guatemalan massacres. She gathers evidence of this violence as she traverses Mexico and Guatemala in intimate missions of testimonial gathering on behalf of the victims. Nelson's playful writing caricatures this activist at the same time that she demonstrates her deep, if naive, imbrication in the politics of the revolutionary *pueblo* [people, nation] in Guatemala.

Nelson contrasts gringa solidarity with what she calls "fluidarity." Fluidarity is a theory of writing and analysis and a new form of gringa positioning. As such, it unites Nelson's narrative of her political activism with her development of a theory of ethnographic writing. Fluidarity is born out the failure of the URNG [Unidad Revolucionaria Nacional Guatemalteca, the revolutionary front that united several rebel armies in Guatemala in the 70s and 80s] project, the corresponding emergence of the Maya movement, the broken state vs. *pueblo* binary, and the recognition of the gendered vulnerability of the gringa body. It locates the revolutionary process as lost—"revolucionostalgia." The passing of the comfortable binaries and sense of gringa invulnerability involves the recognition

> that identities are contingent, that the pueblo is not united or the enemy solid and easily identifiable, that radical social change is not around the corner, and that our understandings are deeply partial—limited and incomplete. (:73)

Fluidarity is the theoretical and methodological result of the solidarity gringa's revolutionary disabuse.

I have chosen to discuss Nelson's "fluidarity" in this introduction for several reasons. First, Nelson's experience with solidarity work is similar to my own. More importantly, though I value how Nelson places gringa privilege at the center of her theory, confronting head-on the dynamics of self-fashioning that reinscribe the inequalities that form the conditions of possibility of our research. Yet I do not think that such a critique necessarily ends in fluidarity. Though the account of work with the Zapatistas that I detail here features political breaks, I am interested in retaining more of a sense of continuity across the temporal trajectory of work and research. The breaking up of the solidities of a political project does not mean that there are no points of reference, as complex as they may be, to which one still can, and should, hold oneself accountable.

I find in Nelson's forging of her chronological voyage from "benighted" ally to sophisticated analyst two important elisions that I seek to avoid in my account. In solidarity work there are problems, broken binaries, and disidentification from the start: moments in which Ladinos, indigenous people—those through whom the gringa builds her identity—signal that the gringa is out of place. This awkwardness is detectable in the reproaches of clandestinity and political divisions, which happen at the beginning of one's learning curve as a solidarity worker. Nelson reports being admonished not "to ask those questions" (:58). Direct queries about political membership when people are being assassinated for being suspected of guerilla organization membership are naive and dangerous--I remember the reproach well. It betrayed the flawed assumptions upon which solidarity was based: that we understood each other, shared the same struggle, that this struggle overcame international hierarchies (as well as those proper to Guatemala or

Mexico). I suspect that the artificial unity of the “solidarity gringa” is predicated on the story of the arrival at the knowledgeable practice of fluidarity. Relatedly, there is no account of the institutional location in which fluidarity is formed.

I also question the lack of a robust engagement with the language and practice of revolutionary politics in the fluidarity analysis. Articulation and overdetermination take center stage and a theoretical political pluralism results in which little time is dedicated to understanding the ways in which previously held political identifications continue to inform new articulations. Nelson stresses that “discarding the idea of unified and homogenous agents and of power uni-directionally deployed from the first world, or from the Guatemalan state, does not preclude struggles for justice and peace” (:73). This is a curt gesture, a reduction of the legacy of revolutionary militancy and its post-war continuities, to two vague words. Fluidarity as a (restless) resting place risks centering a narrative of theoretical accommodation to political complexity at the expense of attention to how others make such accommodations, and their own interpretations of the lessons of contradiction and disidentification.

Locating legal subjects

When Dominga pointed out Ana, Beatriz, and Celia to me, the community of Morelos was preparing to migrate across the highway onto the smooth green hills of what had been a cattle ranch. It was 1995 and the authorities from Morelos called the new village Pueblo Nuevo. Residents of Santa Clara—the sisters and several of their brothers—had come to visit Morelos in anticipation of moving all of Santa Clara’s

families onto the occupied land, which was open to various Zapatista villages in the mountains and valleys that surrounded the Zapatista stronghold of Ejido Morelia. Ana and her sisters were standing together near the unpaved entrance to Morelos, watching the preparations from an elevation. Though Santa Clara would decide not to join the new village, Beatriz did marry Lauro, Gustavo's younger brother. On that trip, my friend Dominga also chose her future husband, Donaldo, who she decided upon after first seriously considering marrying a different brother of Ana and her sisters. The visit by Santa Clara's marriageable men and women further extended an already established pattern of family relations among residents of Morelos and Santa Clara (Dominga's brother Meño was married to Beatriz, Ana, and Celia's older sister).

Gossip mediated this first encounter with the sisters, which took place within the framework of Zapatista community building. This introduction to them as community members contrasted sharply with how I met them through human rights jurisprudence. In 2004, I read the 2001 Report of the Inter-American Commission of the Organization of American States which found the Mexican state responsible for the torture of the Hermanas González (OAS 2001).[8] In the twenty-six page report I was dismayed to find muted women in an unrecognizable space. The Report found that the Mexican Army had been responsible for the illegal detention, interrogation, and rape of the sisters and the

[8] The Washington, D.C. based Inter-American Commission on Human Rights (IACHR) is a group of eminent Latin American jurists who mediate between OAS member states and the lawyers of victims of human rights abuses (referred to collectively as "the petitioners"). The IACHR holds signatory states to the American Declaration on Human Rights and other conventions. The commission issues recommendations to states. If the IACHR cannot reach what is called a "friendly resolution" between the two parties, it can promote the case to the Inter-American Court of Human Rights, whose decisions are binding, unlike those of the IACHR. IACHR commissioners represent petitioners before the Inter-American Court, which is headquartered in San José, Costa Rica.

inhumane treatment of their mother, who was forced to witness the rapes. These and the establishment of rape as torture were crucial and historic findings. Yet the findings were also deeply flawed. Citing the women's legal representatives' claim that the women were literally unlocatable for a long period in part because they "had been rejected by indigenous culture, in accordance with its customs" (OAS 2001 para 70), the IACHR affirmed that, "as a result of the humiliation created by this [the rapes], the González Pérez sisters and their mother had to flee their place of habitual residence and their community" (OAS 2001 para 42).[9] I knew this to be untrue. The women's relatively quick entrance into local marriage and presence with their brothers and other family members during those busy days in Morelos stood in stark contrast to the IACHR report. The women had left Santa Clara because of increased military presence after the rapes and an intimidating if bizarre episode, known to all CONPAZ human rights workers, in which two government officials, posing as NGO representatives shortly after the rapes, had taken their pictures and fingerprints (La Jornada 1994; Lovera 1997; Physicians for Human Rights 1994). The IACHR seemed to have imported a caricature of indigenous culture into their jurisprudence. The image of the sisters watching the comings and goings of the men building the new community was a fragment of an alternate truth to the legal one established by the IACHR. Though my memory of their presence at the occupation marked them as objects of gossip, they nevertheless were still part of a living community, not banished.

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[9] Furthermore the IACHR stated that "the pain and humiliation suffered by the women was aggravated by their condition of members of indigenous culture [el dolor y la humillación que sufrieron las mujeres se agrava por su condición indígena]" (OAS 2001 para 95).

The disjuncture between accumulated fragments of facts and the IACHR finding drove much of this dissertation's method—one based on an aporia between the truth of jurisprudence and the truth of conversations and daily interactions with the sisters in their communities. The IACHR's misrepresentation of the woman/community relation in the figure of banishment was a statement that pointed to the codification of an emergent common sense in the early 2000s in Mexico and elsewhere: that indigenous collective norms were "bad for women"—just at the time of government passage of a bill for indigenous rights that dismantled a Zapatista-supported initiative. It also pointed to a specific process whereby NGO workers and lawyers gathered evidence, composed arguments, and qualified them as true. This dissertation represents my efforts to understand the former by reconstructing the latter.

Yet as my research unfolded, I found that investigating the IACHR version of events in light of what I understood to have happened in the aftermath of the rapes complicated my original understanding. A key moment in this process was my 2008 interview with Ana. In this interview, Ana and her sisters explained that their primary motivation for denouncing the rapes was to counter the scandal that erupted in the Altamirano area in the weeks immediately following the attacks. An old, single man on whose land the soldiers set up their checkpoint had claimed to have witnessed the rapes, and "gone in himself" (an implication that he had participated in the violations). "[Menstrual] blood was everywhere," Ana quoted him as saying. This gossip made public the women's corporeal interiority to generate shame and scandal (Mookherjee 2006; Taussig 1999). Out of the interview, a third version emerged that combined elements of

IACHR statements of repudiation and my own sense of inter-communal complexity that could not be reduced to a circumscribed notion of village. Some community members had held that the soldiers were the women's "boyfriends" and whatever sex that had taken place was their fault, whether or not it was "consensual." Astonishingly implausible—the evidence that it was rape is overwhelming—this version persisted in the women's inter-communal, Zapatista region and spread (with support, I suspect, from some Zapatistas themselves) among San Cristóbal-based NGOs that worked closely with Zapatista leadership. Ana's explanation of these accusations reminded me of hearing them at the time of the first denuncias in 1994, when a director of a small NGO who had worked closely a key comandante in the women's region told me this (to my disbelief).

In tension with my version, informed by daily life and informal conversations with the sisters, two distinct, unevenly constructed versions emerged in the course of my research: the legal narrative espoused by women's rights NGOs and lawyers and published by the IACHR, that depicted the women as victimized by the army, but also their community and culture; and another narrative, constructed of non-feminist NGO, Zapatista community, and Army insinuations that characterized the sisters as promiscuous Indian girls, rural streetwalkers: "public women" (Wright 2007) who provoked the attacks by "talking to the soldiers." These discourses represented the women as either "saveable" or "rapeable" subjects.

To trace the discursive contention among these versions is to discover Mexican nationalisms, gendered universalisms, and Zapatista internal contradictions, all of which differently confront or comply with the effects of post Cold War economic liberalization.

In denouncing Army rape and pursuing their claim internationally, the Hermanas González situated on their own terrain this conflict of different regimes of truth. Their critique of power, which emerged from their entanglement with it, provides insight into how and under what circumstances truth regimes prosper or falter.

My dissertation departs from my 2008 interview with Ana González. Once I translated this interview from the Tseltal-Maya I realized that its unique form, which I argue is neither revolutionary nor therapeutic testimonio (see McAllister forthcoming), challenged the Zapatista, women's rights, and state versions of the attacks. The following questions followed: 1) Who constructed each version of the rapes, and, 2) who shaped their consequences? The answers map the gendered and racialized inter-relations among arenas of discourse, individual and collective actors, and relationships to the state.

To arrive at the answers, I have distinguished among local, national, and international discursive arenas. Yet rather than assuming that these arenas exist in pre-constituted form, I have sought to understand how international human rights processes renew and recreate them, render imperceptible some connections among the them, and establish some truths as local and others as universal. These connections and contradictions are most powerful for those, like the Hermanas González, who embody the (in)compatibilities of state, Zapatista, and women's rights claims on subjectivity.

My research began in earnest in 2004, though the dissertation draws upon my activism there since 1994. I have conducted participant observation in the sisters' homes, in NGO offices, and at the Inter-American Commission's offices in Washington, DC. I have also consulted all the published and unpublished sources regarding the denuncia of

the rapes I could find, including journalistic accounts, feminist publications, correspondence with the IACHR, some documents penned by Mexican officials, and the IACHR's official publications. I spent approximately 250 hours of participant observation with the sisters' lawyer, Berenice Pedregal, and about nine and a half months total time of participant observation with Ana and her mother, seven with Beatriz, and a three weeks with Maria, who lives in a different village. I have formally interviewed Berenice Pedregal three times. I have only interviewed Ana and her sisters once.

It is important to note here that I have taken the legal construction of the rapes, rather than the rapes themselves, as my point of departure for research. I have done this for three reasons: because the rapes have already been amply documented by the IACHR process itself; because I have not felt comfortable soliciting testimony regarding the rapes from the sisters (See Aretxaga, Enloe on the disturbing effects and questionable motives of soliciting testimony of traumatic events); and, perhaps most importantly, the story of the construction of the case itself, when retold including the women's testimony, speaks to their struggle against victimization rather than the victimization itself.

I have found Agamben's work on witnessing and testimony useful for clarifying my method. Agamben's *Remnants of Auschwitz: The Witness and the Archive* addresses the relationship between genocidal violence, its witnessing, and the political projects that both shape and are shaped by that witnessing. Agamben places survivors' testimonies in the realm of the ethical rather than the juridical. Though judgment and the punishment that can result are important, they cannot exhaust the truth of what has happened. "A non-

juridical element of truth exists" (2000 :17). It is this element of truth which primarily concerns me here.

Justice, impunity, and the politics of humanitarianism

In composing this introduction I have struggled with the task of presenting a sequence of events to the reader for the sake of clarification of "what happened." I have spent many hours constructing timelines and I've been taken aback by the way these timelines present a theory of the case as a series acts and events, each building on the previous, that culminates in a good case against the Mexican state. In a certain way such a timeline is useful and needed. For example: Ana and her sisters told EZLN commanders of the gang rape by the Mexican military in mid-June, 1994. The commanders arranged a meeting with the press in which the sisters narrated the attacks first hand; a national newspaper published the account the next day. This could easily have been the end, but instead Ana, accompanied by her sisters, traveled two hours to San Cristóbal, across a landscape punctuated with checkpoints and mined with racism, to denounce before federal prosecutors. This denunciation and physical evidence from gynecological exams cemented the validity of the case even in the eyes of a federal prosecutor. The sisters' lawyer told a journalist in 1995 that at the definitive federal deposition Ana had drawn a map of the checkpoint and shack where she'd been raped with the pencil held in her fist (Rovira 1996: 150)—symbolically erasing the divide between Ladino national literacy and indigenous women's silent "*dialecto*" (as many Sancristóbalenses refer to indigenous languages). Armed with this evidence and with the

Army's having taken cognizance of the case (transferring it to the jurisdiction of the military courts), the women's lawyer brought it before the IACHR which, in 2001, found the Mexican state responsible for the crimes and called on it to transfer the case to civilian courts, punish the perpetrators, and grant reparations to the women.

Yet a narrative timeline based on a legal chronology suggests progress toward justice, whereas reminders of impunity often interrupt the time I spend with the sisters. To discuss the case with them is to encounter vivid shards of memory that call upon those listening to confront the case's lack of resolution. In a 2009 conversation with Ana in her house, we discussed the EZLN leadership's treatment of her. Her brother changed the subject to his remorse for not supporting her more then. The retelling of the construction of the case, as it emerges from conversations with the witnesses, calls on listeners to confront their own complicity in the unjust irresolution of violence.

In a meeting on April 3, 2011 the women received 500,000 pesos each from the recently created Chiapas state government human rights commission. This "award," the equivalent of about $40,000 each, is literally a small fortune for Chiapan subsistence farmers. Yet, as the women have said, it is not justice. It is both the culmination of a long process of transforming Ana from a political to a humanitarian subject, and a sign of the biopolitical terrain on which conflicts about indigenous peoples are taking place in Chiapas, as the actions of the Chiapas state government demonstrate.

The tension between humanitarian aid and politics has been present from the beginning of the Zapatista uprising. Help of all kinds poured in from throughout the country, the global north, and the hemisphere: help that most notably included political

dialogues across latitudes of struggle among organizations that were facing many of the same questions regarding neoliberalism. Yet the aid also came in the form of food, second hand clothes, notebooks, medicine, toys, etc. In 2003 Marcos published a communiqué condemning the single, pink, imported high-heel he found in a donation box and with that announced the formation of the Caracoles as the new centers of Zapatista politics, emphasizing that Zapatista "poverty" demonstrated the rejection of "assistentialism" and that it is possible "to govern and self-govern."

The politics of humanitarianism also emerged in the construction of the Hermanas González case and the payment was the culmination of the process. It had begun with the elimination from the legal testimony that the women were Zapatistas. As the case circulated in the press, supporters sent them "help" in the form of used clothing, while a journalist who was particularly committed to their cause solicited aid for them in her articles. It bears mentioning that this "help" created problems for the sisters, as it did for all Zapatista recipients of aid, who were looked on as potentially corruptible or already corrupted by contacts with and donations from outsiders. Then, in the 2004 IACHR-brokered negotiations between the Mexican State and the women's lawyers, the possibility of "humanitarian aid" or "ayuda humanitaria" arose: the "ayuda" would have consisted of the establishment of a medical fund at a nearby non-governmental hospital. This negotiation eventually translated into the Chiapas state government's payment to them.

The money was given to the women without written acknowledgement that the rapes took place (though, of course, the Hermanas and their mother interpreted the money

as a tacit admission). The money was "to assist them in their struggle" for justice, though it also appears to have effectively closed the case before the IACHR. This conclusion benefited the IACHR and the Mexican state, which were at an impasse in which military and judicial representatives were unyielding in their resistance to move forward with the justice-based recommendations, despite the compelling evidence documented in the IACHR 2001 report. For reasons that remain unclear, the case was not eligible to be promoted to the Inter-American Court of Human Rights, which, unlike the Commission, has binding authority over Mexico. The women now face the invitation, on the part of their lawyer, to initiate a new case against the Mexican state, only for the denial of access to justice. At the time of this writing they are considering this option.

The payment took place within the context of a public relations campaign conducted by the current governor of Chiapas, Jaime Sabines Guerrero, in which he sustained at least three meetings with the IACHR. In his October 2010 meeting with IACHR officials, he explained to the press that, "Zapatismo has never been a danger, it is a cause." This "cause"—a just clamor against "extreme poverty and lack of respect for indigenous peoples"—could now be recognized by the state government. He signaled a new Chiapas: Before, the state was "in the news because people were dying every day. Fortunately Chiapas is no longer a source of that kind of news and much of this is based on the respect for indigenous people's self-determination."[10] He suggested that his government grants both recognition and relief. The comment, which took place even as human rights organizations were suffering harassment equal to that of the worst days of

[10] http://www.jornada.unam.mx/2010/10/29/politica/012n2pol

the 1990s, also effectively eliminated the historical demand for justice, for the dismantling of neoliberal capitalism, and the memory of the hundreds of people who still continue to their lives violently in various instantiations of political violence both within and outside of the Zapatista zone of influence.

The EZLN, IACHR, and the "*via legal*"

On May 19, 2007 one of the regional commanders from Caracol IV—headquartered in Morelia—addressed a group of family members of victims of the Pasta de Conchos mine disaster, in which more than seventy coal miners had died due to gross corporate and state negligence. In the context of the Otra Campaña, the comandante broached the experience of working with human rights organizations for justice. The miners' families were in the process of negotiating with the federal government and international human rights organizations for reparations.

The Comandante explained that he personally and the Zapatistas collectively had also "*vivido un fecha*" [survived a day they never forgot]:

> January 7, 1994, when three of our compañeros, members of our grassroots base, were disappeared. NGO lawyers in Chiapas did their transactions for justice—so that the military commander in charge [of the attack on] Ejido Morelia would be punished, but to this day—nothing.

The comandante's argument was clear:

> If we go by the *via legal* the government consoles us and deceives us. They want to add commas, accents, quotation marks, and questions and in the end they're all obstacles and there's never justice.

Deconstructing the deceptive textual process whereby situated violence becomes legal human rights violation, he called on those assembled to consider the idea that "justice is in the hands of the *pueblo* [people, nation]" that organizes to produce it. Reparations, he argued, "damage moral authority" and can't repair lost lives.

> Even though there's a human rights commission—an Inter-American Human Rights Commission, a national human rights commission, an international human rights commission—there's nothing. (Comandante 2007)

This speech was important for several reasons. It stated the EZLN's position vis-à-vis the Inter-American Commission on Human Rights, which was in charge of negotiating reparations for the widows of the three elders after its admission of the resulting human rights case (OAS 1996). It demonstrated the Zapatistas' policy of distrust of NGO "*licenciados*" or lawyers. And it showed the problematic relationship between morality and reparations in Zapatista politics, where the slogan "*para todos todo, nada para nosotros*" [everything for everyone, nothing for us] refers to an inter- and intra-communal ethos of sharing benefits that accrue from extra-communal contacts. These positions and policies further rendered the situation of the Hermanas González untenable once the Zapatistas sent it on the "via legal."

The Zapatistas, the Hermanas González case, and women's rights activism

Though the Zapatistas supported the sisters' 1994 denuncia of the rapes from behind the scenes, EZLN leadership never made a public pronouncement regarding the rapes of the Hermanas González. The testimonial record indicates that the EZLN believed the women's claims and convened NGOs and the press to publicize the attacks immediately; and then placed the women in hiding in Zapatista territory, under the direct care of members of the regional high command in their residences. Yet it would appear that about three months after the rapes, after the Mexican Military Courts (or *fuero militar*) took cognizance of the case (removing it from civilian jurisdiction), a break occurred. The women do not understand what happened and the Zapatista leadership has never publicly explained it. A Zapatista comandante sent the women home. Insinuating rumors filled the space left by the Zapatista silence regarding the women's innocence.

The EZLN appears to have abandoned the case to women's rights organizations in the same manner that has characterized many of their breaks with other social movement organizations: prioritizing its political autonomy in the face of the risk of entering into relations of petition with the state. It is also possible that a major conflict among the leadership in Ejido Morelia, which resulted in a comandante's departure from the EZLN, also influenced their fate. Furthermore, in 1994, rumors circulated among NGO members that some members of the high command believed some of the gossip that accused the women of "talking to" the soldiers—a Tseltal metaphor that suggests flirtation and courtship.

The Zapatistas' lack of a public stance on the sisters' denuncia contrasts with other important statements they have made on sexual assault. Though brief and few in number, Zapatista public pronouncements regarding rape have been powerful. The first was the "Women's Revolutionary Law," published at the time of the Zapatista uprising in 1994, which states that, "Rape and attempted rape will be severely punished" (Speed et al. 2006). The Women's Revolutionary Law was the result of a large inter-communal consultation. As such it was the effective force in a large region where the government's laws were rarely enforced.[11] Like most laws, it was not necessarily explicitly known among those who it regulated; like most Zapatista grassroots members, Ana and her sisters were unaware of it during the 90s. Yet it is arguable that it formed part of the assumptions that led the Hermanas González to report the 1994 rapes to the EZLN high command in the first place. Nevertheless, the EZLN did not attempt to enforce it against the Federal Army.

At the time of the rapes, the Zapatistas had not yet formalized autonomy. Though Zapatista committees that attend to problems such as land disputes were either formed or in the planning stages, the autonomous "Honor and Justice" committees that would adjudicate sexual assault after the 2003 formation of the Good Government Councils did not yet exist. Yet even if these had been in operation at the time of the rapes, it seems likely that the case would have been reported to the national authorities and perhaps only pursued there. In each of the three reported cases of rape of Zapatistas or Zapatista supporters in Chiapas, the victims pressed charges in the public prosecutors' offices; in

[11] For a detailed account of the promotion and approbation of these laws see Lovera et al. (1997).

two of these cases no Zapatista justice actions were ever reported.[12] Anecdotal evidence also suggests that in one unpublicized case of inter-communal violence where non-Zapatistas raped Zapatista women or girls, the Zapatista authorities sent the case to the official authorities. At the very least, rape within the context of anti-Zapatista aggression can be said to create a situation in which Zapatista autonomy and national law operate at the same time; this is not the case with many other kinds of legal conflicts among Zapatistas and non-Zapatistas that are solely resolved at the Good Government Councils.

The most notable public pronunciation against rape by the EZLN took place immediately following the rape of Cecilia Rodríguez. On October 25, 1995, the Chicana leader of the National Commission for Democracy in Mexico (NCDM) was raped by three armed men in a public nature reserve near the Chiapan border with Guatemala. Ms. Rodríguez, a mother of teenagers, was also the specially appointed representative of the EZLN in the United States. She denounced the attacks in separate legal and political statements in the week that followed (Rodríguez 1997[1995]a, b). She pursued her case in the San Cristóbal public prosecutors' offices in Mexico City and San Cristóbal de las Casas, but nothing ever came of the charges.

The first Zapatista publication regarding this gang rape appeared in the form of a communiqué signed by Subcomandante Marcos, composed as a five point declaration. In it, Marcos described and denounced the attack, identifying Cecilia Rodríguez as a Zapatista who was attacked for "helping the EZLN in the achievement of a dignified and

[12] These include the June, 1994 case of the Hermanas González; the October 4, 1995 attack on three nurses offering first aid in the context of the San Andres Peace Talks between the Zapatistas and the Federal Government; and, later that month, an attack on Cecilia Rodríguez, a US citizen (see below) and representative of the EZLN in the United States. All the attacks were gang rapes.

just peace.” He attributed the aggression to an intimidation campaign against women “that includes crimes against indigenous and non-indigenous women” in Chiapas. Arguing that the government was incapable of guaranteeing anyone’s security amid its ongoing occupation and that national laws were “doing nothing,” he stated that “the EZLN has begun the task of locating and taking prisoner those responsible for this and other similar aggressions against women in Chiapas so that [the criminals] can be judged by Zapatista laws” (Subcomandante Marcos 1995). The declaration closed with a call to “all women and men in Mexico and the world who struggle for democracy, freedom, and justice to mobilize together with us for this fundamental demand of all human beings: respect for women.”

A letter from Marcos to Ms. Rodríguez followed, published at her behest in the national left newspaper *La Jornada*. As a private letter published in a public forum, it occupied the ambiguous space of the public secret (see Mookherjee 2006; Taussig 1999). Its contents strongly condemned the rapes, while combining intimate address with his analysis of the politics of sexual warfare, women’s rights, and indigenous Zapatista women’s rights. After commending her public denunciation of the rapes, he put rape in the broad context of the justifications for the Zapatista uprising locating it as part of a “chain of crimes” he attributed to “a political, economic, social and cultural system” that “makes possible, covers up, and feeds these and other [sexual] aggressions.” He emphasized the non-gendered specificity of “violations of human dignity” while recognizing the gendered specificity of rape.

In the letter, Marcos directly addressed some of the conflict that had arisen between feminist organizers in Chiapas and the Zapatistas. Critiquing women's rights activists, he wrote

> Some women, among them some that claim to be close to Zapatismo, take advantage of the problem of the rape to rage against...Zapatista macho men! They're demanding that we take off our ski masks to draw a line, they say, between us and the rapists and not to promote acts like the one you suffered. The enemy isn't us, nor do our ski masks cover up crimes. They are indignant as they demand an explanation, a formal distancing, an apology, a show of remorse for the fact of being men.

Rather than defending the EZLN's gender policies by mentioning women's strong representation in its ranks, (and revealing the essentialism of the militarism-as-male-undertaking critique); he instead caricatured the feminists' alleged demands as an attack on (some of) the Zapatistas' masculinity. While coinciding with the feminist analysis that war "makes a battleground of women's bodies," Marcos also pointedly differentiated Zapatismo with the local women's rights movement. The struggle against this system, he argued, is a "struggle to change the whole world into something better," a fight that does not take the opposition between masculine and feminine as its primary analytic.

From there, Marcos turned to the question of the "indigenous, Zapatista woman" vis-à-vis "woman," the idea of women's rights, freedom, and transnational feminism. He admitted that Zapatista women "are not free just because of the fact of being Zapatistas." But he also argued that they are not subjects of transnational feminism, symbolized by

the 1995 United Nations World Conference on Women in Beijing, which had taken place the month before the publication of his letter and was attended by various women's rights NGO representatives from San Cristóbal de las Casas. "Indigenous Zapatista women," he wrote, "[...] those women so far from the Beijing summit, [...] have decided to stop being women so they can win the right to be women" (Marcos 1997[1995]). Zapatista women are first and foremost Zapatistas, he argues. As such, they are subjects of a particular kind of indigenous women's political struggle. The right to be a woman for which they struggle, his letter suggests, is distinct from women's rights as formulated in transnational fora.

Marcos's letter gives a glimpse of the EZLN politics of alliances which frames its rupture from the Hermanas González case. The abrupt and unexplained dismissal of the women by the comandantes—which Ana says she experienced in the form of one comandante's wife's refusal to ever talk to her and then the receipt of orders that she go home—was similar to other Zapatista political ruptures. The strictly applied logic of Zapatista autonomy, heightened in the 90s when groups of all sizes, stripes, and histories sought alliances with the EZLN, centered the EZLN leadership as the only legitimate interlocutors with the federal government and other entities capable of adjudication, governance, and funding. If individuals, NGOs, or grassroots organizations claimed to represent the Zapatista struggle in such fora they quickly found themselves cut off from all contact.[13] The Hermanas González case combined a dispute about women's rights

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[13] See, for example the bitter 1994 break in relations with a broad coalition of Chiapan peasant and indigenous organizations—the CEOIC [Chiapas Statewide Council of Indigenous and Peasant

activism with a conflict about the legal representation of Zapatista women vis-à-vis the Mexican Federal government and the Organization of American States. It did not help that Berenice Pedregal, the most prominent women's rights lawyer in San Cristóbal and the only one who represented women in international human rights cases, was among the most prominent among those feminists that saw all armed movements as inherently patriarchal.

The Zapatistas' strict protection of their political autonomy, established at the highest levels of the EZLN, mirrored a policy in Zapatista communities with reference to contact with outside individuals. Contact with NGO representatives, government officials, and international visitors was assumed to lead to some kind of illicit individual family benefit, an assumption based on long experience with clientelism, paternalism, and assistentialismo. Only Zapatistas meeting with those known to be above moral suspicion were spared gossip, reproach, and sanction. Thus, when I visited a Zapatista community as the education project co-coordinator, it was necessary to work out a community agreement in an assembly whereby I visited every house, rather than lived continuously in one family's house. This guaranteed fair distribution of whatever benefits my visits brought as well as a certain kind of transparency in my interactions with all households. In the case of contact with NGO leaders and government representatives, though the latter would not take place much in Zapatista communities, this monitoring

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Organizations/Consejo Estatal de Organizaciones Indígenas y Campesinos de Chiapas]—when a portion of the group accepted to negotiate with a special envoy of the federal government.

also restricted the extent to which community members could be swayed by offers of inclusion in a funded project.

This policy of intra-community autonomy was incompatible with the support that NGO workers sought to give the sisters. As complainants in the case against the soldiers, they needed to meet with NGO representatives. Few of these representatives were aware of or followed dictates not to give the women material support. It is also possible that these Zapatista rules were not yet formally in place. At any rate, part of the attention that the women received from NGO workers involved donations of material aid. In her reporting, a national journalist who interviewed the sisters reported their precarious economic situation and solicited funds for them (Lovera 1997). It appears that from the start, the collaboration between the Zapatistas and the NGOs involved some provision of outside aid to the women, which does not necessarily mean that it was accepted as proper by community members. In fact, there is reason to believe it was controversial and contributed to further damaging the women's names. The sisters have stated that their receipt of any kind of material assistance generated, and continues to generate as of this writing, accusations that it was in exchange for the (nonconsensual) sex with the soldiers. Autonomous politics, whether part of community regulations or EZLN politics of alliances, created a minefield for the sisters in their relationship with their legal representative and other women's rights organizations in Chiapas due to at least in part these groups' ignorance of or insensitivity to these issues.

Yet in trying to understand the EZLN's rupture with the sisters, the response to the Cecilia Rodríguez attacks demonstrates by contrast the regrettable lack of EZLN

action on behalf of the three women and their mother. Marcos's moral leadership in the EZLN is impossible to overstate and an endorsement of the veracity of the women's claim on his part could have both quelled local scandal and set straight the issue of the donations. From what the sisters report, sending them home amounted to an unstated confirmation that scandalous rumors were true.

It is also hard to avoid the impression that the sisters were dispensable to the EZLN leadership in a way that Cecilia Rodríguez was not. Marcos was willing to make Zapatista statements regarding wartime rape and women's dignity and worthiness when the victim was an international figure and a literate comrade; the indigenous sisters' fates were left to the dictates of intra-communal mores that the EZLN high command neither fully endorsed nor effectively confronted. Furthermore, Cecilia Rodríguez had been formally approved to speak on behalf of the EZLN before the attacks against her, whereas the Hermanas González were in the extremely rare position, among Zapatistas, of having to speak for themselves before the press without holding any formal position of Zapatista leadership. And once women's rights activists took control of their representation, the sisters could not, by the logic of Zapatista autonomy, also represent the EZLN. Interpreted in this light, Marcos's comment that "indigenous Zapatista women have decided to stop being women," implies that if they decide to be the "woman" subject of women's rights struggle, they can no longer be Zapatistas.

Public pronouncements aside, it appears that sexual violence is such a powerful political lightening rod, signified and re-signified among families, villages, political-military hierarchies, states, and international organizations, that the EZLN was incapable

of responding to the rapes adequately. The attacks had created controversy at the most intimate and global levels of the EZLN's spheres of influence. In the 90s, the unfinished gender politics of autonomy emphasized women's political participation but enforced few policies regarding the adjudication of gender violence.

To conclude, I return to Ana González's 2008 discussion of her departure from the EZLN. When I asked her why she left the EZLN, Ana argued that her ongoing illness combined with the taxing regime of food and labor donations—not resentment regarding her treatment by the high command—made her leave: "It's not that I'm okay [with leaving]...it's because I got sick." By citing her illness, she indexed the ongoing social and bodily injury she suffered and its irresolution. And by then citing the collective work, discipline, and defensive preparedness that the organization demands, she framed the illness within the statement that she could not comply with the rigorous requirements of the organization, which include orders to be constantly prepared to evacuate in case of an attack by police or military forces.

> Because Zapatistas have so much work. There's no authorization to go anywhere, you can't get orders to go anywhere alone, you have to be on alert all the time. You have to make sure you have tortillas, pinole [ground corn], soap, beans, whatever. And if you're sick, you don't have enough money [to heal yourself]... That's why I left.

In an era of neoliberal de-valuation of rural economies, the Zapatistas have created a zone of exception to both privatization and state programs that administer the increasingly impoverished population. Consistent with her insistence on the linkage between the

communal and the individual, Ana's critique connects the stresses brought on by political resistance with the rape's effects on her and her community, putting the EZLN's failure to respond adequately to her plight within a broad political-economic and military perspective. Ana's explanation of her departure analyzes it as the unintended consequence of rape warfare, and the gendered effects of military occupation and neoliberal economic policy.

The layout of the dissertation

I have structured this dissertation to center Ana González Perez and her sisters' version of their struggle for justice since 1994. In Chapter 2, "Speaking and Doing Justice: Denuncia and Testimony" I present the above-mentioned interview I conducted with them in 2008 and I begin each of the following chapters with one of Ana's statements. I do this as a way of telling the story of the González Pérez case that privileges questions and categories that arise from their thought. Because their perspectives have virtually been written out of the record, I present large portions of the interview with them. I situate their comments within the framework of "wasting time," or unobtained justice, an observation of theirs vis-à-vis the human rights process. Their activism also destabilizes the received idea of rape, scales down human rights, and scales up community. I argue that their speech is not easily recuperated into any political project—be that of women's rights or the EZLN—and therefore it is not a form of testimonio.

"Speaking and Doing Justice" foregrounds Ana's "community"—both Zapatista and village—as her primary site of identification, and the social field toward which she directs her first denuncia to salvage her damaged reputation. The Inter-American Commission on Human Rights interpreted her sense of social injury as one of physical banishment from community in the aftermath of the attacks. In Chapter 3, I write against this reduced idea of indigenous community through a focus on "walking." An ethnography of walking, which denotes both travel on foot and activism in Tseltal, reveals the way that labor regimes and state violence contribute to processes of communal formation and dissolution that refuse the reduction inherent in the idea of "the indigenous community" as village. An interview with Alberta Entzin Entzin, a Tsotsil-Maya complainant in a rape case and survivor of mass evacuations related to the 1997 Massacre of Acteal, shows how regimes of permissible violence against "public women" are predicated on gendered regimes of family, workplace, and state security. I argue that rape regimes cast the walking subject as a rapeable subject whose relation to community is invisible to most women's rights activism (see Boesten 2010). Yet a focus on denuncia also shows the affective and linguistic resources upon which indigenous women draw to protest sexual violence and evade the traps of its effects.

In Chapter 4, I turn to the occupation of the Muncipality of Altamirano by the Mexican Federal Army after the Zapatista uprising of January 1, 1994. This is the occupation in which the rape of the González sisters took place. I describe the occupation as "domestic violence," an articulation of occupation with small-town intimacies and enmities. The Federal Army intimated itself into the daily lives of residents by controlling

the food supply, inserting itself into residential, public-private spaces, and cultivating familiarities with the population thus adopted. This interpretation takes as its starting point the Hermanas González's attribution of motives of revenge and mistaken identity to their attackers, linking them in a web of face-to-face knowledge and everyday violence that accounts of extraordinary violence tend to miss.

In Chapter 5, I explain the absence of the Hermanas González's speech from the record of their case through an analysis of the testimonial effects of mestizaje, to which I attribute the problem of the elision of indigenous women's speech in women's movement spaces. The absence of voice, I argue, is due to mestizaje's process of inclusive exclusion, according to which indigenous people's authentic inferiority must be confirmed if they are to be rendered credible subjects. These mechanisms of recognition privilege indigenous women's damaged bodies and passivity as sites of their authenticity, leading to a dynamic whereby the authentic indigenous woman is incommunicable. This chapter suggests that international law is discursively and practically susceptible to racialized dynamics of state formation.

To conclude, I examine this dissertation's key contributions: denuncia, walking, military occupation as domestic violence, and mestizaje as testimonial elision. Despite the violent suppression of indigenous women's activism, I argue, a careful focus on the conditions of its production demonstrates powerful discursive linkages between speech, the body, territory, and truth claims. The resulting protest can defy the paradoxes of testimonio to enact new defenses of the integrity of social bodies and collective livelihoods.

2. Speaking and Doing Justice: Denuncia and Testimony

On June 15, 1994, two weeks after she had been raped by a group of Mexican army soldiers, Ana González walked three hours to the town of Morelia, the Tseltal-Maya stronghold of the Zapatista Army for National Liberation, to denounce what had happened.[14] Enraged by the rumors that had begun to spread about her, the twenty-year-old went to the commanders because she wanted to "get out the truth." Her two adolescent sisters, also raped in the attack, and her brother, the Zapatista leader from her small village, accompanied her. This was the first moment of denuncia in Ana's story.

The Zapatista commanders, also enraged by this news, consulted the high command of the EZLN and received orders to contact the press and human rights organizations. They designated Ana as the spokesperson for her sisters and they arranged

[14] A note on narrative strategy: In discussing this work's representation of rape, I have chosen to confront the reader, often at the outset of each chapter, with the fact of the sexual assault on the Hermanas González. Each chapter begins by quoting the sisters about some aspect of the attacks they suffered, since these quotes also confer information that frames the rest of the chapter. This approach, in its refusal to soften the shock of the disturbing, is similar to Jane Hill's strategy of spelling out racial epithets in her recent book *The Everyday Language of White Racism* (2008). Hill identifies a collusion between reader and writer when racial epithets appear with ellipses. The textual avoidance of these terms, she argues, encapsulates a hypocrisy: the use of ellipses allows us the comfort of avoiding the terms even as it rests on the presupposition that we know the disturbing words. "I prefer the shock, the confrontation with ugliness, the recognition that these words and what they mean are in our world" (:xi). Similarly, I prefer to avoid narrative strategies that avoid discomfort, and to let this contextualized case of rape under occupation stand in for the many potential shocks from which we are spared by decontextualizing representations (Hesford 2011). Furthermore, an alternate strategy, to build toward discussion of the rapes in each chapter, might insert the reader into a voyeuristic tension as the already known unfolds. (Many thanks to Kamala Visweswaran for her suggestions on this problem.)

a secret meeting in the mountains between the family and sympathetic journalists and human rights professionals. In an article, the Mexican leftist newspaper *La Jornada* published the sisters' report of the rapes (Olmos 1994).

The charges then set out on a long trail of jurisdictions. Over the course of the rainy season, the women went twice to the colonial city of San Cristóbal de las Casas to file federal charges. In September 1994, the Procuraduría General de la República [Attorney General's office] ceded jurisdiction to the military. The sisters' non-governmental organization lawyers then successfully petitioned the human rights commission of the Organization of American States (OAS) to accept the case, citing the compromised impartiality of the Army courts. This OAS process, which began in 1996, culminated five years later with the 2001 finding that the Mexican state was responsible for the rape and torture of the women.

In the course of the construction of *Hermanas González versus Mexico*, the initial denuncia that the women made to the EZLN commanders became compelling legal testimony. In its 2001 finding, which cites the women at length, the Inter-American Commission on Human Rights (IACHR) of the OAS established that: 1) the women had been cruelly raped in front of their mother by representatives of the state in the course of an illegal interrogation (violations of the Right to Privacy and Humane treatment); 2) Mexican Army checkpoints in Zapatista areas of influence were illegal (violation of Personal Liberty); 3) the state had attacked a sixteen-year-old, Celia González Pérez, in violation of Rights of the Child; and 4) the Mexican military was incompetent to

adjudicate the case (violation of the Rights to Judicial Protection and a Fair Trial).[15] The IACHR recommended that the women be awarded reparations and that the Mexican state prosecute the soldiers in civilian jurisdiction (OAS 2001).

In this chapter I center a 2008 interview with Ana González to argue that despite her legal victory, IACHR misrepresented her and her sisters' sense of justice, community, and gendered injury. A denuncia meant to stop gossip among an inter-communal Zapatista public became a legal human rights case. This process replaced key meanings of gender, the body, and justice with those of international women's-rights-as-human-rights activism, which, at the 1995 United Nations World Conference on Women in Beijing, had reached a global high point simultaneous to the production of the case. Yet in the interview, Ana, Beatriz, and Celia González grounded the powerful abstractions that decontextualized the violence against them back on their own terrain. In narrating their struggle for justice, the sisters unsettled any recognizable legal subject of community, women's rights, or human rights. They refused, at times, to comply with a state-based or international framework for the production of their testimony, challenging both the premises of the case and its continuation. Here I am using a different term, denuncia, to suggest we center this interview in order to imagine a way of thinking about injury and justice that refuses the subjectifying and jurisdictional assumptions of testimony.

[15] This and the following rights refer to the American Convention on Human Rights as well as the American Convention to Prevent and Punish the Crime of Torture.

In 2008, the time of the interview, fourteen years had gone by since the attacks at the checkpoint. Neither reparations nor a fair trial were forthcoming. Unsuccessful negotiations had taken place between the sisters' lawyer and the state for "humanitarian aid" in the form of grants to a local hospital where the sisters would have received free treatment. Intermittent communication between the women and their lawyer took place through a nun who lived in Altamirano, an hour to two hours' travel from the sisters' different villages.

***Ta K'altik* [in the cornfields]**

In its March 2008 sessions, the IACHR had requested information from the sisters' legal team regarding their status as complainants in the case. When I visited them two months later in May, I learned that the women had heard nothing from their lawyer regarding the inquiry. Lapses in communication between the women and the lawyers led to the four year delay between when the IACHR first began to review the case and November 19, 1999 when found it suitable for admission.[16] This incommunication also formed the basis of Army claims that the plaintiffs "lacked juridical interest" in pursuing the case and thus that the lawyers had invented the charges, manipulating the women to disgrace the SEDENA [Mexican Armed Forces]. The women's legal teams had presented the lack of communication as a problem of the women's "unlocatability."

On my May 14, 2008 visit to the women's community, which they had told me was simply called "Ta K'altik" [in the cornfields in Tseltal], I introduced them to a

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[16] See OAS (2001) paragraph 7.

women's rights activist and Tseltal-Maya translator, Romelia Pérez Santis. After four years of working with the women independent of any NGO or other organization, I had decided to introduce them to Romelia (also called Romi) and, later, to Gabriela, a Ladina human rights lawyer in her late 20s. Both worked at the Chiapas Women's Rights Center, where I had been conducting fieldwork since October 2007. As my plans for a comparative project between the Chiapas Women's Rights Center and the Zapatista Good Government Council had been rejected by the Zapatistas in November 2007, I had spent several intense months collaborating with Romi and Gabriela on Tsotsil women's "family law" cases in the Highlands surrounding San Cristóbal. Originally a member of the Diocese of San Cristobal's women's organization, Romelia was among the most experienced indigenous women activists in all of San Cristóbal's NGO community. With Gabriela, who was from San Cristóbal de las Casas, I sustained an ongoing dialogue about the contradictions among national, communal, and women's rights law. This was probably the first time that Ana and her mother had met with a human rights worker in their community since the first visits immediately following the rapes.

To visit Ana was difficult. Even though I knew where she lived, I could not just park my car on the side of the highway and walk the path to her community. Since she and her brothers' families had left the EZLN, they had begun the process of buying privatized land. The one-and-a-half hectares they rented as they saved had been recently put on the market as part of the decreed privatization of all Mexican ejidos. Now that Ana and her family had left the EZLN, they no longer formed part of the resistance to the ongoing restructuring. Yet far from freeing them from strictures of control, as one might

imagine the effects of “free” market reforms, their indebtedness to the privatizing ejido made them fear surveillance by its owners. As a white foreigner I was not supposed to visit. As far as I understood, gringos were associated with Zapatistas, and the landowners (also peasants, but better off) suspected any potential Zapatista visitor of organizing land occupations. Ana’s husband had told me that I could visit any time after 3:00 PM, when the landowner’s workers had gone home for the day, and I wouldn’t be spotted.

With these complexities in mind, Romi and I left San Cristóbal for Altamirano in my Volkswagen beetle early in the morning. We hoped to arrive there (about a two hour drive) early enough to find Ana selling in the market and thus to avoid disturbing the community. But when we looked for her in the market among the women selling small quantities of things from their gardens, no one from Ta K’altik was there.

We walked down the main street to eat in a private home converted into a restaurant, the only kind of public eating establishment in the town. The Ladina owner sneered at Romi when she chuckled after hearing that liver and onions were on the menu. “What—isn’t *your* food?”—a hostile reference to her Maya-ness. We left after she offered us scrambled eggs at triple the normal price. We drove about a half hour to Ocosingo, where we ate at the relatively elegant City Center Restaurant, surrounded by people who looked like they worked in offices, a small minority in this area of Maya peasant agricultural production.

On the way to Ocosingo, we had stopped at a high curve in the road where you can see the fragile wooden board houses of Ta K’altik in the far distance. I had honked

and waved, as Ana's husband had previously instructed me to do, but no one seemed to notice us, so we had kept on driving.

After breakfast we waited several hours in a park by a river. I checked my watch often as I read; Romi sat by the edge of the shade, looking below at the wide river where some boys caught tiny fish with hooks. At 3:45 we took off for Ta K'altik. After some deliberation, we decided to drive the car as far as we could down the wide path to the village. Romi would wait there while I ran ahead to ask permission for her to enter, following manners respectful of community regulations. After getting slightly lost (where there had been brush and trees there were now bald fields, ready for planting), I found myself hurrying up the hill that led to their houses. I saw men walking in a line on a distant mountain side. I tried not to look over at them since I was afraid that if they saw me I would get the residents of Ta K'altik in trouble.

After a five minute walk I walked past Ana's brother Sergio's house, stopping to say hello to the family, and then hurried on to Ana's house. Omar, her husband, and Esteban, her brother, were there, as well as her mother Delia and many of the kids, though little Delia, her eldest daughter, wasn't home. Ana suddenly appeared from behind the door loudly teasing me in Tseltal about how I never visit her. I joked back and greeted everyone, one by one.

We discussed the problem of the landowners and my visits. There had been a remote possibility of me meeting the landowner and getting permission from him to visit; this was no longer possible. I told them that I wanted to talk to them about the case—there was news. I explained that I had brought someone to translate and that she was

waiting in the car on the path. Omar asked what it was all about and where this translator was from. I answered that I wanted to explain something about the case and that Romi was from the nearby municipio of Oxchuc. This relaxed everyone. Esteban was translating my words for Ana and said that I had come to see how she was feeling about the case after such a long time of inaction.

When I got back to the car, Romelia was reading a book of poems about love by Anthony de Mello. She got out of the car smiling. We then drove as close as we could to the fence. Ana's young sons were to stay with the car, playing on it and keeping watch over it while we met.

In the meeting, Romi translated the news. The case had recently been revisited by the IACHR, who had wanted to know whether they were still interested in their case. Romi explained the IACHR as a group of leaders from different countries who get together in assembly and consider very serious conflicts. She signaled a circular meeting with her hands.

Ana, who had seemed distracted at the beginning of the meeting, calling her kids to the back door, started looking at Romi carefully. She would put her chin on her hand, or look down. Later in the meeting I asked Romelia to ask her how she was feeling. She said she felt strong—she felt much better. When she was sick she hadn't wanted to hear anything about what was going on with the case, she said. And though now she's strong, it's still difficult. She explained to Romi some of the hardship with Omar—in front of Omar. When they began living together he would sometimes tell her she was a used woman and that he might leave her. But she said that she just said to him "I didn't ask

you to marry me, you asked me. So you have to live with this. If I had asked you it would be different, but you asked me." When Ana said this her brother Esteban let out a nervous chuckle.

Omar had no visible problem with Ana saying this, but as the discussion of the case progressed he said that he had stated his position years ago, when he went with Ana when she ratified her testimony before "*the ministerio*" [the prosecutor] in San Cristóbal. The event had been a disaster. The sisters had been separated--put in separate rooms alone before they were deposed, one of the things they all found most disturbing about the experience. Omar narrated the part where a soldier had moved his shirt to reveal a pistol to Ana. On top of it all, their lawyer had told them to not let anyone take their picture, but despite Ana's attempt to put her head down, the prosecutor's staff had forced her to reveal her face to a camera. Ana was shown a set of photographs and asked which of the men had raped her, but she didn't recognize anyone and felt she wouldn't be able to. Omar said that soldiers wanted to kill them and that they could find out where they live and it was better to leave the thing alone.

Despite Omar's reticence, Ana showed interest in continuing with the case, as did Esteban. He suggested that we keep them informed, saying to Ana that they didn't have to decide now, but rather, they could just say that they wanted the information. Ana said they did.

Ana's mother Delia spoke out at one point—more emphatically than I had ever seen her. When Romelia explained that their case was important because of its specification of indigenous women in its finding, Romi emphasizing each syllable of

"indígena," Doña Delia stood up and said that she knew that many women had been raped when the soldiers came to the region. In a statement she would repeat in our future meetings, she described trying to get to town to sell her vegetables. But the soldiers and their checkpoints blocked every path. The tempo of what she said was to the effect of, "I would walk on one path, it was closed, then another path, it was closed, then another." They had called her "Zapatista Indian hag," or *vieja india Zapatista*. She said that she had heard and seen what had happened to her daughters.

When we had finished the meeting, I signaled to Romelia that we should leave—it was getting dark. "But what was your name?" Ana asked Romelia. One of Romelia's last names was the same as theirs. There was laughter, and they told her she could come back any time, and thanks for the visit.

To visit Ana we had to traverse the social spaces of the local market in women's products and the global market in peasants' land. Rather than unlocatable, Ana was locatable upon particular terms which included the idea of gringos as land stealers echoing the larger US-driven neoliberal reconfiguration of land tenure in Mexico.

Locating Ana also implied understanding her complex reciprocities with her husband and her brother; relationships which influenced her decisions to continue with her human rights case or not. True to her sense of herself as someone who "knows how to speak," Ana had shown us that she had an answer for Omar when he tried to degrade her moral status. In doing so she publicly implicated us as allies in her ongoing struggle with him. Her brother seemed to pose a counter-weight to Omar's resistance to involvement in

the human rights case. At the end of this negotiation Ana seemed to have the last word on whether she would continue to be involved in the human rights case.

When we all said goodbye Ana and her family identified Romelia as "big sister." At the intersection of geopolitics and gender politics Ana and her family chose a gendered, relational term to bring Romi close to them in their ongoing relationship to human rights activism. Romelia's speech, gestures, willingness to walk in the mountains, eliminated any problem of unlocatability.

Over the next two months we planned an interview with the women for July. The interview brought together five members of the González family (the three sisters, a small child, and a husband), two members of the Chiapas Women's Rights Center (Romelia and Gabriela), and me. The meeting represented the convergence of two processes. One in which I sought to initiate Ana and Romelia in the complex details of the fourteen year old case; the other in which I sought to understand the activism of the sisters in the aftermath of the 1994 rapes which I suspected had been misrepresented in the IACHR'S 2001 jurisprudence. In its 2001 finding on the González case, the IACHR argued that "as a result of the humiliation created by [the rapes], the González Pérez sisters and their mother had to flee ... their community" (OAS 2001). In 2007, this account, couched in the IACHR reading of patriarchal indigenous culture, persisted among NGO workers in San Cristóbal who had accompanied the women in 1994. Yet the sisters had told me on various occasions that they had left out of fear of Army retaliation against them and their community; and furthermore, that they had gone into hiding with the help of EZLN commanders, hardly a "rejection" by their community, unless one is to interpret

community in the most reductive sense. Also in need of clarification, it seemed to me, was how they decided to denounce. Many of these questions I had discussed briefly with Ana, but I was anxious for information that didn't depend on my faulty Tseltal comprehension. In the section that follows I take special pains to quote from a translation of a detailed transcription of Ana and her sisters' speech in the July 2008 interview.[17]

July 10, 2008

We sat in the cool offices of a local Ocosingo human rights organization. The room was mostly lit by the light of the sun, coming in at a sideways angle, keeping us in the shade. All the office employees had left, so that we could talk in private. A friend, who worked at the office, knew about the nature of our visit and had arranged for this meeting place.

I had brought the recording device (a minidisk player) to the interview with the sisters in part to avoid the problem of summary translation, in part because the divergence between the women's versions of events and those of international jurisprudence was so drastic I didn't trust my note-taking to properly represent it.

The approximately six questions I had prepared revisited the conditions of the women's denuncia of the rapes, inquired about the women's sense of justice, and about what motivated them to continue struggling. There were few follow-up questions in the

[17] The excerpts of the interview with Ana González and her sisters that I reproduce below are the results of a collaborative process of transcription and translation. For the transcription I worked with Antonia Santiz Girón, an undergraduate linguistics student and native speaker of Tseltal based in San Cristóbal de las Casas, Chiapas. After she transcribed the recording she translated it into an idiomatic Spanish which tended to obscure Tseltal literal meanings, we then worked together to produce Tseltal- rather than Spanish-based meaning for translation into English.

interview, since I did not fully understand the answers that Ana and her sisters were giving. I relied on my understanding of Tseltal to get a sense of what had been said, instead of asking Romi to translate the answers to their questions.

As the first exchange in the recording shows, Romelia edited what I said to the sisters:

(V = Vivian; A = Ana; R = Romelia)

V: First of all, thank you for coming.[18]

A: Mhm.

V: Really, thanks a lot. I'd also like to thank you for your bravery, your valor, and your perseverance.

A: Mhm.

R: She says thanks for coming.

A: Well thank you very much for your work in this struggle. If no one had gotten in touch with us we would have just kept waiting.[19]

R: Yes, like Vivian said. Thanks for coming. Especially because you're losing a day's work.[20]

A: That's right.

R: Like she said, thanks.

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[18] In the transcription that follows, I include the complete Tseltal language answers in footnotes.

[19] Pues jichat-ek wokol la awalik te jich bit'il te apasoik-ek te lucha-uke. I te ma'yuk mach'a stijotikon-eke, pues jichnanix ya jmailitikon-ek'a.

[20] Si porque este te yal te Vivian wokol la awalik ya'el te bit'il talexe. Sok ya'el te atiempo, porque k'aal ya ach'ayik.

The translated transcript retains references to the temporality of waiting and "losing a day's work" that Romelia and Ana establish at the outset of the interview. Ana's answers to my questions (and to those posed by her plight) tacked back and forth between the present and the past, vivid narration and self-observation, and often contained startling moments of reflexivity which suggested we not take literally her own occasionally heroic narrative.

There were a lot of us; we sat around a long conference table in the middle room between the front room and the back room. Beatriz's little girl toddler babbles in the background of the recording. Romelia gave my first question a different twist.

> V: So, my first question is, I mean, after the incident, how did you decide to denounce?
>
> A: Mhm.
>
> R: What did you think when the problem happened? What were your thoughts and feelings? Did you say, "I'm going to tell the [indigenous] authorities" or, "I'm going to tell the government?" What did you think?[21]
>
> A: Well, we, what I did, what I thought, I was still a girl, I didn't know anything about marriage, and it happened. But, it's not because someone forced me to [denounce], because if you want to make these kind of accusations, if you don't want to, no one can force you, because you won't know how to speak. But I've always been in the struggle. It wasn't forced.

[21] Binla la anopik ta awotanik ya'el te k'alal ya'el te la ataik te k'ope? Binla la anopik ta awotanik ya'iyel? Tela awal, bueno ja' lek, "Ya kalbey te j-ateletike," o, "Ya kalbey te ajwalil," bit'i xiat ya'ele?

> I spoke out because I was almost grown and I knew that a good man wouldn't want me and that besides, I wouldn't be able to keep one. [...] I denounced because when something happens people talk about you. That's why I said I wanted it to be public when the authorities asked me what I wanted to do. To make people stop.[22]

Ana immediately problematized testimony. An act of denuncia, as she explains it, cannot be forced. Furthermore, Ana's ability to denounce is not an appeal to the experience of victimization. It comes from having "always walked," a Tseltal metaphor which translates into "always been in the struggle." The reference may also allude to her necessarily public presence as a merchant, her history as a Zapatista, and her ceremonial healing gift, which she's had as a child.

Ana also positions herself as a subject in permanent relation to a gendered collectivity—as a stigmatized survivor of a sexual attack and as a potential heterosexual partner in marriage. It is furthermore worth noting that she associates the attack not with violence or lack of consent, but with marriage: "I didn't know anything about marriage and it happened." It signals a moral regulation of courtship which she feels she may have

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[22] Bueno, pues, este, te jo'otikone, pues jich bit'il-ek te la, la jpas te te bin-a la jpas ine. Pues ja'nix te bit'il ja' la jnop te ini—como jich bit'il te jo'on, alal achixon; mato, mato ayuk bi jnopoj yu'un ya xnujpunon i k'oy ta pasel ja' ini problema—Ma yu'unuk ay mach'a te mero obligacion pa que la sujon para que—porque te mach'anix ya sk'an spas-a ja' ini k'op to, te mach'anix ma jich yo'tan-ae, pues por ma xasuj, ma sna xk'opoj. Pero jich bit'il jo'one, es que te beenone pues kasonix joyob li' beenon lek-a, pues voluntario ya'el te bin-a la jpase. Pues ja' la jpuk alel yu'un te bin ut'il yakal ch'ielon, pues ya jna' ma xba sk'anonix buen winik, ma jna'—ya jna', te ma xjalajonix sok winik, ... La jpuk ta jalel porque te k'ope maba jich te jk'oplaltik te cuando ay bi xk'oy ta pasel awu'une. Jo'on la jpujk' por yu'un ya'el te como te gente pa que ya xlaj yotan la spasbelon burlar. Jich yu'un jich la kalbey te a'teletik te como, "Bin ak'an?" pues, "Ma'uk ya jk'an te bin ut'il ak'a pujkuk ta aiyel." Ja' yu'un ya xlaj yo'tan-a te gente.

violated; she may blame to herself for acting in a way that made her seem available for sexual attention.

I then asked whether they had gone to the Zapatista stronghold of Morelia to denounce, and how they had been treated.

> A: [...] when they heard what had happened they were furious. They're responsible for the region...And the information had to go beyond them. They had to ask Subcomandante Marcos what to do. And [Marcos said that], "The women, the girls, should make a public declaration against the soldiers, so that people hear this about them." That's how they settled it. And Federico and Rodolfo were ordered to stay with me during the whole process.[23]

The Zapatista commanders reinterpret the rapes and essentially send them to a different jurisdiction. The comandantes' primary concern is a public denunciation of the soldiers' criminality.

The women then explained that the comandantes sought to protect them so they "had to hide in the mountains to talk to human rights."[24] To Ana and her sisters, "human rights" are a group of people external to the problem who arrive to take and publicize testimony.

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[23] Jichxal lijknax sjol yu'un ya awil. Pues lijknax sjol yu'un chabi, como ateletik chabi. Y como ma ba yu'un le'nax la yal-a, ma le'nax la sjojk'iy-a, sino que ja'to la sjokobey te Subcomandante Marcos te bin ya yich' ta pasele. Entonces, "Mejor te antsetike, ach'ixetike, mejor ak'a pujkuk sk'oplal te soldado te jich abi, para que yu'un ya xpujk sk'oplal te ma lek ya'tel te stikunoj te swinikabe," xi te la yal tsin-uke. Jich yu'un la schajbanik ts'in anto. La sjoyinoniknix ta puerza te Federico te Rodolfoe.

[24] Entonces k'ejel la yik'otikon, ja'maltik ab'ootikon ta abeyel sok te derechos humanos.

V: And during all this, Ana was the one who was most into denouncing? She was their representative, or the spokesperson?

R: (To V:) Of the other two?

V: Yes.

R: [While you were going through all this,] were you the strongest one?[25]

A: Yeah. [...]

A: I got strength from my rage. Cause they spread rumors about us. The soldiers went around [lying to people]. And, you know, they detained us in a house, a man's house, a widower who lived alone. This guy went around spreading the gossip, he said he saw it all. He talked about how there was blood everywhere when the soldiers were done, and that he did it too. "I went in too. But there was lots of blood," [he said]. So we wanted to keep it a secret, but we couldn't because of the insults he spread. All the talk enraged me. I have a temper and I don't like people fucking with me. Because I didn't want this. I couldn't stop thinking about it because I didn't know about this kind of thing. It might be okay for somebody, but not me. That's why I got so mad. I'd ask myself why I didn't know Spanish, why I couldn't speak out better. Cause if I did, I'd take on whoever.[26]

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[25] ¿Ja'bal—Ja' mero tulan ak'opojat ya'el?

[26] Bueno, la yich' yip ko'tan por yu'un slab ko'tan te bin k'oy ta pasele. Yu'un ja' awa'iy bit'il la spuk jk'oplaltik. Porque te soldado che la jyal te bin ut'il te--"Ah pues jich to, pues ja' to." Como te naj te ban la spasotik detener te soldado, ay naj. Ay swinikilel te nae, unico me'ba winik. I ts'in te me'ba winike, ja' la spuk te jk'oplaltike: "Ah ma'uk, hasta jo'on la jkil, la jkil bin-a la yich' pasel. ah, te k'alal te laj yo'tanike,

R: The man who saw all this and spread the rumors, do you know him?[27]

A: Mhm, I know him to this day.[28]

R: You know his name?[29]

A: Yes.

The blood to which the widower attested wasn't evidence of coercion, but menstrual blood, which could signal both shameful exposure and consensual sexual intercourse planned during a menstrual period. And Ana doesn't narrate from the position of someone who has won the struggle against the gossip against her—she speaks as a subject whose avowed inability to speak Spanish represents the failure of her denuncia. Nor does she speak as a member of a political community who can unambiguously state that all sexual encounters like the one to which she has been subjected are coerced.

I then asked why Ana had left the EZLN. She explained that she was the only of the three sisters who had. I asked how she felt about it.

A: Well, I don't really agree with [having left]. It's not because I really want to. But they [my sisters] aren't suffering so badly. They haven't

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buen chi'ch' jil te cuando laj yo'tan te soldadoe. Hasta te jo'one, ochon to-uka," xime la yal te jun winik, te meba winik. "Ochonto-uka. Pero sokix chi'ch' abi xi la yal te winike." Entonces ja' te banti/ k'antonix jnak'tik. Pero, ma la jnak' por ser ja' te te bayal te burla ta jtojole. Jich yu'un mejor para que como bayal te k'ope. Entonces te jo'one, ilin kot'an yu'un. Entonces jich yu'un te jkal te jo'one, pues lom k'ajk'on ta mero melel, yu'unix ma jk'an-a te bin ya kich' ta basbeyele. Porque te jo'one ma gusto te bin la jkich te pasel. Por eso jamnax te jpensar yu'une, porque jo'on mayuk ban kiloj. Teme mach'a spas ta gusto, yu'un sgusto, pero te jo'one ma'uk. Por eso ilinax te ko'tan ya'ele. Hasta gana te, "Bi yu'un te ma jna' te castilla? Bi yu'un te ma jna' mas te k'ope? te manchuke, ya jtsak jba sok te mach'a ya xk'ote," xi te la kale.

[27] ¿Axan te winik te mach'a la yilat, la spukbat ak'ope, yabal anabey sba?

[28] Ah yak, ya jnabey sba hasta ahorita.

[29] ¿Ya anabey sbiil?

gotten sick. They may get sick, but it's only for two or three days. They get better. But I had to leave because I was so sick. I got sick. Now it's been six years that I've been sick. That's why I left, if I weren't [sick], I wouldn't have. Because Zapatistas have so much work. There's no permission to go anywhere, you can't get orders to go anywhere alone, you have to be on alert all the time. You have to make sure you have tortillas, *pinole* [ground corn], soap, beans, whatever. And if you're sick, you don't have enough money if you want to find help [from a healer]; and if I want to heal myself, I don't have enough money. That's why I left. [...] All my brothers got me out and got a loan on some land. Three of them left [the EZLN] and they've stayed with me. They've helped me get some land so that I live there with them, and so that they can see whether things get better for me and whether they find the right cure. So, my three brothers are with me now. But because of my illness, not because I wanted to. And if you say that I don't want to be a Zapatista anymore, it's not true, it's just that I couldn't cure myself, I couldn't cure myself, even if I get some money, I would put it toward [getting cured], and you can't. I can't.[30]

[30] Bueno pues, bin-a te bi xi ko'tan yu'une, pues, ma tan acuerdo ayon, pero jich bit'il te jo'one, ma ja'uk por gusto. I stukel, pues como lek ayik, manix ayuk binti te mero ay ch'ojol ta wokolile. Ini ma'yuk bin ora te ay mero ch'ojot ta wokolil stukele. Aywan ya xtaot te chamele, ta yuntikil. O yawan xtaot te chamele, pero hay veces dos, tres días, ya xkol. Pero te jo'one, te binti mero lok'on yu'une, ja' te chamele. Es que la yabon te chamele. Ahorita ay seis año jich ayon ta wokol. Por eso lok'on, i te manchuke, pues, ma xlok'on. Porque te zapatistaile, pues bayal ya'telul stukel. Ma'yuk orden banti ya xbat. Ma'yuk permiso banti ya xbat atukel

Complex webs of gendered reciprocity inter-related Ana and her sisters and their families. Ana and her household could not spare enough labor, time, and cash to contribute to the EZLN as all members must. (In return EZLN members tend to live on land occupied in the 1994 uprising.) She portrays her brothers as taking care of her by getting her out of the organization, though the motives for the three families' departure are more complex, (including in at least one family, resistance against the prohibitions against drinking alcohol).

Ana says that her suffering and illness have not originated with the rapes. Her illness, which she attributes to envious ill will toward her [*mal de ojo*], predates the rapes. This dis-ease defines her relationship with her political community and her former village and motivates her departure.

On different occasions, Ana had described a deposition in which she had stood up to "*el ministerio*"; a confrontation I later dated to her August 30, 1994 declaration before a Federal Prosecutor. I was quite interested in this narrative of conflict with "el ministerio," since it contrasted so compellingly from the other deposition that so impressed Omar in which soldiers had flashed a gun at her and

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sino que te ayat spisil ora pendiente sk'an. Ay waj, ay ch'ilim, ay jabón, ay chenek', lo que sea bin ya atsob. I teme ayonto ta wokolile, ma xlok'ix stojol-a te; teme ya jk'an jkoltay-uke. I teme ya jk'an xkolon-uke, ma'yuk ma xlok'ix ku'un-a. Por eso jo'on lok'on. ... La swolon lok'el te jayeb te jkermanoe. Ja' te banti la sk'anik ta maj--te la sk'anik ta betil te k'inale. Jich yu'un ja' sjoyinejonik te oxtul te lok'eme. Hmhm, yu'un ya skoltayonik ta sk'anel te k'inale. Para que yu'un ya x-ayinon le'a. Para que yu'un ya yilik teme ya xkolon-a te ta wokolile. O teme ma stabonik jpoxile. Entonces jich te jkermano te oxeb lok'em te winiketik te sjoyinejonik lok'el-eke. Por causa yu'un chemel, ma por gusto! Te awal te yu'un, "Ah pues yu'unix ma jk'anix-a te ayon ta zapatista," xone: "Ma'uk, es que ja' ma aju'-a te ya xkolon-uke, ma jta-uka te ya xkolon-eke." Aunque me ya jta jtak'in, pues le' ya jk'ak'-uka. Pues ma xju'. Ma xju' ku'un.

photographed her against her will. When I solicited this memory Ana knew immediately what I was talking about and recalled the moment in vivid detail.

V: There's something I remember from [our last conversation], that I wanted her to repeat, if she remembers, it was when in a deposition, she said something like, "Although I'm an Indian woman, and I'm poor..." She spoke out during the testimony. Do you remember? [...]

R: Do you want to explain that?

A: Sure. 'So that we can settle this correctly with no lies,' I said, 'I'm poor, I'm an Indian woman, but I don't want anyone to attack me again.' This is how I put it: 'I don't want anyone to attack me. As for my way of life, I can live alone, I can work alone. All I'm saying is that I never, never want anyone to touch me like that again. I can speak out; as if I can't speak my mind to the prosecutor! I can speak my mind in his office, I can tell him where to go. If he thinks I'm no good, if it annoys him that I'm Indian, and he doesn't like me and doesn't want to settle the problem, I can get angry too.' That's what I said.[31]

Anger, rather than dispassion or injury, is Ana's affective stance before the law, which she sees as hostile and likely to deceive her. She is defensive of her way of life and

[31] Claro porque—este, "Para que jich," este, "Jich buen chapal ya xbajt te abeye ma'yuk lotil," jich bit'il ya kal te jo'on, "Jo'on pobreon, jo'on inyaon, pero ma jk'an mach'a ya yuts'inon ta yan vuelta!" Jich la kal: "Jo'on ma jk'an mach'a ya yuts'inon! Te jkuxlejale, pues ya xju' xkuxaon ta jtukel-uk, ya xju' x-a'tejon-uk. Pero menos, ma jk'an, ma jk'an, ja'ini pasel tocar ja'ini bin-a k'oy ta pasel! Te jo'one, ya xju' xk'opojon, ¿caso ma xk'opojon? Sok ministerio--o ya jk'an jpas mentar ta mesa, ya jpas mentar. Teme amen ya yilon, xut'et ya'iy te jo'on inyanon ma sk'anon. O ja'nax ma sk'an xchajbanbon jproblema yu'une, pues es que ya x-ilinon-ek. Jich la kal te jo'one.

finds it necessary, as if threatened, to assert that she did not and does not want anyone to "touch me like that again."

V: Now it's been fourteen years, but you're still ready to keep on with the case. Why?

R: Since it's been fourteen years, like she said, the case continues. The first time [we met in your house] I asked if you wanted to continue and you said you did. What is your thinking behind wanting to continue pressing for a settlement of this issue?[32]

A: Why am I doing this? What if there's a woman, or a girl that this happens to and what if she's okay with it and she never says anything? What I want to say is that there are women who put up with it when they're attacked. But I can't. So they hear that there's a way to struggle against it. Because that's how it was when I met human rights—as if it was easy! It was very painful, very painful, I didn't know how to get help. There might be someone who wants help.[33]

"To never say anything" is to "be okay with it." One gets the sense that denuncia is not revelation of one's experience to a public; it is a concretization of one's experience both internally and externally. If one says nothing, one might as well have consented. I

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[32] Como lok'ix tel catorce año ya'iyel te aproblemaike—Bueno jich bit'il yal ini, maba lajem sk'oplal i sigue ya'el te bin yilele, jich bit'il ya'el te yato ak'anik ya'el te—bueno jich bit'il la jojk'ibet ya'el te sbabiale. Yatobal ak'an apasik seguir? "Yak acuerdo," ayonxani. "Binla xi awo'tan yu'un ya'el te bit'il te acuerdo ya ak'anxan te ya apas seguir xchajpa bel te aproblemae?" xi.

[33] Pues, bi yu'un te jich ya jpase? Es que que talmente ay jun ants, ay jun ach'ix ya xk'oy ta pasel jich? Pero, que tal acuerdo ay, que tal nunca ma bi ya yal? Pero, ja' ya jk'an kal te jo'one, es que ay antsetik te banti ya sts'ik te uts'inele. Pero te jo'one, ma jts'ik. Para que yu'un ak'a ya'ay te ay jun modo te banti ya xju' ya xbenotike. Porque te jich bit'il te, te la jta te derechos humanose. Pues caso me yu'un porque fácil la jta. Buena wokol la jta. Hmhm, wokol la jta, hasta ma jna' banti ya jkoltay jba. Por eso repente orita, ay mach'a te ma sna' banti ya skoltay sbae.

interpret the pain of meeting human rights as the difficulty of becoming the subject who speaks this truth in a hostile environment.

When I asked Ana what justice would mean for her—something Romelia translated as “outcome” or “settlement”—she replied that the state should pay reparations. And that the state should no longer accuse her and her sisters of lying. Finally, she suggested that the government should take responsibility for its “workers” and “truly lead them.” She then explained her perspective:

> [It’s like] when they detained me and pointed the gun at me: “I’m not an animal, I am a person. Do justice, even though I’m poor.” I don’t get angry if no one offends me. But if someone does offend me, I’m right to be angry. Even if he has a good life, and I don’t—I want justice.[34]

An hour had passed and everyone was tired. I asked if they had any questions for me. It seemed like the interview was winding down.

> V: Okay, those are all my questions. Do you have anything else you want to say?
>
> R: Do you want to say anything else? Because Vivian’s done with her questions.
>
> C: Mhm.

[34] Jo'on, jich bit'il k'alal la spas te la sjapbon tujk' te k'alal la stsakon: “Jo'on ma chanbalamukon. Jo'on kristianoon. Ak'a xchajbanonix ta lek, aunque jo'on pobreon. Pero si, te ma'yuk mach'a yuts'inone, pues ma x-ilinon. Pero teme ay mach'a yuts'inon x-ilin kot'an. Ni porque stukel pues ay mas mejor svida. I jo'on ma'yuk mejor jvida. Pero si ya jk'an te bit'il ak'a xchajbanbon te jproblema.

R: But if there's something you still have to say, or something you forgot to say, or something you just remembered you want to say, you should say it. And if not, that's fine, she says.[35]

A: Mhm. Well, I don't think I have anything. Well, just, when, well, before, I wasted a lot of time [on this]. Tell me the truth: are we going to get justice? I'm losing time because I truly want justice. I don't want to come her for nothing, just to lose time. It's just a waste of time, all the time. But I do want a just settlement. Is it true that you're going to see this though? Or is it a lie? I need to know if I'm going to keep going--if you need my help, if you want to take me somewhere, wherever, it's okay, I can go, if it's true that we're going settle this. I want justice. I don't want lies.[36]

In Ana and her sisters' answers to our questions there were essentially three instances of speaking out: before the EZLN, before Human Rights, and before the public prosecutor. She specifies the latter two as sites of potential or likely deceit. Ana interpellates us as similar to state entities. Romi didn't translate this confrontational

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[35] Aytobal bi ya ak'an ya awalik? Porque te Viviane: "Ja'naxla le' alaj yo'tan sjojk'iy belex ya'el te bin ya sk'an ya'ye," xi. "Pero te ja'ate o ayto bi jil ta awo'tanik, o ayto bi ma la ana' la awalike, o julix ta awo'tan yala sk'an ya awalik," xi. "Pero teme ma'yuke, jich lek ayix-a," xi.

[36] Pues este te jo'on ya'yele pues ma'yuk ya'el te ka'ay te jo'one.
Pues este ja'nax te, te jpregunta to. Ja' te bit'il este--Ante ini, ante jich bit'il te yakal jch'ay bel te jtiempo to. Mero ba melel ya xk'oy ta chajbajel ta mero melel? Es que jo'one, pues ya jch'ay te jtiempo, pues yu'unix ya jk'an-a te chajbajele. Hmhm, ma jontol xtal jch'ay tiempo. Es que puro ch'ay tiempo. Pero ya jk'an te mero melel te chajpajele. Merobal melel te ya xk'ot ta ilel awu'unike, o teme lotile, para que jich jo'on ya jka'ay ito, ya jkabe bel yipal jo'on. Teme ay bin ya ak'anbonik-ek, teme ya ak'an awik'onik donde quiera-uke, de acuerdo ayon te yu'unanix mero melel ya xju' ya xbon-a. Teme ya xk'ot ta chajpajel ta mero melel, ja' ya jk'an te chajbajel te mero melele. Ma jk'an lotik.

reiteration of Ana's depiction of herself before el ministerio; I only learned of it when I read the translation of the interview.

Ana immediately followed with a discussion of coming of age as a speaking subject and witness. Her words seem to be about the opposite of what they claim to be about: pain, unbearable memory, vulnerability, and loss of "narrative authority" (Malkki 1996: 393). They are about "justice deferred," or whether justice is possible at all.

> A: Okay, yeah, cause you know what? I'm bigger now. Like I said, before, I got sick and I gave up. But I'm not turning into a baby. Like I said, sometimes I remember and sometimes I don't remember what happened to me. The things I don't remember I simply don't remember. But when I remember, I remember everything. I wasn't like this when they attacked me, now I've grown up. I want a just settlement because now I have grown up.
>
> They can't attack me anymore. They can't tell me anything—they can't say that I've disappeared or that I can't speak for myself. No.
>
> If only I knew how to speak Spanish, if only I spoke Spanish, I would talk to the prosecutor myself. I would make the prosecutor listen. I am telling the truth. It's really because I don't know how to speak Spanish—if I did I would go talk to him myself.[37]

[37] Jich porque te jo'one, pues, es que muk'onix. Es que te bit'il ajile, jich bit'il kal te jo'one, la stsakon te chamele. Ja' koon yu'un. Pero si caso me yakon, caso me yakon suj tel ta alal. Te bin ak'ot ta pasel ku'une, jich bit'il kal te ayto ya jna' i ay ma jna' pero te banti—banti mero ma jna'e, ja' te banti ma la jna'e, pues, yu'unix ma la jna'a bi, i te banti kich'oj pasel, pisil ya jna' spisil. Pero es que ch'ionix, ma ba jich te bit'il te la kich' tsakele, ma ba jich te bit'il la yutonike. Pues orato, muk'onix. Jich yu'un ya jk'an chajpajel ta mero

The interview ends on this ambiguous note; a hint at her potential for violence and a statement of the possible uselessness of her struggle.

> I'm bigger now. I wasn't like this before. When they attacked me I didn't know how to speak, I could only cry. But now they can't come and tell me what's happened to me. The truth is I just won't put up with it anymore, I've grown up. I'm not afraid anymore if they want to try to do something to me. Who knows what measures I'll take. I just feel bigger now. That's why I want to know if a just solution really is possible so that I'm not walking for nothing.[38]

Losing time and impunity

The interview is bookended with references to "struggling for nothing" and "wasting time," which could refer both to the meeting's dubious connection with reparations and to the unrewarding "work" of office interaction in comparison with the direct contributions that work in the fields and at home makes to survival.

This sense of "losing time" is the temporality of impunity which frames Ana's denunciation and distinguishes it from the testimonial genres. As Carlota McAllister

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melel. Porque muk'onix, ma xju' ya yuts'inonix. Ma xju' bin ya xtal yalbonix, "Pues orita pues ch'ay o yu'un ma sna'ix k'op." Ma'uk, yu'unax ja' ma jna' te kaxlan k'ope
te yu'unuk ya jna' te kaxlan k'ope, jo'on mismo ya jpas jba presentar sok. Jo'on mismo ya x-a'yanon sok te jun ministerioe jo'oni. Ya xk'opojon ta mero melel. Yu'unix ja' ma jna'-a te k'ope i te manchuke pues ya kalbe jba sok jo'on mismo.

[38] Porque ch'ionix abi, ma jichuk bit'il-a ini. La yuts'inon hasta ma jna' k'op, hasta bayal ok'on. Yu'unanix ma'yuk mach'a xju' xtal xcholbonix-a te bin-a te k'axem pasel ku'une. Ma jk'an ka'iyix ta mero melel. Pero ora yo'tik, muk'onix. Ma jxi'ix teme ya sk'an spasbonxane. Pues saber bin medida ya jk'an jpas jo'on. Es que como ch'ionix ya ka'iy jba te jo'one, por eso, ja' yu'un ya jk'an, ya jk'an ka'ay-uk teme mero melel ay te chajpajele. Para que ma jontol yakon ta bel.

argues, two principal types of testimonio, therapeutic and revolutionary, have different temporal horizons. Revolutionary testimonio, characteristic of the Latin American struggles for liberation after their violent defeats, calls upon the listener "to go on" in struggle toward "hastening the arrival of [a revolutionary] future"; therapeutic testimonio focuses on "overcoming suffering" and has as its end a form of fulfillment of the self, the neoliberal horizon of personal autonomy. *I, Rigoberta Menchu* is the paradigmatic example of the first, while the testimony presented to truth commissions within the context of "transitional justice" exemplifies the second.[39] Ana's denunciation fits into neither of these genres. She implores the listener simply to bring the long struggle to an end and thus end her feelings of being arbitrarily summoned to encounters with bureaucracy (of being taken "somewhere, anywhere"): a temporality of interminability. There is neither an invocation of some horizon in which injustice will end, nor an endorsement of testimony as a cathartic reordering of traumatic memory into voice.

Impunity, then, is a sense of waiting for justice that is known to be "a lie." References to "losing time" show that unlike the subject of therapeutic testimony, who is defined in relation to her injury, the temporality of the subject of impunity is that of one whose life goes on at other rhythms which are interrupted by periodic visits to hostile offices. She "can live alone...work alone" not in the sense of alone as an individual but in the sense of a subject of intra-communal autonomy. She refuses the state's claim to the administration of justice: she can tell the prosecutor where to go because she recognizes

[39] See, for example Ross (2003) on the Truth and Reconciliation Commission in South Africa.

he has nothing of any value to her. At the same time, she is inserted in the production of other temporalities—the work of gardening, marketing, and ceremonial healing.

Writing against the social recuperation of denuncia

In her 1993 essay, "The long goodbye: Against personal testimony, or an infant grifter grows up," Linda Kauffman presents various reasons why feminists should refrain from the recourse to personal testimony. Though she refers to academic first person narratives, I think her critique is apt for a consideration of all the testimonial genres. Recourse to the authority of personal experience can "muzzle dissent" and "muffle investigation into ... motives" (:259); portray "the nobility of suffering"; imply that "one can [individually] surmount injustice and triumph over adversity"; and frames "the individual in isolation, separated from the complex matrix of international politics, environmental issues, multinational economics, and global military conflict." Her essay frames its argument with what she terms the simultaneous emergence of individual narrative and a "massive assault" on civil liberties in the United States. Her central warning concerns the vulnerability of personal testimony to what she terms "social recuperation": diverse political formations can enlist individual narrative to pernicious ends. The authenticity of the form may be believable only within the context of a liberal democratic public sphere.[40]

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[40] The recent United States Supreme Court Ruling on the Citizens United Case, penned by Justice Anthony Kennedy, attributed "voice" and "political speech" to corporations, arguing that their rights to self-expression could be infringed by legal limits to political campaign contributions (Citizens United, Appellant *v*. Federal Election Commission 2010).

The Rigoberta Menchú controversy is instructive in this regard. The paradigmatic example of the revolutionary testimonial genre, *I, Rigoberta Menchú,* emerged in conjunction with, and was socially recuperated by, a programmatic struggle for national liberation. The individual voice of Rigoberta Menchú stood in relation to two collectivities, explicit and inexplicit: the Mayan peoples under siege and the Unidad Revolucionaria Nacional Guatemalteca (URNG). Menchú's denouncement of attacks on civilian populations by the Guatemalan Army was a courageous, strategic, and effective form of "truth telling" directed at the naiveté of the US and European publics whose ignorance sanctioned the genocide. Yet the paradox of the form of testimony—the claim that the "I" speaks the truth as a first person witness; and the claim that the "I" speaks a collective truth that exceeds the boundaries of individual experience—translates into a "polysemy and instability" that easily shifts camps (Fassin 2008).

David Stoll's 1999 critique of *I, Rigoberta Menchú* serves as a warning to those who would underestimate the political importance of testimonio's mediations (Stoll 1999). Stoll, in his appropriation of Menchú's work for the purposes of the neo-conservative backlash against the opening of the canon of the humanities in the US academy (Arias 2001), showed the danger in the deployment of testimony's first person narrative. Stoll scaled down Menchú's claims by re-contextualizing them with a historical narrative that foregrounded the tenuous authority of the racialized Indian woman. By deploying the old trope of manipulation of the Indian, Stoll could transform a complex representativity (Mayan woman and revolutionary) into a non-representativity (lying truth-teller). The same liberal publics in Europe and North America who thought they had

found an unmediated Mayan voice ceded crucial ground to neoconservative critics, who, unencumbered by romanticism, recuperated those mediations to their own Cold War geopolitical agenda.

As Ana narrates her confrontations with human rights and el ministerio she presents a difficult target for social recuperation either by women's rights, human rights, the state, or the EZLN. She shows that her denuncia is not the product of feminist consciousness when she repeats several times that some women might consent to what had happened to her, clouding this key feminist question by suggesting some acts of sexual aggression against women are consensual. She doesn't mention human rights as an abstract set of principles upon which she drew for guidance. Though she is convinced of the enmity between state- and community-mediated justice, she and her sisters are nevertheless open to the idea of a monetary settlement—a direct interlocution with the state or international human rights bodies which contradicts the EZLN's politics of refusal of negotiation with the state. Most importantly, she undermines the premise of external adjudication which sustains the testimonial genres: she validates the truth of her claim not through an external adjudicator, but through embodied coraje: "If you don't want to [denounce], no one can force you, because you won't know how to speak." This narrative complexity speaks of her own strategic negotiations with state and social movement actors, but grants none the last word.

3. The Community in Question: Indigenous Culture as Private Violence

In the long interview I sustained with her in July 2008, Ana González Pérez used the Tseltal metaphor for activism, which translates literally as walking, to describe her struggle against wartime rape. Her role as the spokeswoman for her sisters, she explained, stemmed from two sources: she has "always walked" and thus knew how to stand up to authorities; and Zapatista commanders, recognizing her speaking skills, had designated her the official speaker in the same way that Zapatista collectivities designate community service workers.[41] Ana's activism in an indigenous organization whose logics of representation recognized her speaking skills bears a striking contrast to the jurisprudential version of her plight. In its 2001 finding, the Inter-American Commission on Human Rights, unaware of her movement and militancy, found that her indigenousness had aggravated her suffering as a rape survivor:

> The four victims in this case [Ana's two sisters and their mother] are members of the Tzeltal community in Mexico. When addressing the general situation of human rights in that country, the IACHR reminded the Mexican State of its obligation to respect indigenous cultures and it specifically alluded to the impact suffered by those communities in the state of Chiapas. In the ... case [of

[41] In Zapatista communities assemblies assign community members voluntary service positions (called a cargo in Spanish and extensively documented in the Highlands by the Harvard School). These positions cannot not easily be turned down, and the cargo holder experiences intense scrutiny in the fulfillment of her obligations, which often imply considerable personal expenditure in the form of money or the loss of work time.

> *Hermanas González v. México*], the Inter-American Commission highlights that the pain and humiliation suffered by the women was aggravated by their condition of members of an indigenous group. First of all, because of their lack of knowledge of the language of their aggressors and of the other authorities; and also because they were repudiated by their own community as a consequence of the violations established herein. (OAS 2001 para 95)

This paragraph on the special circumstances that permit the assessment of enhanced reparations affords a telling perspective on international law, which, in cases of wartime rape, theorizes the site of injury, the conditions that produced it, and its individual or collective nature. This capacity of human rights to theorize rape is key to the way that activists do the same. In interpreting the ethnographic evidence I present in this chapter, I argue that although *Hermanas González v. Mexico* brings crucial attention to rape in situations of wartime occupation, it de-politicizes rape regimes that code indigenous women's economic and political activity as contaminated and therefore provocative and scandalous.[42] *Hermanas González v. Mexico*, furthermore, in identifying indigenous culture as a patriarchal site of women's social injury, (much like a private household), obscures the gendered colonial dynamics of occupation, forced labor, and paramilitarization that continue to violate Mexico's indigenous peoples and which continue in the form of the privatization of the ejido under neoliberal land reform.[43]

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[42] See Boesten (2010) on rape regimes.

[43] The IACHR's description of indigenous community in its 2001 decision bears a striking resemblance to the Harvard Chiapas Project's functionalist theory of Maya community that examined isolated dynamics of communal regulation at the expense of political economic insight.

In *Hermanas González versus México*, the IACHR affirmed indigenous peoples' collective rights while locating a special burden of gender in the place of indigenous women's culture. Such gender exceptions often mark the recognition of the rights of Latin American indigenous peoples in national and international law[44] and produce the discourse of the indigenous woman as victim of her culture (see Newdick 2005). In doing so, they separate the individual, indigenous woman subject of rights from the collective locus of indigenous rights. They also occlude an understanding of the neoliberal sources of violence through a racialization and reduction of community.

A focus on indigenous women's discursive and non-discursive technologies of activism reveals the construction and destruction of community across a broad terrain of market logics, the situated politics of military occupation, and rights activism. In Mexico in the 1990s, the Mexican government responded to the international mandates of liberalization by privatizing the ejido, a form of collective land tenure that sustained the basis of most of Chiapas's indigenous villages. The 1994 uprising of the EZLN, which explicitly opposed this neoliberal reform of the Mexican Constitution, then created a zone of exception to this mass privatization by establishing autonomous regions which would not comply with the reform. The uprising in turn provided justification for a further militarization and paramilitarization of Chiapas, in place since the 1980s. "Indigenous women's victimization by culture" discourse, as well as the spatial practices of gendered indigenous activism, should be understood in relation to these historical phenomena. Just

[44] See, for example Article 4 of the Mexican Constitution or the San Andres Peace Agreements reached between the Mexican Government and the EZLN.

when neoliberalism's intensification of structural violence called for better analyses of the sources and articulations of violence in indigenous women's lives, community became the site of private violence, in need of biopolitical planning in the guise of interventions against illiberal, isolated gender regimes (see Kunz 2011).

I present indigenous women's activism against and within these circumstances as "walking." Taking inspiration from De Certeau and Foucault, I examine this everyday practice, understood as a particular kind of economic or political activism in the Tsotsil and Tseltal mountains of Chiapas (De Certeau 1984: ix). In the ethnographic writing and narrative analysis I present here, walking is both a disciplined and libratory practice that creates new territorialities that defy reduction to local, national, and global categories. Like De Certeau, who formulates a theory of urban spatial practice through comparing walkers' vision with that of a panoptic city map, I place "walking" in tension with a gendered theory of indigenous community which is central to the neoliberal project for governance of rural Mexico.

This chapter features two strategies for writing against indigenous collectivity as a site of gendered incommunication and isolation. The first to offer an alternative theory of indigenous women and community through an ethnography of walking. The transitivity, connectivity, and movement of walking in the mountains construct a productive tension with the circumscribed spatiality of community. The second strategy is to focus on the connectivity of indigenous community in processes of coalescence and breakdown. Amid these dynamics, communities connect to powerful ideas, images, and practices: discourses with material effects that form the "contour lines" (Wright 2007; Katz 2001)

of a topography that extends indigenous collectivity beyond the reified boundaries of communication and transportation infrastructure. Many of these lines cut across what is thought of as mestizo and indigenous cultures; yet "contour lines" emphasize how different places may nevertheless retain particular relations to the processes that connect them[45].

I characterize women's walking in the Zapatista zone of influence in three sections. In the first, I write up the gendered activism that created the three communities that Ana González Pérez has inhabited since I met her. In the second, I discuss walking in some of the forms I have encountered it since I first began working with indigenous communities in 1994. Then I present excerpts from an interview with Alberta Entzin Entzin who narrates the dangers of both her ongoing struggle for justice at the Sexual Violence office of the Indigenous Prosecutor's office in San Cristóbal de las Casas, and her original displacement from community when paramilitary violence was infiltrating her municipality of Chenalhó in 1997. Her narrative, like Ana's, connects indigenous women's walking to protest against (para)militarization, and gender violence.

The González Pérez community

On a recent visit to Chiapas I asked Marcelino, Ana González Pérez's cousin, about what had happened to his village in the first days of the Zapatista uprising of

[45] As Katz (2001: 1229) writes, "I want to imagine a politics that maintains the distinctness of a place while recognizing that it is connected analytically to other places along contour lines that represent not elevation but particular relations to a process (e.g., globalizing capitalist relations of production). This offers a multifaceted way of theorizing the connectedness of vastly different places made artifactually discrete by virtue of history and geography but which also reproduce themselves differently amidst the common political-economic and socio- cultural processes they experience."

January 1, 1994. Had the Federal Army dropped bombs there? I had found a human rights report that had mentioned a bombardment in Santa Clara Te'elil in a brief half-sentence[46].

> Well, I don't know, I mean, we were retreating; some had gone into Altamirano and some had gone into San Cristóbal. I'd gone to San Cristóbal. We could hear bombs going off and smell smoke, but I don't know, I'm not sure. Someone said they'd dropped one in the creek.

As he spoke I began to realize that he was describing his retreat from the military occupation of San Cristóbal by the Zapatista National Liberation Army after the January 1994 uprising; and that when you're being bombarded, unless you see the bombs, you're not quite sure where they're falling. I asked further: "and [the document] said they bombed Santa Clara Te'elil. Where is that? I've been to Santa Clara but I don't know Te'elil."

"Oh, Te'elil," he answered, laughing. "That's the old name of the land our village was built on. Te'elil was once a huge area of land. Then the municipal presidents came and broke it up and set up ranches for the *rancheros* (large landowners). But before, the whole area used to be called Te'elil."

I had once visited Santa Clara in 1995 as co-coordinator for the municipal autonomous education project in Zapatista territory. As it lay a relatively short hour's

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[46] The 14 January 1994 CONPAZ report stated: "The Army bombed the pueblo of Te'elil (also called Saltillo), about 4 kilometers from Altamirano. For the most part the local population has not been able to leave. They suffer from shortage of food, water, and medical attention. For those inhabitants of Te'elil that have arrived at Altamirano, the army has refused to give them rations, accusing them of being guerillas" (CONPAZ 1994a).

walk from the market town of Altamirano, most of the young women in the village would sell vegetables or cooked snacks there to augment their families' incomes. My brief visit involved meeting with the community and discussing the work of their teacher-in-training, my interlocutor Dominga. In the time that I spent with community members I learned that the village was one big, extended family—unusual in a region of ejidos with multiple extended families grouped together and hundreds of residents. Villagers explained the one-family solidarity through references to what they considered to be the bad ways of the father. He had had many wives, as many as six, and three of them lived in separate households with their children on this land which they had first inhabited as tenant farmers and then bought from the ranchero. In a later visit I saw the old man, trembling heavily and lying in bed while one of his wives (whose children I did not know) attended to him in a room suffused with the light of the sun cutting through cracks between wooden boards. Some in the village saw the disease as divine retribution for his sins. Perhaps because of their father's multiple families many of the old man's daughters found it necessary to sell things in the Altamirano market.

As a foreigner working with the Zapatistas I felt that my activities were illegal and recorded few of them in notebooks. But Dominga recently lent me a photograph of herself working before the classroom in Santa Clara. The picture is black and white. She is standing at the front of a room with a pointer in her hand, smiling, as if tickled by having to pose. Dominga's eyes seem to meet those of a student also in her late 20s, who is openly laughing as she sits in front of the teacher. Behind Dominga, one can see part of a chalkboard, (to which she points with the stick) with sentences truncated by the edge of

the photo itself. There's also a sewn banner with illustrations that highlight letters of the Spanish alphabet.

The woman who is laughing with Dominga sits facing her in the middle of a single row of pupils. They appear to be sitting on a board supported at each end by a chair; their desks are made in the same way. They are all girls and women, some with poofy bows on top of their heads. Another row of students, this one mostly boys and men, faces Dominga on her right and connects with the women's row in an "L" shape. All the faces are visible except one, a woman whose bow sticks out behind the head of the smiling woman. This woman could have been Ana or one of her sisters, none of whom appear in the photo.

This is the irregular classroom of the Zapatista teacher. The youngest student is probably about eleven and the oldest, in his thirties. Dominga's husband, Donaldo, is sitting to her left, looking at the camera with a closed notebook in his hands, among the unamused students in the group. The schoolroom appears to be small, with new wooden boards making up the walls as well as the benches and the writing surface that runs in front of the students. The room seems to double-up as a storage area: there are two large burlap sacks, likely filled with maize, behind the row of mostly boys; there are also some clothes hanging from a beam.

The author of the photo was "La Doctora Marina," a medical doctor from a Northern state in Mexico who had moved to Altamirano with her husband after the Zapatista uprising. The Zapatista authorities cultivated La Doctora's financial

sponsorship of the education project and she had donated the money for the school's building materials.

Dominga saved this photo, which shows her volunteer service as the community teacher. After having left her alcoholic and violent husband in 1993, she had lived at home with her parents and two children during the time of the uprising and only recently married Donaldo, who was from this village. She had learned to read and write in her youth, spoke Tseltal and Tojolabal, and "knew how to speak." She was the only literate member of her new community and this led to her being chosen by the community in assembly to fulfill voluntary service [*nombramiento*], to be the official teacher. Community service was her forte. She always seemed ready to speak and to lead in assemblies and in this photo she looks comfortable leading her new family in the school, which also doubled as a chapel [*ermita*] on Sundays.

The photo contains many indicators of the kind of change going on at the time of its taking. Dominga wears pants, a hint at the militancy of Zapatista women, some of whom use pants as guerilla fighters, militia members, or at work in the milpa. And Dominga stands at the head of the schoolroom in a position of authority before her new husband and brother-in-law. This unusual departure from family structures is part of Zapatismo's ready jumbling of gender domination in favor of a struggle for new forms of social relations. Though Dominga is laughing in the photo, as Doctora Marina stands behind the lens, her work as a teacher is serious: a form of community service recognized by the disciplined and demanding Zapatista authorities, something for which one can be held accountable under the principle of *mandar obediciendo*, both by the local village and

the regional command. Dominga had expressed regret and disappointment to me when her work as a teacher slowly became less tenable: she eventually had five children with her new husband and the entire community had to leave their land twice over the next twelve years. They would take the schoolhouse/chapel with them on the first move, carrying the wooden boards and beams on their backs with tump lines. After the second displacement, when they left the Zapatista organization, the building remained behind for those that remained Zapatistas.

On another visit to Santa Clara, where cool weather crops grew, I hiked with Dominga to the new place they would live on their first move, which would be called 28 de Octubre. The nearby Ejido Saltillo, much bigger than Santa Clara (and also part of what used to be Te'elil), had claimed Santa Clara's land as theirs. The Zapatista authorities had resolved in favor of Saltillo. Many Saltillo residents were also relatives of Santa Clara's men and women, but this had done little to lead to a compromise. The community had to walk through the mountains to resettle in a place that had its advantages: it was closer to a highway, which made marketing cash crops easier, and more grew in the hot climate. Migration implied, however, carrying boards, concrete stoves, and almost all other belongings on backs to the new village. After the move, Dominga's kitchen, which stands separate from the bedroom, had walls of irregular sticks rather than uniformly cut boards.

Dominga's family members deposited the schoolhouse/chapel atop a hill in a narrow hollow that the community would name for the date of its settlement. In this same building, in 2004, I asked the community's permission to live with them. The

schoolhouse-chapel was also the assembly hall and most of the adults (though not Ana) had gotten together in the night to hear and discuss my proposal. Since there was no electricity in the village we sat by candlelight as I explained to them that I wanted to stay there in the village with them for a good portion of that year, studying Tseltal grammar and talking to everyone in Tseltal. Following the etiquette I'd learned in other communities, I suggested I stay a portion of time in each house, but I thought best that we work out the details after I got permission from the Zapatista Good Government Council. The Council gave me permission, perhaps due to the presence on the junta of Dominga's sister-in-law, who also happened to be Beatriz, Ana, and Celia's full sister.

My first week in 28 (as they called it), Dominga explained to me that I had come just in time for an important celebration. Later we walked up out of the small valley to a clearing and, with the community, waited for the arrival of a large image of the Virgin Mary, protected in some kind of sedan. The women from the previous community on the route carried the sacred box and the women from 28 received it and carried it down, singing, and then up again to the church. Children decorated special sites on the edge of the village where the image passed with flowers, pine needles, and incense burners; as the procession descended to cross the river, the small cluster of adults—women with their heads covered by shawls, men in cowboy hats—stood out brightly against the shadow of the narrow creek. Two green flags marked their formation and the children carried bunches of flowers from their mothers' gardens. The party lasted for a week and involved shared food and dancing to cassette tapes every night.

At my request the community assigned me a space in the small lean-to next to the schoolhouse-chapel. I wanted occasionally to change clothes in an enclosed area. But in general, any desire of mine to be alone was discouraged in the field of sociality in which I had inserted myself. Men, women, and children inevitably requested confirmation that I had company for any trip to the river to bathe get a bucket of water for the kitchen. Usually, despite my protestations, my host family would send a child along with me. They were simply extending to me the protection they extend to themselves: Walking to market or from community to community or sometimes even within a community women will generally have their "*compañia*," an infant in a shawl on her back, a younger sibling, or an older daughter or son. There are problems of unwanted male attention and also of evil spirits. Don Lalo, Dominga's brother-in-law, advised me, teasingly but insistently, not to sleep in the small room next to the church. "What will happen if the *sombrerón* gets you?" Family members laughed but also found my disbelief significant.

When I first began living in 28, Ana's house was the only one that didn't want a visit. But then as my Tseltal learning became famous for its opportunities for teasing, she started calling out to me across the fence that separated her house from Dominga's and inviting me over to hang out. By spending time in each house, on paths with other women hiking between communities, and helping each woman with her daily chores, I became more aware of the problems, divisions, and exceptionality that each household bore. I learned that Ana specialized in herbal medicine and that she knew which plants could control women's fertility. Doña Regina's husband had tried to rape or molest his step-daughter, Doña Regina's daughter from a first husband. The girl had told her mother,

who had told the community. The stepfather had asked for forgiveness in the chapel, before the whole village, and they had pardoned him. The step-daughter was anxious to move out of her mother's house.

I also learned that Ana was terribly ill; not the common stomach or respiratory maladies. Her sickness kept her from working. Ana would cry all day, vomit a whitish foam, and even walk into the mountains aimlessly as if to get lost. Her neighbors would visit her and light candles on the altar that her husband had constructed for her. Omar also told me that he was about US$ 700 in debt to various healers [*curanderos*] located in different municipalities.

Toward the end of my stay Doña Viki, a sister-in-law of Dominga and Ana, returned from a meeting in the schoolhouse. The men had decided to withdraw from the EZLN. She didn't want to leave; concern troubled her gaze. Her husband showed up and assured me not to worry, they [the men] wouldn't start drinking. (Zapatista regulations forbid alcohol consumption.) Doña Viki told me that if the women had been allowed to vote in that meeting, the decision would have been otherwise, and though Zapatista regulations encourage all communities to allow women to vote in assemblies, the practice varies from community to community. In another conversation, Viki's mother-in-law, a thin, grey-haired grandmother, also playfully lamented the decision. She rocked back and forth, her arms clasped around herself, moaning, "I'm gonna die, I'm gonna die." Her exaggeration indicated a deep sense of unprotectedness—she would refer to Subcomandante Marcos as "canan lum"—guardian of the community.

In the next year, Ana and Dominga would move away from 28 onto land carved out of a privatized ejido. They would go into debt with the landowners, anti-Zapatista residents of Rancho Mateo, and slowly pay off the money for their 1.5 hectares for the whole community—now reduced to three households.

Walking and community

Walking is work; movement; migration; procession; accompaniment. As I write it here, it is transitive: it bears, connects. It is repetitive and navigational. It generates positions that are low-to-the ground, as opposed to all-knowing views from nowhere (De Certeau 1984; Haraway 1988); it is said to produce the knowledge that allow guerrilla armies to win wars against more powerful enemies. In Tseltal, it is literally political movement: walking to regional assemblies of men or women where Zapatista matters are discussed, debated, proposals approved or rejected, work recognized or reprimanded; walking to an urban center where the town hall holds one's papers; walking as "defending oneself" in a struggle for a land title or to get out of charges. On these walks one carries the day's or the week's food—dried tortillas, ground beans, some chilies and salt.

Walking often involves carrying loads strapped to one's forehead. For women, every day: buckets of water, loads of wood, piles of laundry. For men: big bags of coffee or maize or a day's harvest. For most women it involves carrying a small child in a shawl tied at the ends.

Walking spreads what are called in Chiapas "las buenas nuevas": the good news of the liberation theology of the Catholic church, in a well-tended network of villages connected to churches connected to the Diocese of San Cristóbal. Musicians and lay preachers will walk hours to get to a small village in the morning for group baptisms, marriages, and communions—in 28 they were all celebrated at one long event that attracted extended family members from Saltillo and other villages. On Sundays, small groups of people will often walk from nearby villages to the nearest church where all will congregate under the signs of the cross, the virgin, and the flag.

In the worst conditions one walks to find medical help; when community curing rituals aren't helping, when a person needs to be carried out by her relatives, when a child is not stopping vomiting or shitting.

Walking connects and differentiates domestic with political, religious, and labor practices. In its separation from the domestic, it becomes charged with the danger of women's sexuality. Certain kinds of walking conjure the figure of the prostitute, the street walker; walking, talking, and sexuality can combine to justify condemnation, violent death or rape. Yet women's walking seems also to be sanctioned by processions of the Virgin Mary.

Another kind of walking is that of "accompaniment," the work of those religious or secular folks who "walk" with indigenous people in their struggles and on their footpaths. Compañia provides a large, adaptable space for participant observation, "human shield" style visitation, advocacy for the indigenous before government

authorities, and joined quests for justice that characterize the work of the liberation theology of the Catholic Church of Chiapas until recently (see Ruiz Garcia 2002).

As walking moves through time it becomes marked by the history of race, class, and gender inequality. A photograph from the era of the reign of the landowners (*Ojarasca*, 1994): Against the backdrop of a steep, overgrown mountainside rides a white teenage boy. He is seated in a narrow contraption made of poles and white cloth. The edge of a sombrero appears behind this makeshift throne; an indigenous man, recognizable from his clothing, is carrying the boy on his back with a tump line. Three more double-bodied figures recede up the mountain: a younger boy, a young woman who appears to be posing, and an older woman. Among them an indigenous woman walks, a tapered braid curved on her back.

During my work with the Zapatistas, visiting a community I had never worked with before, the necessity or desire arose to visit a more distant community. "But do you know how to walk, compañera?" was the question in Spanish. Light-skinned "*ricos*"—the rich—don't know how to walk.

Don Genaro's daughter, who went to Comitán to work as a housekeeper or "*muchacha,*" said upon her return to her village that she was forgetting how to speak Tseltal and walk in the mountains. NGO professionals didn't visit communities because they "didn't know how to walk."

Though walking might be taken to mean abandonment, homelessness, the lack of a center it in fact characterizes the migration of a people that later rose up to found the Zapatista movement and its autonomous municipalities and zones. Tseltal and Tsotsil

Maya in Chiapas settled the Lacandón Forest through the slow movement of people; other Zapatista villages founded in the 40's tell of days of walking to the state capital to petition land reform authorities. At the same time that walking defies stasis, it also founds, claims, establishes, "recuperates," as campesinos refer to land occupations, invoking the fact of the historical robbery of the land from those who now retake it.

In this chapter I write against an isolating, static view of community and culture to link walking with historical trajectories of activist movements of human and social bodies. Walking can be work that is either coerced or consensual; or movements of coalescence and dissolution of indigenous communities. As a mass movement, the Zapatista struggle has already dispensed with the notion of indigenous isolation, which it has rendered a point of connection with those who feel similarly singled out by neoliberalism. The women's walking that I describe here precedes, accompanies, and continues beyond the Zapatista struggle, though without that struggle it would have remained perceptible to very few. Zapatismo is a point of departure for the visibility of walking as embodied struggle along a narrow ridge where acting and being acted upon, shift and reiteration, meet and mingle in the journey of the walkers.

Alberta Entzin: Walking to live

It was March 27, 2008, the day of the arrest of Alberta's rapist. I had driven her and Gabriela, the lawyer for the Chiapas Women's Rights Center, to the Prosecutor's office to push for the warrant to be issued; and we had waited in the unkempt grass and concrete courtyard of the police office. No one had bothered to paint over Zapatista

graffiti on the wall of a trailer, used as additional administrative space, behind us. The tall police officers, one of whose nickname was “The Jackal,” had told us that they had to go investigate *un atropello*—someone having gotten run over—in a nearby indigenous municipality and that we should come back. Later we did return and supplied them with the information they needed to make the arrest: where and when they could find the accused. They arrested him by about 7 PM that night.[47]

In between waiting at the Prosecutor’s office and the Center’s office I interviewed Alberta. Hers was one of many of the still open cases that Gabriela had inherited when she came to the San Cristóbal office of the Center three months ago. Alberta, a Tsotsil-Maya woman from Chenalhó, had pressed charges against an acquaintance of hers for a rape that had taken place eleven months ago. She visited the Center’s office fairly often, usually inquiring with the Tsotsil interpreter, Romelia, whether there had been any progress. On her visits to the Center, she would often bring embroidered cloth bags as gifts or to sell. On her previous visit, she said she was anxious to have Filomeno arrested because she was thinking of going to Mexico City to work and wanted to get it done before then.

I recorded some of the interview as we drove in my car, but most of it took place in the slim shade of the Center’s patio wall, and later, under its lone tree. She touched her round face as she spoke in Spanish and skillfully wove Judeo-Christian themes of exodus and suffering into her account.

[47] It bears noting that this effectiveness is not characteristic of the Procuraduría in San Cristóbal, which issued the warrant and made the arrest with considerable supplemental labor on the part of Chiapas Women’s Rights Center staff and the victim herself.

At the time I was researching indigenous women's narratives of their encounters with the justice system. I found Alberta quite intriguing: it was an extraordinary feat to have mobilized Center staff, and by extension, the Indigenous Prosecutor's Office on Sexual Crimes, to make this notoriously unjust justice system work for her. I asked her to explain how she pressed charges against her rapist, a question which quickly led to an explanation of what led up to the rape itself. She had gone to Mexico City to sell "the women's products"—embroidery and weaving—and she had returned with swollen feet from the long bus ride. She asked her boss and patron, a person to whom we will return, for a treatment of medicinal herbs.

I.

> A: But he said he didn't have any. "Okay," I said, "then can I take some time off to look for some by the side of the road?"[48]
>
> "That's fine. It's better if we find the right plant anyway. But take the bus," he said to me. But I didn't do as he said and I walked. I didn't know there was someone watching me as I walked. I'm happy when I walk. So I walked and walked. And I got all the way to the gas station.

She refers to a highway that descends from the Maya highlands into San Cristóbal. The gas station marks the entrance to the city.

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[48] I do not concern myself here with the veracity of Alberta's claims. The consistencies of the narrative, how she reports what has happened to her, other peoples' understandings of her, and the language she attributes to them, are what most interest me. Of course it is important that she was in fact displaced from Chenalhó but that fact is not disputed.

But I kept walking and I saw that a gray Nissan was coming towards me.

And I stopped because I was afraid that the car was going to run me over.

In Alberta's narrative, we shall see, walking marks key turns in her life and struggle. She takes pleasure in taking to the street to look for wild plants, against the advice of her guardian. But a hostile gaze interrupts this freedom. Filomeno, the rapist, stops in a pick-up truck next to her on the road.

A: "Where are you going?" he says.

"I'm going to my room."

"Tell me the truth! Where are you going?" he says.

"Like I said, I'm going to my room," I tell him.

"Now tell me the truth," he says.

"I am," I tell him. That's how I answered him.

Alberta explains that part of the attack is the accusation, the assumption, of her mendacity.

But then he opened the, this thing, he opened [the door].

Alberta searches for the Spanish word for door, and since we are in my car, she touches the door.

And he got out and grabbed my hands. And then, [I said], "Why are you doing this to me? What's your problem?" I said to him. "I know I don't have any problem with you!"

> "Your mother's angry with me," he said. "Your mother's angry with me! I went to Chenalhó and spoke with your mother and she didn't even want to shake hands with me!" That's what he said to me.
>
> "Well I have no idea what problem you might have with my mother." I didn't know [what he was talking about]. "Just tell me the truth because I don't want any problem with you," I said.

This reference to a problem of greeting Alberta's mother seems to indicate that the rape occurs within a context where both his and her social standing are at stake; it also shows the way that the face-to-face sociality of an indigenous community extends into patterns of relationships after migration to the city (Filomeno is Tseltal, probably also a migrant from the countryside). Later in the interview Alberta makes clear that she thinks that Filomeno raped her because he was "angry" because of her mother's affront to him. (Ana's narration of her rape has a similar attribution of motive: she thinks that the soldiers were "angry" with her because she didn't speak Spanish.) Perhaps she believes her tainted reputation, which she later explains, could smear, and thus enrage, him. Gossip and rumor is of common concern for indigenous men in their work life, since community authorities observe them (and are observed) to ensure that they are carrying out their service work adequately.

She elided the rape itself and the topic of conversation moves to a discussion of how she found the Women's Rights Center.

A: And so I told the licenciada[49] Lola, I told her too. [I told her that], "Something happened to me and I can't work anymore." Because I was afraid to go out; I felt that [I was going to see the guy outside]. And so I couldn't work anymore. [...]

"Ah," she said. "But you know, if you want, there's are some licenciadas you could contact."

"Ah, I told her, that sounds good. Because I want to know what to do [literally, what my path should be], because what I'm doing isn't working [literally, my path is broken, useless]," I told her.

"If you want, let's go there, to the Women's Rights Center."

[...]

"Okay." That's why I went to the Women's Rights Center and they took me to the prosecutor's office. "We'll go there," she said.

And I saw that the licenciadas at the Prosecutor's office said that I was lying. 'You're lying. I think that you talk to men, that's why you got into trouble.' That's what she said to me.

The prosecutor blames the victim, Alberta, whom she accuses of promiscuous "talk." Alberta describes her encounter with the licenciada "with the freckled hands."

A: That's what she said to me, that I was lying. "I think that you're the one who talks to men, and that's why they bother you." That's what she said.

[49] A licenciada is a woman who has the basic equivalent of a BA but the term generally refers to a professional woman or lawyer. It is also a title used with respect or distancing. For example, the Zapatistas bar licenciados from intervening in conflicts before the Good Government Councils.

> "Oh, no I don't talk to men," I answered her. "I don't talk. Yes, maybe I walk, but I don't talk to men."
>
> "No, you talk to men. You're just lying to us." That's what she said.
>
> "If you only want to listen to men and you only concern yourself with them, that's fine," I told her. That's how I answered. [...]

In another part of the interview I asked about her brothers' reaction to accusations that she "talked to men" and she made explicit the conundrum that she faced as an adolescent working outside her home:

> V: And what did your brothers say?
>
> A: Nothing. There's one who's angry with me. "I think that you talked to the men." "Don't butt in. I know what happened," I answered. "Because I know. I never talk to men. Yes, I talk a little when I'm working. Sometimes we have to discuss how to work together. What I'm going to do every day. [...] Those are the only things," I said.

Work in a mixed, public place will involve some kind of verbal exchange with men. For indigenous women, the blame-the-victim discourse of the "public woman" (Wright 2007) is not limited to community contexts: Alberta remembers the sex crimes prosecutor reproducing it; and in her own defense she shows that she simply cannot work without harming her reputation and provoking violence against her; she later mentions that one brother wanted to kill her for having gotten into trouble.

Alberta continued the story of her activism at the Prosecutor's office.

And I went to another office, and another, I went to something like four offices, and finally a licenciada said to me, "Yes, it's true, because I can see that she's not afraid. If you're afraid then I know that you're lying."

"I know the attack and the rape happened," I said.

"Fine, I'll investigate your problem, don't worry," she told me. I told her okay. [...] And Delfina asked me how it happened and what happened and "How did you feel? Are you going to be able to walk?" And I answered that, "Yes, I'm a bit better but I'm still afraid to walk, I just feel men's presence and that they're all going to bother me. And that's why I don't really want to walk.

"But it's better if you go walk so you can live," she told me.

"Yes," I answered.

V: And what kind of advice would you give [a friend] about fear?

A: I would just say to her that she's going to walk and not be afraid to walk and she's going to be really intelligent. Just that. Yeah, because that's how I felt when I spoke with licenciada Delfina's daughter. She works there too and she told me not to be sad, that I needed to be really intelligent. Walk! It's better if you walk. Be good. Okay, I told her, that's why I'm not afraid, I'm going to walk, and I'm going to keep going for as many years I have left to live. That's what I told her and that's what I'd say to my friends.

Like Ana González Pérez, Alberta Entzin narrated rape as both physical and social harm: Alberta's rapist angrily punished her for damage to his reputation he attributed to her "lies." The bodily violation is a materialization of the scandal of her impure walking and talking. Yet at the same time that her walking and talking led to injury (as in her swollen feet after her overnight bus ride back from Mexico City, and the ensuing attack), they also provided a way out of the problem she confronted. Only by continuing to walk and talk can she confront the hostile gaze which sees her as a deserving victim. But she has had to "learn how to talk" or "defend herself" by speaking before hostile entities (legal officials) and mobilizing outside support (NGO lawyers and researchers).

II

In 1997, indigenous and mestizo members of the security forces organized paramilitary militias in Chenalhó, Alberta's municipality of birth. This process culminated with the massacre of the village of Acteal. The violence came up indirectly when I asked about Alberta's feelings about interacting with government officials:

> V: And were there times when you felt afraid in the Prosecutor's office?
>
> A: Before, yes but not any more. Before I was really afraid, for example, of the state police. I felt like [unintelligible] ... they want to bother me. But not any more.
>
> V: And there are other women ...who don't want to go to the police?

A: Yes, because you don't know them. That's what happened to me too. I was afraid because even though it was state police, or the military, whatever, I'm afraid because ... [unintelligible] they can kill. That's why I'm afraid, just like the women in the communities.

Because she has left her community she already differentiates herself with the "women from the communities" a term often used to describe the marginalized of the marginalized.

[...]

V: Where were you in '94?

A: '94?

V: When the Zapatistas came out?

A: That was the first time I left my community. My community's called Jovel Bajo and I left because there were paramilitaries there. They wanted to kill the Zapatistas. And my father and my mother were Zapatistas. That's why I left and I went to Nich-, first to Nichim, that's what it's called. I went there. And the conflict didn't calm down and it started up again and two or three people died there in Nichim. And everyone fled again and they went to, I don't know what the community's called, near Naetik, and I went there. And then, I lived there about two months...

V: You were displaced?

A: Yes.

Alberta is from the epicenter of the paramilitary violence. She describes the first sporadic, but organized assaults (including rapes and killings) that took place and in turn helped spread the rumors and terror that resulted in 10,000 people fleeing their villages in the second half of 1997. Each of the localities she names are named as early sites of paramilitary violence or refugee encampments (Fray Bartolomé de las Casas Human Rights Center 1997). They were among those most affected by the clandestine state actions that targeted Zapatistas and other organizations independent of the organizational structures of the powerful Party of the Institutional Revolution or PRI.

At the same time that people were fleeing these Tsotsil villages and setting up camps as refugees, the Army and police were establishing new camps and bases in the region. The Zapatista strategy of trying to confront the growing Army occupation of the countryside included women's unarmed protests, where they would use their bodies to block Army caravans. A famous photo shows a group of women, Zapatista supporters, confronting and encircling the soldiers during that time. A small woman holds the neck of a large soldier, who is reeling backwards. I had the photo on my hard drive and asked her if she was familiar with those women.

> [...]
>
> A: Ah, yes, that's in X'oyep but I don't know those women. Yes, it's the same. I fled with them, but I didn't know them. There were so many women, men, children. How we walked! Even if we had to cross mountains! But really, like this, [gesturing], huge groups of people. And I had to, too, [just like them]. That was X'oyep, but that didn't happen to us.

I've forgotten the name of the place where I went, it's near Nichim but I can't remember it's name. But then I left again and the Red Cross was there, there were many, many women who were pregnant. They had to give birth on the path as they fled.

V: And back then, were you a Zapatista?

A: Yes, because back then my father and my mother were [Zapatistas]. Because when I lived at home, some of the neighbors were Zapatistas, but my mother and father, right before [we were forced to flee], they weren't. And there were [Zapatista] meetings there and they didn't want to go to the meetings. My father would say, "I think it's better not to go," that's what he'd say. "I'd do better as a [member of a different organization], I'd do better to just hole up at home. I'll just go out to work, that's all. I'm not going to go to meetings."

Alberta indicates that her parents had been Zapatistas, but as the violence mounted, they thought it would be better to withdraw from the organization. They considered joining "Las Abejas," the organization whose members were later massacred. The paramilitary violence was of course in part intended discourage support for Zapatista and other organizations independent from political parties.

And my father heard that there were people coming. And that other people had already fled. The Zapatistas had already fled. And it was just us, me, my mother, and my father. And I was just in my house. And my brother had a friend, and he said, "We'd better go. They say that the paramilitaries

are coming to kill [everyone]. Could it be true?" my brother said. And this friend of my brother's came by again. He was a PRI-ista (member of the local group affiliated with the state-controlled Party of the Institutional Revolution and the paramilitaries). "You'd better go. I heard that they're coming tonight," that's what he said. And my father got very sad.

V: Who was going to come in the night?

A: The paramilitaries. The friend of my brother was a paramilitary but he was also a friend.

"We'd better go," he said. I think that it was about six in the evening when my brother heard that.

"We'd better go," he said. Because every night, they were coming out, just like soldiers. There were lookouts on every path. My father had to do time as a lookout, too.

Alberta's storytelling skill creates a sense of danger, helplessness, and being trapped.

"We'd better pack some tostadas [tortillas dried for carrying]. Get everything ready," he said. My father had about 25 quintales [a large amount, possibly 2500 pounds], I don't know what they're called, the big sacks they fill with coffee, and they buried them in the ground. That's how he hid his coffee. And I left with my father, my mother, and my brothers at night. My father had a horse and it carried our clothes—everything—but in the dark of the night it couldn't see very well where it was going, and the horse fell and died. Then my father and my mother carried what the

> horse had been carrying. And I carried my little brother, my mother still had a baby and I carried him. But I felt that, when it was a little bit of a mountain, I felt a great pain in my mind and body [*se lastimó en mi corazón*], that I couldn't walk anymore, there was a mecato, mecate, I don't know what it's called [in Spanish], [a tump line] I was pulling it as I was walking, but I couldn't walk anymore, I couldn't breathe. I don't know why. And I kept walking.

This part of the narration is especially painful, when the beast of burden dies and everything that it carries must then be carried by the parents; reducing them to the animal-like state often condemned in indigenous political discourse and exposing the fragility of their slim hold on prosperity in a subsistence farming economy. This also may be her passage out of childhood—now she must carry her baby brother in flight as if she is a grown woman. And though she feels like she can no longer breathe, that the pain of the flight is unbearable, she continues her narrative of exodus.

> But about two or three months later, I was there near Nichim, and there was a message from Polhó, and they [the authorities] wanted us to go to Polhó, and the Red Cross left, and the pregnant women left, the ones whose babies had just been born, there were times when their baby had been born on the road. And so the Red Cross went and took the women with them, and I wanted to go, too, but I wasn't sick, and it was only the sick ones who were allowed to go. And that's what happened to me.

[...]I thought that I was going to die there. But thank God, I got to in Polhó.

Polhó is the Zapatista stronghold where refugee camps were set up for Zapatistas and humanitarian aid organizations supplied food and medical care to the displaced. It is a 25-minute walk from the site of the 1997 massacre.

The policy of evacuating the sick entrenches a sense of imposed suffering. By that logic the healthy must become sick to survive.

One of the most striking aspects of this litany is the description of women giving birth while fleeing. I had heard such accounts since the beginning of the Zapatista uprising in 1994. A Zapatista family I had known from Pueblo Nuevo evacuated their home on the day of the insurgency, in fear of retaliation by anti-Zapatista neighbors. The child, a little girl, was born as they fled. She later died of malnutrition. In February 1995, villages fled to the mountains en masse in the Altamirano region after a surprise Army offensive in search of Marcos. Women's narrations of these flights into the mountains repeated the terrible plight of giving birth while seeking refuge.

Escape into the mountains was a defensive strategy, available to entire villages because of their knowledge of the terrain around them and their organizational discipline. Often the houses left behind would be sacked and defiled by soldiers who would kill livestock, consume food, and piss inside houses. Walking put knowledge of mountain paths to use as a defensive technology against the national army, but its burden fell disproportionately on women whose work maintains, through household labor, the domestic, which is radically uprooted and resituated in flight.

III.

The final part of her narrative is the beginning of the story of her rape. She is recruited to do obligatory volunteer work in an institutional cafeteria that served refugees (I later confirmed it was not administered by Zapatistas). Her service is similar to a cargo volunteer service, but there is no prestige involved with its fulfillment and no choice involved in its undertaking. The refugee influx may have exerted extraordinary pressures on already strict formations of community service, creating a form of obligatory labor that was dangerous for women.

> A: I started working there, too. They looked for women to work as cooks to help.
>
> There had been times when [people] didn't take their clothes with them, or their food, the women didn't carry their food [with them], which was a problem, they didn't get their stuff out when they fled. And they got young women from each community to work in this cafeteria.
>
> And I never had left my mother when I was living in the community, but I arrived in Polhó and I left my mother and I left to work in a cafeteria. And I missed her a lot, but my mother didn't miss me. And I asked, "Do you know where my mother went? I want to find her." "Why are you asking for your mother?" That's how the woman coordinator ... answered me. "Why are you asking? Do you still suck your mother's breast?" That's what she said to me. "I don't suck my mother's breast, I just miss her a lot, I've never lived away from her," I said. "But you know what, I don't

> know where she went," she answered me. "But I want to know where she is," I answered. "Eventually you can. Right now I can't let you." "But there's something I want to tell my mother. I heard something, some men, near where I was working, they want to talk, bad talk, I want to tell my mother. That's why." "Don't talk to me," said the coordinator, from [a nearby area]. She didn't want to tell me where my mother was.

The passage, predicated on paramilitarization, from her mother's house to collective work with a group of adolescent girls like herself (she was about seventeen at the time) marks her entry into vulnerability to loss of her reputation and possible sexual attack. Alberta shows her supervisor's lack of concern for what will be her loss of reputation; the "bad talk" could refer to a threat of unwanted sexual advances. Her supervisor considers her youth and sexual vulnerability no reason to ally with her. The reference to nursing indicates that any ongoing claim to childhood will only be sanctioned with humiliation.

> We made *atole* [a corn beverage] in the morning, then lunch at 12, and then dinner at 6. That's how I worked. And that's where my problem started. I had so many problems there. I had so many problems there. The people said that I talked to the men. They said that I was doing things with the men. I had so many problems there. And my mother believed it [and so did] my father and my brothers. They believed it. They got very angry. That's how I got sick. That's why sometimes I'm happy and sometimes I'm sad. There are times when I'm like I am now and there are times when

> I cry. Because many problems, my mother believed them, she beat me, and my brothers, they all got angry.

This is also the beginning of a chronic illness, a bodily expression of a social injury. As with the rape, scandal materializes into injury.

> V: Did this happen to other girls too?
>
> A: Yes, yes, to everyone. That's how the men were. I don't know why the indigenous are like this. It's not like the mestizos—they have boyfriends, they walk together, they kiss, they hold each other. But there where I was, it wasn't like that. That's why, when I was in Polhó, I had lots of problems. And I got sick from the sadness. I got sick a lot.

She is telling a story (with great skill) of her movement from her house, outside of the protection of the domestic sphere, into an adult world of work. She discusses her sexuality through reference to its violent sanction by "talk" and "problems"; and through discussion of what is permitted to the mestizo; a signal that she may have had enjoyed some kind of courtship while working at the cafeteria. She seems to admire what she considers to be mestizo courtship, a discourse that dovetails with the transformation of her indigenous identity into a source of suffering.

> When I found my mother's house I went to see her. She was angry at me. Even though I missed her, and told her things, she didn't respond well at all. Not at all. That's why what happened, happened.
>
> V: She didn't believe what you said? She listened to other people?

A: Yes, I had told a woman from Jovel Bajo, the wife of Nemesio Ilim [about my situation].

Here Alberta digresses to a story that upholds her standing as a good, sexually innocent worker.

> I told her. "Don't worry, I can see that you don't do anything [wrong]. You just make tortillas, wash plates and cups, that's all. You don't do anything. There are some girls who do things, but—. I'll let your mother know." "Thanks," I said. "If I have to go somewhere, would you accompany me?" I asked her. "Sure, if you want to go somewhere, just tell me. We'll go with you."

Alberta finds allies in this couple who have some kind of oversight position with the cafeteria. Though there are girls whose morality is questionable, this woman assures Alberta that she's not one of them. Alberta's request for her accompaniment indicates her fear of getting raped and her vulnerability outside of family accompaniment. This part of the narrative also makes clear Alberta's perception that her principal value is her ability to work obediently. The domestic chores that go unrecognized as work in the home become her principal asset in the workplace, yet the trade-off is a vulnerable reputation and the risk of physical and moral violence.

> And I was happy for a while, and then not. Because my mother came, and she came to ask the husband of the lady. She asked, "Is it true what the men are saying about my daughter?" "No, I saw how your daughter is. She's very good. She does everything she's supposed to do here in the

kitchen. She just makes tortillas and washes the plates and the cups. Just that. She doesn't do anything else."

"I think it's better if I take her with me. I don't want her to have any problems here." That's what she said.

Alberta's mother insists on taking her home. Alberta appears to have no say in the matter.

'If you're going to take your daughter out, then you have to come work here,' said the man.

Alberta's household must contribute one woman to the cafeteria work. Nemesio Ilim, apparently a man of renown, is powerful enough to demand her mother's labor as a replacement for her own.

"I'm not going to cook here**.** I don't want to cook, and I don't want to have problems with men," [said my mother]. "I don't want to come here."

The conversation also acknowledges the dangerous nature of the work: Alberta's mother is concerned that her sexuality would be sanctioned if she worked there.

"Well if you're going to take your daughter, then you better come [in her stead]." "I said that I was going to take my daughter." "But I said no," said the man. "Okay, fine, I'm going to leave my daughter with you and you're going to watch her and you're going to take care of her, where she goes, and if she has problems it will be your responsibility."

Alberta's mother transfers of this burden of upholding her daughter's reputation to this man and his wife. While women work in the home their reputation is easier to monitor, as workers outside the home their reputation becomes a costly variable in the

calculus of maintaining mother-daughter relations. A harmed reputation damages not only the livelihood of the young woman but also that of the family.

> "That's fine. I'll watch over your daughter. I see that she works very well. 'Do this, do that [you can tell her],' and she does it." That's what the man said. Nemesio Ilim. And I stayed there with the girls. And they got tired of [the work]. And they said, "Let's get out of here." "But why? We have no money and I don't know how to sew or wash clothes. I don't have any money. And we get a little food here." "No, it's better if we go!" That's what the girls said. And we decided to go. And that's how we left. And only one girl stayed. And she stayed because she was with a man. And that's how I got out.
>
> V: But where did you go?
>
> A: I went to my mother's house. And she started getting angry and hitting me. [...] I went and told my father. I told him, "I don't know what I'm going to do. I want to find work. "Why?" "My mother hits me." "Okay," my father said. "Can you help me find work?" I asked him. "Fine. I'll help you find work." And he told me later that he found me some work. "But where?" He said there was a man in Jovel Alto [a nearby village], working in medicinal plants. "Do you want to go?" "I'll see if I can learn, and if not I'll just have to look somewhere else." And so I went to the intersection just beyond Jovel Alto. And he came out too, that man, Carlos Flores Gutiérrez. "Which daughter's going to go live in San Cristóbal?" he asked.

> “My first daughter.” “That’s fine. I’ll take her.” And that’s how I came to live in San Cristóbal with Carlos Flores Gutiérrez.

After her reputation has been damaged at the cafeteria, her father brokers her passage to the city. Here it is not the selling of a woman as “merchandise,” a common trope in Chiapas feminism, so much as it is the transfer (in exchange for what is never clear) of the labor power of an eldest daughter who no longer has a place in the home.

> And I thought that the work was going to be good. My father said that he had lots of employees in his house. They said that there were men and women working on medicinal herbs, they chop them up. But when I got to Carlos Flores Gutiérrez’s house I asked him where the workshop was. “I’ll start tomorrow,” I said. “Sure, that’s fine. But what do you know how to do?” he asked. “What kind of work do you have? I’ll do that,” I said. “I want to learn how to package medicinal herbs,” I told him. “Ah,” he said. “But do you know how to do that kind of work?” “But I heard that you have lots of men and women working in your house,” I told him. “There aren’t any men or women. Just me, my wife, and my kids.” “When I harvest the plants my wife chops them for me.” “But I thought that there were lots of men and women employees working here,” I said. “No. But I’ll look for some work for you with my wife. You can work with my wife.” I told him, “Okay.” I worked, but in [weaving and embroidery]. [...] And that’s why I started working that way. [...] That’s how I got into

problems. Filomeno [Menéndez] raped me. And then, it happened. And I left the work.

Alberta elides about five years of history in this quick summary of her life after she moves to San Cristóbal. She found work both in Carlos Flores Gutiérrez's home and, as a weaver, at the foundation where he was a medicinal plant specialist, an NGO with close ties to the progressive Catholic Church in Mexico. In subsequent interviews, it became clear that this man both maintained his responsibility as her patron or guardian, but also made sexual advances on her to the point where she moved out of his house only five weeks after arriving in the city. At the time of the interview Mr. Flores Gutiérrez was an enigmatic figure in her life; both a supporter in her legal struggle and a scolding authority figure who bought her telephone time credits for her cell phone but at times had talked to her in ways she "didn't want to hear." Whatever the cause of his interest in her rape case, it was clear that her father had put her in danger by sending her to San Cristóbal with this man, and that the damage to her reputation had set the conditions for entry into a different, dangerous labor regime.

Alberta's account of how she came to press rape charges creates connections and causalities among public (i.e. state-sponsored) violence, the creation of some variation of forced labor conditions within an indigenous communal context, and a loss of community reputation that results in vulnerability to rape by in an urban setting by an attacker aware of her bad reputation. There is no clear differentiation in this story between community and state when it comes to understanding the dynamics of the sexual and gender violence that Alberta has experienced. Questions of reputation accompany her in every workplace,

as she moves from a more easily identifiable indigenous community setting to an urban setting in which her guardian and patrons, though indigenous, maintain complex relationships with international NGOs, the Catholic Church, and their home communities. It should be clear that it is not "indigenous culture" that has victimized Alberta.

Since Alberta lived in the city and not in the community, the Chiapas Women's Rights Center occupied themselves only with the individual, rather than the communal, aspects of her profile. Their staff was not aware of her forced displacement almost ten years before. This latter oversight is, I think, an indication of the urgency of a theory of sexual violence in indigenous women's lives which creates connections between indigenous and mestizo, urban and rural, domestic and public, and state and community.

Conclusion

In their study of prostitutes' personal narratives in Tijuana, on Mexico's northern border, Castillo et al. (1999) write that

> Over and over again the women describe a societal structure based on male dominance in the workplace and male rights to women who are perceived as stepping out of their traditional roles, whether by remaining unattached to a male protector or by attempting to enter the realm of paid labor. (Castillo et al. 1999: 404)

They also point out that some of the women they interviewed said that their first sexual experience was rape. These narratives resonate with the accounts of sexual violence that this chapter brings out: regimes of morality and labor in which the

permissibility of women's presence in public or the workplace is contingent upon male protection. When there is no protection, or that protection has been compromised, a woman can become the object of sexual violence. This would seem to be the case in Alberta's attribution of the causes of her rape to the rumors that circulated about her when she worked in the cafeteria. It also explains the urgency of Ana and her sisters' activism to clear their names after being raped by soldiers. An initial sexualized encounter, or the allegation of one, can mark a woman as a rapeable subject, marked for further unwanted and violent male attention. Yet attacks on their bodies and their reputations also mobilize remarkable activism on their own behalf.

Both Alberta and Ana's stories of walking narrate women's entrance into different kinds of markets: Ana and her sisters sold their products at the market and door-to-door in town, while Alberta first worked, apparently unpaid, in a cafeteria in a camp for the internally displaced, then in the private home of an indigenous entrepreneur affiliated with non-governmental organizations and the Catholic Church, and, at the time of our interview, intermittently as a domestic. Both of the women's paths between community and workplace were marked with sexual violence; these paths led to rights activism, another historically situated form of walking. The rights activism they encountered described and explained the violence against them through a logic of case-based women's rights as human rights. Ana's case represented her as harmed by her relationship to community; Alberta's case wrote her history with her village and municipality out of her legal representation.

In both cases, the legal representation of the violation of the women's rights occludes market logics and nested discourses of security that interpellate their walking and contribute to the conditions of possibility of the sexual violence. Both women's economic activities are forms of labor and economic entrepreneurialism engendered by discourses of development currently in place in Mexico, knows as "making women productive" strategies (Kunz 2011). These logics have unintended consequences when they articulate with what Hesford and Kozol (2005) call "cultures of security" and I am calling nested domains of security: discourses of state, family, and workplace that assure safety from violence while justifying the violation of those found outside these regimes of masculine protection. A further source of articulation is the discourse of mestizaje that locates purity in female indigeneity in contrast to the contamination mestizaje (De la Cadena 2000: 24-25). To locate indigenous women's aggravated suffering in their "*condición indígena*" is to ignore the ways that ideologies of masculine protection and market liberalization work together to produce forms of simultaneous valuation (a good investment; human capital) and devaluation (the contamination of the market and of the public sphere) of indigenous women's work. Within the larger cartography of indigeneity, mestizaje, and gender in Mexico this discourse of victimization by culture may acquire the material effects of furthering the process whereby indigenous women become unmarked mestizas, as both the logic of contamination of the market and contamination of the street work to maintain indigeneity as the pure site of incommunication and isolation.

In writing against indigenous culture as a perpetrator of gender injury, in this chapter I have centered Alberta Entzin Entzin's narrative of the materialization of social injury in rape. The paramilitary context in which her family fled their community, separated, and inserted her into a gendered, sexualized labor regime politicized the rape that she eventually reported to the Chiapas Women's Rights Center. Alberta's forced walking out of her occupied community, into coerced labor, then rape, then legal activism lead us to read these events as correlated to a rape regime in which Alberta's rape is linked to the ongoing maintenance of gendered and racialized social inequality (Boesten 2010).

On the other hand, the IACHR jurisprudence I quote at the outset of this chapter, which argues that Ana González Pérez and her sisters' suffering was aggravated on account of their membership in indigenous culture, leads scrutiny away from historical patterns of indigenous evacuation and back to a reading of community as site of gendered injury, separate from the gendered and political complexity of the public sphere. The emphasis on the extraordinary nature of the Hermanas González attacks and the codification of the enormous social injury that the women suffered as "cultural" de-link it from the more generalized pattern of social and physical violation that Alberta's narration reveals. Through following Alberta Entzin and Ana González's leads, in their theorization of the patterns of their lives, we find alternative mappings of gender violence that demonstrate the continuities between indigenous women's protest against rape and the neoliberal assault on community, a key insight that women's and indigenous rights regimes have thus far failed to assimilate.

4. Domestic Violence: Intimacy and Occupation in Altamirano, Chiapas

On January 6th, 1994, the Mexican Federal Army occupied Altamirano, whose municipal palace had been razed by the Zapatista rebels. Altamirano is the small commercial and political center of a surrounding rural countryside that together comprise the *municipio* of the same name. The Army installed itself in the official civic heart of this "head town" or *cabecera* of the municipio, occupying the Vicente Guerrero Elementary School, the Dr. Belisario Dominguez Library, the parish house of the Church of Santo Tomás, the office of the Local Cattlemen's association, and even the store front of the newly established National Electoral Institute (Bellinghausen 1994). The symbolism was telling: the Army was going to overtake all institutionality and regularity in the town, working with its local allies, the PRI-party affiliated cattlemen. The Army's undeclared state of exception, the suspension of the law in the name of legality (Aretxaga 2003) militarized Altamirano's dense network of face-to-face relationships, bringing a terrifying and gendered intimacy to the violence that resulted. An excerpt from my interview with the Hermanas González demonstrates:

R: (interpreting): What Vivian's [asking], is if it's because...Because you [were] in the [Zapatista] organization [that they raped you]?

> C: Well, in terms of the rapes, someone informed on us; I mean, in '94 there was the uprising, and someone said that it was us that took Altamirano, but with sticks, not guns. That's what they said about us. But it wasn't true, we didn't do it. But they blamed us for going in on January 1st of '94. That's what they said. They accused us, and that's why we got raped. But it was a lie; it wasn't us.
>
> R: It wasn't you.
>
> B: No.
>
> A: And our neighbors did go in, why not say so? One [woman] is light-skinned and tall, [like me] and the other is dark-skinned girl with a ponytail [like my sister]. And since we looked the same, light-skinned, they accused us, but it wasn't us. It was other ones that went in [took Altamirano], our neighbors. It's true, people we know went in. But they said it was me, and it wasn't.

The rape, Ana and her sisters explain, had been a case of mistaken identity. Women close to them had taken part in the occupation of Altamirano where, as Celia notes, some of the fighters were armed with wooden replicas of guns ("sticks"). An unnamed informant had denounced them, leading to the rapes.

The language of Ana and her sisters' answers betrays an intimate scale of historic events in this locality. They refer to the act of occupying Altamirano as "going in" [*ochel* in Tseltal-Maya]. Those who participated in the armed attack, occupation, and destruction of the municipal presidency are the ones who "went in" and decisively transgressed the

gendered and racialized divisions of town and country. Teresa's suspicion that she and her sisters were targeted for "going in" suggests that the rash of Army illegal violence that took place in early 1994 were based on information provided by informants; a suspicion sustained by written accounts from the time (Physicians for Human Rights/Human Rights Watch 1994). Information that led to rapes, detentions, and torture traveled through channels of face-to-face relations.

Understanding the intimacy of relations of domination, governance, and occupation is key to understanding why the rapes of the Hermanas González and their aftermath took the form they did. Cynthia Enloe reminds us that wartime rape is not an inevitable outcome of all military conflicts and that analysts must look for the "decisions and the policy makers" (Enloe 2000: 127). This chapter explains how the history, policy, and subjectivities of Army and state actors contributed to the licensed brutality of the Altamirano rapes and then to their unconvincing cover-up. I seek to explain why the Mexican Army would bring shockingly asymmetrical force to bear upon this small town of 10,000 people—a show of force that the Army officially denied: multiple home raids and illegal detentions, torture, patrols and predawn drills, and, most centrally, the collaboration with a cattlemen's and campesinos' group that demonstrated several times a week in favor the Army and against "human rights," the press, and the Zapatistas.[50]

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[50] The state violence I document in this chapter comes from several sources: 1) an unpublished collection of press releases from CONPAZ (CONPAZ 1994 a, b, c, d); 2) a report by Physicians for Human Rights (1994); 3) news articles in the national newspaper *La Jornada*; and 4) coverage by the monthly magazine Ojarasca (Bellinghausen 1994). As a volunteer for CONPAZ in 1994, I translated their human rights bulletins into English at the time of their writing.

To answer these questions I draw upon recent scholarship that challenges the theoretical separation between the state and civil society and turns to fantasy to explain violent phenomena inexplicable in terms of rationality (Aretxaga 2000: 53, 52). I ground this approach in the history of the Mexican nation-state's foundation and formation in the shadow of a revolution. The Army's exaggerated insistence on its identity as "an army of the people" (in the face of an undeniably popular uprising) accounts for a good deal of the particularities of the occupation's gendered and domestic intimacies. Through violence, those who embodied Army authority sought to establish a legality that would reverse Zapatista transformations. They did this through claiming and possessing small town routines and longstanding rituals, suffusing them with threat and attack, establishing an intimate state of exception.

In the wake of another outbreak of state terror in Chiapas, the 1997 massacre of Acteal, anthropologist Aída Hernandez wrote that state government officials asked a prestigious research institute to prepare a report on the role of indigenous culture in the perpetration of the massacre of 45 people. The scholars rejected the petition and instead prepared a study that linked state training of local paramilitary groups to the massacre (Hernandez Castillo 2001). Yet the question of the role of "indigenous culture" in rural violence in Chiapas continues to preoccupy many scholars' inquiries, whether it be the spectacular violence of Acteal or the diffuse violence of the domestic. Much less frequent are studies that turn the analytic lens on the culture of the Mexican state to ask how processes of state formation and subjectivities of state actors contribute to how violence takes shape.

I begin this project by focusing on the intrinsic connection between violence and the law (Aretxaga 2000; Benjamin 1978), one which is on display in a state of military occupation. In this sense there is no national culture of Army violence. Torture, illegal detentions, and terroristic shows of army force are not unique to any one nation's repertoire of pacification; quite the opposite, they appear to characterize a wide range of national armies' techniques, from the United States to Sri Lanka to Spain. However, these forms of state irrationality draw on particular histories and mythologies for the discursive and practical elaboration of the legality of their violence. In Altamirano, the Army's own folklore of itself as pueblo or "the people in uniform" contributed to a particular ensemble of violence that commingled in the intensity of a face-to-face public sphere. In this chapter I present the intercalation of public and private through an account that links reports by journalists and human rights workers with the words of the residents who speak of the occupation in terms of the transformation of the intimate.

State formation in Altamirano: Occupation at eye level

The Zapatista rebellion was an uprising against global neoliberal trade policies, but it was also an uprising against centralized local power in Ladino dominated towns, a "local 'presidentialism'" (Fox 1995: 15) exacerbated by domestic neoliberal policies of decentralization. Besides destroying five "municipal palaces," in 1994 the Zapatistas put processes in place to dislocate rural power from Ladino-dominated cabeceras to rural counterparts, where, over the ensuing years, they set up centers of autonomous municipal governance. These *municipios autónomos* presided over a revolutionized countryside: in

Altamirano in 1994, Zapatistas occupied 80% of landholdings over 5 hectares (van der Haar n.d.: 6).

Under President Salinas de Gortari's Solidaridad program the municipio had become the new mediator between the federal government and the countryside. This centralization of the municipio in national politics contributed to a magnification of the municipio in the Chiapas war. This centralization of the small town in national politics and the Army occupation of local relations of domination help explain the scale, intensity, and character of Army occupation that Altamirano would later witness.

Like most of the municipios that gave rise to the Zapatista uprising, Altamirano is a barely urban town. The municipal government had only paved the streets and installed an electric grid a few years prior to the 1994 uprising. Streets radiate outwards from a central plaza, either linking it to winding highways or to unpaved roads. One of the roads that extends west from the plaza descends into a valley that forms part of the Selva Lacandona, the dense rainforest colonized by 20th century Maya, that is the famous launching point of the Zapatista movement. Most landholdings, private and ejidal, spread along these valley walls. In 1994 and to this day, a tiny Ladino elite resides in better houses overlooking Altamirano's center, a position representative of their domination of commerce and politics through their role as PRI-affiliated cattle ranchers. These Ladinos are not phenotypically much different from the indigenous men and women of Altamirano; yet they find minor differences in wealth and ways of life immensely meaningful. Landowners and Ladinos define themselves through closely held differences with the "Indians" they distain (Bobrow-Strain 2007).

Landowners in Chiapas have forged their claims to superiority over the indigenous through centuries of accumulation of land and the subjection of labor. Most recently, the liberalization of land holdings during the greater part of the 19th century broke up Church- and indigenous-held lands where Maya communities seemed to have enjoyed some separation from forced work. Liberalism initiated an era of large-scale accumulation which reduced the indigenous to various forms of peonage. After the Mexican Revolution, Chiapas landowners' techniques of maintaining captive workforces and illegally large extensions became (somewhat misleadingly) known as a national exception to a nation that prided itself on institutionalized land reform. Chiapas landowners' efforts to hinder the dictates of national land policies resulted in a landowner disposition against Mexican outsiders (Bobrow-Strain 2007). The discourses, practices, and subjects of rancher domination--attacks on outsiders of all nationalities, the embodiment of the law in the figure of the cattleman, paternalism, and the indigenous campesino who supports the PRI party (the "PRI-ista") would gain new meaning in the Army occupation of Altamirano.

Altamirano's landowners exercised political power through the local PRI party. Jorge Constantino Kanter, the organizer of the pro-Army demonstrations, was both the president of the local Cattlemen's Association and the local committee of the PRI. But PRI activism was not exclusively the realm of landowners. Until 1994, the PRI also organized the peasant politics through corporatist organizations such as the National Confederation of Campesinos. Boss rule had many well known techniques of mobilizing

the peasantry for the status quo.[51] Voting rituals could win support of more than 100% eligible voters for PRI candidates (Fox 1995). *Acarreo* [literally cartage or transportation] described electoral practices in which organizations belonging to the PRI party such as the state-run peasant organization delivered large numbers of voters to the polls or a campaign event, replete with sandwiches and door prizes (McDonald 1993; Adler Lomnitz et al. 1990). Attendance at these multiply motivated manifestations enacted relationships of patronage with local PRI leaders, aspirations for local projects or other clientelistic benefits, and collective political belonging (Vogt and Abel 1977: 182-4).[52] In the late 80s and early 90s, as oppositional politics elsewhere in the nation forced electoral reform, Chiapan indigenous peasants continued to assert their identity as PRI-istas through such demonstrations.

After January 1, 1994, the Army established alliances with landowners and Altamirano residents with an intensity that resided in the revolutionary and recent history of the municipio. Enshrined as "autonomous and free" in Article 115 of the 1917 constitution, the municipio had never exerted such independence. Yet in the years leading up to the uprising, President Salinas de Gortari had implemented reforms that made the municipio the principal mediator between federal governance and the rural countryside. Originally promoted to democratize Mexico by devolving governance to localities, Salinas's signature Solidaridad program had in fact increased Chiapas's rural

[51] See, for example, the deadpan National Electoral Dictionary of the National Institute for Political Studies at http://diccionario.inep.org/index.html which includes the "taco" (wrapping paper ballots inside other paper ballots) and "operación tamal," serving a full tamal breakfast at the polls.

[52] Attendance at acarreos is also widely understood as an exchange of presence for presents—the "obsequios" or "dadivas" mentioned in songs and jokes (McDonald 1993: 97; Adler Lomnitz et al. 1990: 68).

authoritarianism by putting more autonomous decision-making and funds in the hands of municipal presidents and their hand-picked *agentes* (Fox 1995: 14). This had rendered Altamirano's Ladino elite "an extreme example of boss rule" (Fox 1995: 11). This recentralization of power was reflected in Zapatista attacks on infrastructure: besides destroying municipal palaces, Zapatistas also tore down Solidaridad-program built ejidal buildings in Morelia and Oxchuc. The Zapatistas' municipal attacks struck at the new symbolism of PRI and presidential power.

The Zapatista uprising destroyed the apparent solidity of PRI control in Altamirano, which had been steadily eroding throughout the Salinas de Gortari presidency. A site of opposition was the San Carlos Hospital, where Vincentinian nuns practiced the Liberation Theology of the Diocese of San Cristóbal de las Casas, led by Bishop Samuel Ruiz. The "sisters," with the assistance of Mexican and international volunteers, treated rural people at low cost, helped coordinate a network of rural catechists, and trained young women from Tseltal and Tojolabal villages as hospital workers, teaching them Spanish in the process. During the 90s, power holders in Altamirano vilified the Catholic Church under Samuel Ruiz, demanding his removal and seeking the expulsion of the nuns of the San Carlos Hospital from the town. People affiliated with the PRI accused church representatives of involvement in guerrilla planning and violence. Yet credible evidence suggested that these same cattlemen organized armed gangs called "white guards" or *guardias blancas*. The cattlemen and campesinos enacted PRI violence and its organized opposition in the hostile polarization of this small town.

I. Chiapas in the Chamber of Deputies

On January 20, 1994, Mexican President Carlos Salinas de Gortari had just declared amnesty for the Zapatista rebels and sent a corresponding law to an extraordinary legislative session of more than 350 legislators, some of whom where high ranking members of the Army. The PRI Party dominated the Congress, so the task at hand was the pro-forma passage of the law. But the moderator of the debate in the Chamber of Deputies could not keep the floor in order. Out of turn, a PRI party member launched into a vigorous defense of the Mexican Army. With an Orwellian string of declarations wrapped in a non-sequitur, the nephew of former Mexican President Luis Echeverría presented the urgent virtues of the Armed Forces (Martínez 1994; Cámara de Diputados 1994):

> Our army knows that legality is freedom. Our army knows that legality is justice. Our Army knows that legality is peace. ... Our Army is a uniformed embodiment of the people, honorably charged with the defense of our country. And our Army acts within the strictest norms of military morality. [...] Honorable men and women deputies, a professional army sticks to the mandate deposited in the electoral urns... For this reason we most energetically reject that anyone try to seat it on the bench of the accused.

The deputy rebuffed attempts by the Chamber President and other deputies to sway him from his speech. After reestablishing order, the legislative meeting came to a close at

three in the morning, but not without other outbursts like Echeverría's or shouts of "Long live the Army!" arising from unidentified areas of the *Cámera*.

Echeverría and the other PRI-party members who took part in this protest were addressing the inflammatory subtext of the President's Amnesty Law. To those defending the Army, the law represented Salinas de Gortari's alignment with sectors of his own party which incorporated human rights in its political calculations. The press, quoting an octogenarian representative of the hard line option, had termed the choice in Chiapas "extermination" versus "negotiation" (Corro 1994). The Army reportedly supported extermination, a continuation of the free reign it had enjoyed in Chiapas until the President's January 12 declaration of a cease-fire. The association of "negotiation," the "Amnesty Law," and the recognition of the legitimacy of the newly created government human rights ombudsman had prompted the Deputy's denunciation of the implicit dishonor to the Army.

General Valdivia, also a deputy, added at the end of the lawmakers' debate:

> The presence of the Mexican Army in distant Chiapas has not only awoken trust, it has also provoked [a sense of] security and public demonstrations of recognition and support. We have proof: The [public] recognition of authorities, organizations, and citizens! (Cámara de Diputados 1994: 69)

I bring these outbursts to light because, returning to Altamirano, some of the declarations of the deputies that day take on a bizarre quality. I am not suggesting a causal relation between what happened in the Chamber and in Altamirano. Rather, I seek to interpret the

actions of those that took up the Army's cause in the *municipio* as part of the same hyperbolic and force-based sense of law that Mr. Echeverría showed with his disorderly oratory. January 20 marked the beginning of a month of public demonstrations in favor of the Army, where cattlemen, soldiers, and indigenous campesinos displaced by the war would come together in Altamirano's gravelly streets to threaten outsiders, show their support for the Army, chant slogans against the Zapatistas, human rights, the press, and a local hospital run by nuns. Illegal state violence was the backdrop. Yet the Army confronted an enemy that it had described as occupying only three of the country's 2,445 *municipios*. Echeverría and others' testimonies make clear that the very relationship between they Army and the pueblo, the center of power and its sense of rural popularity, were at stake.

II. Retaking the municipio

On August 6, 2011 I sat by the side of the road near Ta K'altik with Esteban and Doña Delia, Ana's brother and mother. I had returned to talk to the sisters, but none were home. I asked about Pedro Santiz Espinosa, a man cited as a witness to the fact that "nothing happened" in Army documents published by the IACHR (OAS 2001). Did they know him?

Esteban started talking with his mother in Tseltal. Yes, a man named Pedro, who they called "Pedro Xenen" lived near the checkpoint where the rapes took place. He had let the soldiers set up their checkpoint on part of his land and he had often shared meals with them. They didn't know his last names. "Xenen," the word for mosquito in Tseltal,

was this man's nickname—disturbingly evocative of blood and penetration, I realized later. He had been the one who had witnessed the rapes and spread scandal about the sisters in which he claimed he had "gone in" himself. Shocked, I didn't ask whether this man had participated in the rapes, though it struck me that this was, indeed, what Esteban was saying.

This discussion with Ana's relatives only added to my sense of the disturbing intimacy of military occupation in Altamirano. Human rights reports and journalists' articles on the Army occupation of Altamirano describe a military regulation of the public domesticity of the town. Evidence of the gendered structure of the occupation includes the attack on the food supply (a "direct attack" on women [Aretxaga 1997]), the related harassment of women at checkpoints, many of whom travelled in and out of the town to buy or sell food, and Army raids of houses of accused Zapatistas, in which food was destroyed, stolen, or eaten by soldiers. My personal recollections and a newspaper account confirm that soldiers set up camps among houses and on the land of Altamirano residents (Rojas 1994).[53] The rapes formed part of a larger pattern of direct targeting of food and domesticity that led to the sexual torture of the González sisters.

Counterinsurgency warfare in the municipio of Altamirano in 1994 had two distinct phases: the first, an attack on the most important indigenous ejido of the

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[53] In her January 26, 1994 *La Jornada* article, Rosas Rojas wrote: "In fact, the Mexican Army [has located itself] among the houses. They've excavated trenches in the yards of the shacks. Between the houses one can see the tents or the parked tanks. People can now enter and leave the city, and the stores reopened three days ago, but the people who live in nearby communities can't leave their houses to work their land and they are afraid to buy food during the day because the overflights continue and they fear being shot at. [...] There have also been arbitrary detentions because in the town the mestizos denounce suspected Zapatistas to the Army.

municipio; the second, the occupation of the cabecera municipal. The bulk of this section focuses on the Army occupation of the town of Altamirano, but this violence should be seen as a continuation of the domestic raids, public torture, illegal detentions and extrajudicial executions that took place in the rural attack. The transparency of town life—as opposed to the opacity of rural roads and mountains where trees and changes in elevation obscure killings, detentions, and shows of military might—allowed intrepid reporters and human rights defenders to document the counterinsurgency campaign in the town.

In the head town of Altamirano, Zapatistas had maintained their presence until January 5, finding time to raze the municipal palace with hand tools and mortars and overseeing the treatment of their wounded at the San Carlos Hospital of the Vincentian nuns. Reports describe sympathetic residents giving the Zapatistas food during this time (Bellinghausen 1994). Then on January 7, the Army attacked the unarmed population of the Zapatista stronghold of Morelia, the eventual head town of the Zapatista autonomous zone, located only about seven unpaved miles from the cabecera. The aggression began in the early morning of January 7, when hundreds of soldiers surrounded the ejido as helicopters circled overhead. Led by a local informant, an officer held a list of names in his hand as soldiers went from house to house, beating and insulting men and ordering them to the town square's basketball court, where they were forced to lie face down. Of the more than sixty men detained, three older men were taken to the sacristy of the town's only church, where soldiers tortured them with electrical shocks and simulated drowning. In their testimonies the men on the court described the terrible screams of the

men in the church. The Army took thirty-two men away in trucks and the three torture victims in a military ambulance. Local residents found their bones about four weeks later on the side of a road, picked dry by animals (PHR/HRW 1994; CONPAZ 1994d). The three men's disappearance and assassination continues as a human rights case against the Army before the IACHR (OAS 1996).

As this and other Army assassinations became public, the Army shifted its counterinsurgency tactics to the cabecera municipal of Altamirano. Zapatistas were "*transgresores de la ley*" [transgressors of the law] within the framework of the Army's "re-establishment of peace" in the town. The Army set itself up in the church, the school, and the federal electoral institute and installed checkpoints at the town's entrances and exits. Soldiers at these checkpoints asked those who passed for identification and photographed and searched many, though the specific treatment depended on the ethnicity, class, gender, nationality, and locality (outsider vs. Ladino Chiapan) of the travelers. Coordination among the checkpoints, the office of the municipal president, and others affiliated with the PRI-party established an atmosphere of total surveillance in the center of town (Bellinghausen 1994). Checkpoint radio communication with the offices of the municipal president and the town's small dimensions allowed for easy identification of outsiders and angry crowds of hundreds of people sometimes swelled into the streets and surrounded an unwelcome visitor (Physicians for Human Rights 1994: 89).

These crowds were in their majority from a newly formed population of internally displaced peasants. Rumor, a harbinger of terror (Feldman 1995), drove people from the

countryside into Altamirano. Stories circulated that the Zapatistas were about to attack, that the Army was about to attack, or that soon there would be no food. The Army regularly released communiqués predicting Zapatista attacks on certain municipalities, which triggered panic in others (Alemán et al. 1994). These rumors, panics, and checkpoint-induced shortages caused an exodus of indigenous campesinos toward Altamirano and other cabeceras in the zone of conflict. In Altamirano, these internally displaced gathered in shelters where Army and other government personnel distributed food and blankets. Soldiers who administered supplies asked women for the whereabouts of their husbands; women who could not present their husbands were not be given food under the assumption that their husband was a Zapatista in hiding (CONPAZ 1994a). One report describes the detention and torture of a man who did appear in response to Army requirements (CONPAZ 1994b). Reports abounded of Army break-ins of private homes for the purpose of detaining, torturing, and disappearing men (CONPAZ 1994d; Physicians for Human Rights 1994).

As the occupation lingered over weeks and months, the Army conducted loud pre-dawn drills in the streets and patrolled with armored vehicles mounted with machine guns which they would point at passers-by. Drill participants shouted messages meant to terrify such as, “We are the messengers of death!” and “Death to the EZLN!” (Physicians for Human Rights 1994: 89). One journalist reported the enforcement by gunfire of an unstated 6:00 PM curfew (La Jornada 1994).

III. Demonstrations and mobs

By all accounts, Altamirano was terrifying in the first months of 1994. Zapatista leaders simply avoided the town, commenting to me at the time that they couldn't go to Altamirano. With information supplied by informants, soldiers regularly kidnapped unarmed civilians in their homes, at checkpoints, and in the street. Detention sometimes led to hours of interrogation and torture. A climate of military-backed lawlessness prevailed (CONPAZ 1994 a, b, c, d).

In early February, several nuns from the San Carlos Hospital ventured beyond the checkpoints to accompany a truck full of supplies to town. Upon their return a soldier at a checkpoint had informed them that the municipal president had ordered them to report to him before letting the goods pass. The soldiers, in their jeep, led the truck and the nuns into town plaza. Then a person of authority in civilian clothing stopped the soldiers in the jeep. There had been a mistake, the nuns could take the supplies straight to the hospital after all. As the nun told *Proceso* news weekly: "But the *desplazados* from Shelter 1, which is right next to the Palace, saw us in the truck...We had to go all the way around the plaza to get to the Hospital, and many of them were already following it." By the time they got to the hospital the *desplazados* were at the front gate, yelling into the Hospital that the women were taunting them, "*presumiendo*" [showing off] the food that they had (Terrazas 1994)..

In the last week of January and throughout February, a period that coincided with gradual *rapprochement* between the government and the EZLN, Altamirano became the scene of bizarre demonstrations. According to eyewitness reporting, the demonstrations

featured “vivas” for the Army and banners and slogans against the Zapatistas, human rights, the press, and the San Carlos Hospital; they were led by drunken men or wives of soldiers and cattlemen; and they ended up in the town square, where ranchers or indigenous campesinos, sometimes in Tseltal, would denounce the current order of things such as the land occupations and what they considered the violent destruction of a peaceful way of life. The president of the local cattlemen’s association and the local PRI committee, Jorge Constantino Kanter, was the publicly acknowledged organizing force behind these frightening demonstrations (Bellinghausen 1994; Maldonado n.d.).

During these months after the uprising, a riot almost broke out at the arrival of a shipment of supplies organized by Mexico City university students. Furious at these students and the press, both of whom they called “gringos,” displaced men seemed to be on the verge of lynching those who they saw as their enemies, while a Ladina woman from the state government went through the crowd taking the names of those she identified as suspicious. A blond Mexican journalist from *La Jornada*, his name put on a list by the government functionary and called a gringo by the crowd, was disturbed enough to ask an on-looking soldier whether the Army would intervene if people started getting hurt. The soldier smugly responded that the Army had medical facilities. At one point the female university students who had taken refuge in the San Carlos Hospital were made to go to the town square, where the Ladina functionary searched their bodies. Finally, a call to Constantino Kanter, the cattleman and PRI leader, succeeded in defusing the anger (Bellinghausen 1994).

Though the demonstrators denounced many, the principal target of the violence was the San Carlos Hospital. Only about five blocks from the town plaza, demonstrations would always pass the one-story clinic's gates. At one point, the nuns who ran the hospital armed themselves with fire extinguishers when one protester showed a Molotov cocktail. Part of the house of a French Canadian nun was burnt down by a furious group of demonstrating women.

The bulk of the demonstrators were the *desplazados* housed in the town's shelters where the control of food and shelter was in the hands of the Army or of state government agencies. At the same time, food and medicinal aid from other parts of the country were arriving in caravans of trucks which often stopped at the San Carlos Hospital and then passed through town on their way to the Ejido Morelia. The distribution of food aid became a principal flashpoint for the angry mobs.

These collective demonstrations voiced Army claims to popular legitimacy and the need for the restoration of a pre-uprising order. The demonstrating public was invested in the expulsion of journalists and human rights activists, which they saw as misrepresenting the true situation in Altamirano. Within the relationships of paternalism, patronage, and loyalty a small group of Tseltal and Tojolabal campesinos took up the Army's cause against the Zapatistas. They demonstrated in favor of the Army which attacked unarmed civilians in their homes, in food lines, or at checkpoints. A nun at the San Carlos Hospital told journalists that some protestors returned to the Hospital to ask forgiveness after protesting it in the streets.

We can look to various explanations for this Army support: the control of the food supply, relationships of patronage and kinship between demonstrators and PRI party leaders, and the volatile effects of wartime violence, in which some people choose to side with the force they perceive as the eventual winner. The lines of control and coordination between cattlemen, the Army, and the municipal politicians of the PRI suggest that these demonstrations were an integral part of the occupation (they took place in Ocosingo and Margaritas as well). In the establishment of an illegal legality, in which excessive shows of force were commonplace, a demonstrating pueblo legitimized the state of exception. The state mythology of the "army of the pueblo" became staged in this small municipio, magnified to national dimensions as an imaginary struggle for the fatherland took place. Recasting "the pueblo" in this way would also lead to the way that the rape of the Hermanas González was conducted and covered up.

IV. "It happened a lot in Altamirano"

It is likely that in Altamirano checkpoint rapes were far more frequent than the one example that human rights activists and journalists have recorded. The topic arose unexpectedly when I asked Ana's husband, Omar, about his feelings regarding his wife and sisters-in-laws' checkpoint rapes:

> O: I personally think it would be really good if these things got resolved. Because it was because of the war of '94 that this happened with the soldiers. In that war there were lots of rapes, not only [my wife and her sisters]. The soldiers raped women and girls in lots of different villages.

> It's good that [my wife and her sisters] are doing this [political] work so that this gets settled and the government doesn't get away with these things that its people are doing. [...]
>
> V: You heard about other women in other places that were also raped by the Army?
>
> C: Yes, we heard after [our case]. [The soldiers] may have heard [that we denounced] and raped more women.
>
> V: Where?
>
> C: Well, I don't know where, but there were lots of people who--
>
> A: It happened a lot in Altamirano. [...] It happened a lot, but before it happened to us. There was one girl who they had to carry, she couldn't walk. [...] But we don't know her. [...] Because there were so many soldiers, and when we started going to sell [in the market]--But there were already lots of rumors when it happened to us. There was a girl who it happened to who was going to die. She went to the hospital. And it was them [the soldiers] that attacked her. Yup. That's what happened. But we don't know her.

Ana and her sisters differ on when other checkpoint rapes took place: Ana remembers rumors of rapes before theirs; her sisters remember rapes happening afterwards. Yet both memories and their lawyer's comment in a 2004 interview concurred that more than one sexual attack at the Altamirano checkpoints had taken place.

The checkpoints that surrounded Altamirano formed a military cordon that regulated the passage of people, food, and medicine. They formed part of a larger constellation of checkpoints that the Army set up around what it had designated the "zone of conflict": the three municipios of Las Margaritas, Ocosingo, and Altamirano. There were two principal kinds of checkpoint: those on paved highways that stopped vehicular traffic and those on unpaved roads that stopped pedestrians. The latter, in my experience, were more ramshackle: the one just on the edge of Altamirano where I passed in early 1994 was an informal hodgepodge of wooden-plank and black plastic sheeting that shared a hillside with a rural set of domestic structures.

More generally, there is a great diversity to military checkpoints: some are part of permanent infrastructural installations, such as the massive, multi-story constructions of the US-Mexican border; and some can pop up as temporary "posts"—"puestos de control," in Spanish—an armed stall with no apparent permanence. Newspaper reports suggest that ad-hoc checkpoints proliferated in Chiapas during the first months of occupation; after 1994 in Altamirano there were predictably two of them: one at the well-traveled intersection that connected the town with two highways, and the other at the point where one of Altamirano's central streets drops off, becomes unpaved, and heads for the ejido Morelia.

In early 1994, I glimpsed the Altamirano/Morelia checkpoint in visits to Morelia with a large group of NGO professionals: lawyers, doctors, and human rights defenders. In labored handwriting, a soldier wrote down my name in a spiral notebook. The handwritten alleviated my fear of the possible efficacy of the list. We then passed: we

were a group of middle-class Mexicans and internationals, armed with the arguments and a capacity to publicize that warded off intimidation and threat.

My later work in the zone had me passing checkpoints in the back of a pickup truck, lying under a blanket. My work partner and I planned our arrivals at the checkpoints for dawn, when sleep was a plausible guise for a foreigner with a tourist visa lying in the back of a truck hidden among boxes and luggage. On numerous occasions I heard the engine slow, the brakes applied, and a male voice asking, “Where are you going?” “Where are you coming from?” and sometimes a request for identification. The driver, my work partner, was a young, middle class mestizo Mexican woman. We prepared answers and routes designed to hide our destination (the Ejido Morelia) and in the four years of passing checkpoints I never had to identify myself. Foreigners who identified themselves at checkpoints found that upon arriving a second time, their name was on a list. The Mexican National Immigration Institute, eventually installed at checkpoints, would issue a summons to their San Cristóbal offices where more often than not the foreigner would be “invited to leave the country” in a matter of days. This systematization took place after 1994, however. In 1994 there was a remarkably improvised feeling to checkpoint routines.

The questions that I overheard from the back of the truck—the request for ID, the question of a journey’s destination and point of origin—disguised illegality with routine. Informal conversations in the mid-90s revealed that indigenous campesinos who passed checkpoints were offered no such disguises. As I heard often while working in Morelia, checkpoints were sites of politically motivated verbal and physical attacks, robberies, and

kidnappings. In 1994, the Federal Army shielded this organized crime with an indirect declaration of its legality: the Zapatistas were "*delincuentes*" who had disrupted an order that the Army and its allies were reinstating. Checkpoints were entrusted with creating and enforcing that legality with techniques of control.

This state of occupation, so vividly illustrated by the events in Altamirano in 1994, inhabited the mundane and the everyday in rural Chiapas. The self-proclaimed "Army of the pueblo" installed itself in the domestic spaces and routines of everyday life, as if through the occupation of ejidal lands and the open architecture of rural domestic space it could become part of people's routine pedestrian passage from country to city and back again. The control of the food supply at checkpoints and in town, at the shelters and in the streets, was a further infiltration of the domestic.

The state of exception hinged on the false premise of legibility and checkpoints were charged with rendering people legible. Radio communication connected the checkpoints to each other and to a post in the offices of the municipal president. As a cordon, they tried to separate a "legal" from an "illegal" zone and render all who passed legible as either legal or *transgresores*, the latter targets of official or unofficial violence. As the nun's narration of the truck and the menacing crowd shows, those who managed to pass the checkpoint formally could nevertheless be threatened or punished.[54] The marking of "legal" or "illegal" subjects was further reinforced by informants' semi-secret denunciations and the residents' pro-Army demonstrations. In the reduced rural space of

[54] A medical doctor, NGO professional, and friend told me about passing through an Army checkpoint only to be assaulted down the road by soldiers out of uniform.

the town of Altamirano the checkpoints, informants, and semi-coerced shows of political allegiance created an illusion of total control of the population.

Understanding the rapes

The rape of the González Pérez sisters and the psychological torture of their mother is a result from a desire for total control over profoundly unstable territories and identities. Soldiers, charged with the impossible task of identifying "transgressors" of its own creation, resorted to rape to solve the problem these women's illegibility posed. In doing so, they enacted and drew the power of violent statehood (Aretxaga 2003: 398) from the women's bodies.

The González sisters and their mother were "suspicious" Indian women, in the words of the Army's 1994 denial of responsibility.[55] Their appearance didn't conform to images of the "authentic" indigenous woman (Ruiz 2001: 255): they didn't wear embroidered indigenous clothing; they were "*gueras*" or lightskinned, and though they knew little Spanish, they found ways to talk back to the checkpoint soldiers. In a physical terrain that they likely understood better than the soldiers, they used their knowledge of rural Altamirano's paths to try to avoid the checkpoint. And though checkpoints were charged with blocking the passage of food, the women carried food and money in and out of the cabecera for their market activities. They became a "magnified enemy" as they transgressed the gendered order that the army sought to impose. Their status as young, unmarried market women furthermore rendered them attackable as "public women." The

[55] La Jornada published the full text of the Army denial on July 3, 1994.

idea of intimacy, with its two related significances of the conveying of meaning and the face-to-face, links the soldiers' acts of rendering the women legible with the staged "popularity" of the occupation of the town. In taking on the identity of the "true people" the Army needed to identify and excise those who undermined its legitimacy.

The morning of June 4, the soldiers at the Jalisco checkpoint threw the women's full baskets on the ground and taunted them as they picked up their produce. Later, after a full day's work in town, the sisters and their mother had to return through the checkpoint to get home.

> As we passed through the checkpoint, [the soldiers] started to harass us, stating that we had to be checked. We therefore returned and tried to pass through the other checkpoint located at the entrance to the road leading to the Saltillo communal lands. (OAS 2001: para 17)

The sisters' resistance to passing through the checkpoint and attempt to go around undermined the legitimacy of the routinized search. The attempt to avoid the checkpoint brought attention to its illegality, the invasiveness of the body searches and demands for identification. It was a refusal to accept the regime of normalization of official delinquency (see Aretxaga 2005: 119).

> I did not want them to check me, because I was afraid that they would take away the money that we had made and would harass us [by conducting a body search]. I did not like this and am bothered by the way they touch us to see what we have in our clothing.

> The soldiers at the other checkpoint did not let us pass either, and began to ask us our names and where we were going, and stated that we could not pass. They took us from there to the other checkpoint, the first one, where they ordered us to sit[.] [O]ur mother began to cry and we were separated. One of the soldiers said that we had to speak to a Sergeant [...].

The detention began with name-taking, inquiries as to their destination, and waiting. The transformation of the women into transgresoras by the soldiers has begun.

> At the checkpoint, the Sergeant told us that we had to await the arrival of the Commander who would speak to us, and told us also that we should not be worried. While the Sergeant was speaking by radio to the Commander, some of the other soldiers who were there asked us if we were single women, and when we said that we were, they told us that that was good, since we had to spend the night with them.

If the Army was the "pueblo in uniform" the soldiers that detained and raped the Hermanas González verbally accosted them as if they were flirting with them on the street. The question regarding their marital status contributed to the illusion of normalcy with the idea that perhaps the soldiers' intentions were part of a acceptable range of flirtation, in which a woman's unmarried status makes her fair game for unwanted sexual attention. At another moment the soldiers reassured them that they would give them "pills so they wouldn't get pregnant," an imitation of the verbal exchanges that can precede consensual sex.

> About ten soldiers then grabbed us and carried us away by force, dragging and shoving us, and shouting things at us that we could not understand [because they were in Spanish]. They then put us in a house by ourselves and our mother stayed outside. There were only children and one indigenous man there, dressed [in] white, wearing a shirt with patches and a hat, who seemed to be looking for his horse. The house where they put us had only one wooden room, was windowless, had an unpainted door, a sheet metal roof, an earth floor, was fairly small, and had an outdoor kitchen. Inside, there was a bed and hoes, sticks, pickaxes, machetes, and an ax.

Here the checkpoint occupation of rural domestic spaces was especially strange and jarring; Ana described the torture chamber as part of a house on a family's land. The insertion of the checkpoint into rural spaces of domestic normalcy, where domestic animals and children linger, emerged in the testimony.

The testimony indicates that the soldiers combined techniques of military coercion with these illusions of consent. The rapes took place during interrogation and demands that the women admit to being Zapatistas, following the pattern of torture whereby interrogators imagine that they can control a victim's speech through the infliction of pain. The soldiers became more and more enraged when the sisters denied being Zapatistas. During the act of rape, the soldiers commented on "how good these Zapatistas feel." It would seem that the soldiers confirmed their identification of the women as guerrilleras through gang raping them.

Much research on Army occupation depicts it as a public deployment of technologies of control: external, in the streets, cities, and open urban spaces. But through the control of food and the occupation of the open architecture of rural domesticity the Mexican Army's complicates the monumental, technological readings of occupation. The occupation was more a form of domestic violence. The control of food and shelter inserted Army illegality into everyday life in ways difficult to capture in human rights documentation unless that violence arrived at the extreme of checkpoint rape.

Statements

In its otherwise excellent documentation of human rights abuses in the first months of 1994, the 1994 Physicians for Human Rights report criticizes the Mexican state's failure to adequately investigate twenty-one "extrajudicial executions," three of which are the killings in the ejido Morelia. The document offers two possible explanations of the state's inaction: "...criminal investigations have been either deliberately bungled to protect the Mexican Army from being held culpable, or conducted with an astonishing lack of professional rigor"—essentially, bungling or intentional bungling (Physicians for Human Rights: 66).

In this section I turn to the Mexican Army's published accounts of the events of June 4, 1994 (the day of the rapes), to consider the relationship between violence, the law, and state-authored human rights literature. I argue against "unprofessionalism" as an explanation for state agencies' failed investigations of the Army—especially when the agency is the Army itself. "Unprofessionalism" implies that for violence to be confronted

with law, the military would need to “modernize”—undertake reforms that would bring the Army up to professional or human rights standards, rising in a hierarchy of professionalized armies where the United States or Israel might occupy the top tier. Ultimately, however, professionalization may lead to more massive, efficient, or hidden state terror. Nor is “deliberate bungling” the issue, since it suggests that the Mexican state chooses which type of cover-up suits it best and opts for incompetence. Such a strategy would require a devious capacity for self-parody; more importantly, investigations of the state have shown it to possess no such unified, rational, and calculating subjectivity. To look for a better explanation for the relationship among violence, the state, and the law I revisit two published examples of Army discourse with relation to the Hermanas González case. The first is an Army press release which appeared in the national media within a month of the rapes (La Jornada 1994). The second are excerpts from the Army’s arguments in its own defense before the Inter-American Commission on Human Rights which the IACHR published as part of its findings against the Army in 2001 (OAS 2001). In Army documents, it turns out, we end up returning to the site of the rapes, the commingling of the military with the domestic, and the key role played by an indigenous “neighbor of the checkpoints”—Pedro Santiz López—quite possibly the complicit witness the González family identify in their testimony. I argue that the state’s self-representation draws from the same occupied intimacy and enmity in Altamirano which created the conditions of possibility for the rapes in the first place.

I.

The Army's press release, entitled "Bulletin 38," offered an implausible explanation for what had happened the day of the rapes: the women had attacked the soldiers, who had then called on a local resident to witness the altercation.[56] At first the women tried to evade the checkpoint (as the Gonzálezes, too, claimed). Then, in response to being "intercepted [...] they answered with physical and verbal aggression against the military personnel." In case it challenges the readers' credulity that unarmed adolescents and their mother attacked fully armed soldiers, the Army communications department produces "eyewitnesses" [*testigos presenciales*]: "It was decided to invite Mr. Vicente Lopez Luna and Mr. Pedro Santiz Espinosa" to witness the women's spectacular provocation.

The women then offered evidence of their ties to the EZLN: "In front of these men the women manifested that they were merely going to visit a friend of theirs, a nun at the San Carlos Hospital"—the then nationally alleged outpost of Zapatista operations. The press release argues that the women cited their planned visit as the "reason they were not willing to be searched." Thus the reader is asked to believe that the women justified their resistance to searching with a non-sequitur, i.e, "I don't want to be searched because I am going to make an innocent visit;" or with an incriminating statement, i.e. "I don't want to be searched because I am going to visit other Zapatistas."

[56] Bulletin 38 was published verbatim in an unsigned article on page 5 of the *La Jornada* on 3 July 1994.

"The incident" (of the women insulting the soldiers) ends when the women are "allowed to pass" after an educational explanation of the search and an exhortation to "avoid insulting military personnel in the future" to avoid legal prosecution.

> The chief of the [Army's] Office of Attention to Citizens' Complaints, accompanied by the Military Prosecutor assigned to the garrison at the plaza [...] later interviewed Mr. Santiz .. who asserted that he had not heard, nor seen any acts of violence against the women, from the time they were intercepted to the time they withdrew.

The Army then asserts, again, its "popular" nature:

> Similarly, various local neighbors and authorities were consulted, and their opinions coincided in supporting the conduct of the soldiers with the local population and they added that *a crime of that type* would have been known by everyone, including the local [indigenous] authorities. [Emphasis added]

In other words, a rape would have been amply commented upon. Rumors would, in this account, sustain the women's claims. This part also subtly draws on questions of reputation. A crime of that type—a euphemism is deployed—would be well known in town. Yet no one in the pueblo is willing to testify against the Army in its investigation of events.

The Army concludes:

> For all of these reasons, it is deduced that there was neither abuse, nor beatings, nor rape by the military personnel in any *checkpoint in the entire*

zone of conflict. This conclusion is reinforced by the declaration of the communal landholders, small landowners, shopkeepers, beekeepers, workers, and people in general in the Municipality of Altamirano, that in a letter dated last June 23rd and addressed to the President of the Republic as well as to public opinion, 'repudiate with anger the deceitful and unfounded accounts that calumny the Mexican Army [emphasis added].

The Army closed with the statement that those who try to defame the Army with such allegations may be legally prosecuted.

Read differently, the press release deals in the rumors and sexual insinuation that the women had to confront at home: these women are provocateurs (a suggestion of sexuality); and they are "visitors to the San Carlos Hospital"—implied proof that they are Zapatistas.

As a source of its evidence, the Army draws upon the checkpoint neighbors. These neighbors also appear in Ana's testimony: "an old widower" in whose house the sisters say they were raped and who "went around spreading gossip" at the same time the "soldiers went around lying to people."

A: I got strength from my rage. Because they spread rumors about us. The soldiers went around lying to people. And, you know, they detained us in a house, a man's house, a widower who lived alone. This guy went around spreading the gossip, he said he saw it all."

Here it is instructive to remember that Ana and her sisters first decided to denounce the rapes to Zapatista authorities because gossip had painfully damaged their reputations.

II.

In September, 1994, the Mexican state allowed the Army attorney general to take charge of the Hermanas González case, effectively licensing the Army to investigate itself.[57] The case then made its way to the Inter-American Commission for Human Rights which reviewed the two parties' presentation of the facts and admitted the case in 1996.

The Inter-American Commission has nonbinding authority over states. When it admits a case it first seeks what is called a "harmonious solution" [*solución amistosa]* to the legal conflict. It exchanges documents with the "petitioners"--the victims and their representatives--and the state; the two parties then hold meetings and try to reach a settlement that brings the conflict to an end.

In the case of the Hermanas González no such settlement was reached. The IACHR published its finding against the Mexican state in April of 2001. The publication of the finding, called a "report," is one of the measures that the IACHR has at its disposal to pressure the state to cooperate in finding a just settlement.

Report 53/01 directly cites its legal correspondence with the state and the petitioners. Thus the body and the footnotes of its findings reveal an important part of the legal confrontation between the Mexican state (represented by the Attorney General for Military Justice) and the petitioners, mediated by the IACHR, especially the more than 25-page document cited as "State Correspondence Dated October 24th, 1996." Though one might expect state legal argumentation at this international level of human rights

[57] Until a 2012 Mexican Supreme Court ruling, legal loopholes granted military tribunals jurisdiction over crimes committed by soldiers against civilians. It remains to be seen whether this ruling will be legislated and put into effect in order to end this practice.

jurisprudence to exceed the standards of Bulletin 38, the Army's case for the absence of violation rests on much of the same material that its first press release revealed--a hyperbolic defense of Army honor and the accusation that the petitioners are lying--and an additional element of non-cooperation with the IACHR proceedings. The statements of the "checkpoint neighbor" cited in the 1994 Bulletin have been "upscaled" to the arena of international jurisprudence (OAS 2001).

The IACHR basically argues that the Mexican state has refused to cooperate. For example, in one section of the Report the IACHR analyzes the Army's arguments regarding the illegal detentions of the sisters, violations of their Right to Personal Liberty:[58] "The State fails to make clear the relevance [of the information it provides] to the specific claims and facts analyzed herein. In the view of the Commission, the State has failed to ... provide an explanation regarding the specific claim [against it]" [para 24]. Similarly, the IACHR "lends complete credence" to the gynecological examination presented by the petitioners, which was consistent with United Nations standards of such examinations, since the State "did not dispute—nor even consider" it within the framework of the case. The IACHR makes clear that the state is not playing by the rules of legal procedure.

In section 21, the IACHR condenses the bulk of the State's argument. The footnotes to this section lead the reader to direct citations of "State Correspondence Dated October 24." The main text and footnotes, taken in tandem, foreground the logical weakness of the state's argumentation. The IACHR writes: "The State adds that 'the

[58] Of the American Declaration on Human Rights.

intention of the petitioners to mislead the Commission is totally and manifestly clear.'" In other words, the State claims it sees what the Commission cannot: that the petitioners are lying. The footnotes to this section then lead us back to the "checkpoint neighbor" because the state has included as proof of the truth of events, "the statements provided by persons living in the area where the events occurred." The state correspondence quotes the neighbor directly:

> 'Since the time that the military officers arrived at my house, they have always behaved themselves with the people. I have never seen people passing have any problem with the soldiers. The soldiers only ask people to show identification and check their bags. I have never heard any rumor that the military officers who are at the checkpoint next to my house have taken advantage of women...
>
> [He said][59] that he has never seen anything to suggest that the soldiers may have hit the girls, which in any case he would have reported to the authorities, *that he has never been coached by anyone to make this statement, nor has he been threatened, nor has anyone given him money to make this statement, that on that day he wasn't drunk*...' [Emphasis added]

In the footnoted statement following this one, included without IACHR comment, the State makes clear its stance regarding the entire case: "It is incomprehensible that accusations should be leveled against vertical institutions with a clean institutional history such as is the Mexican Army, with only rumors as proof, accusations that only

[59] The excerpt inexplicably changes person.

produce juridical insecurity and are a most shameful attack against the organisms responsible for National Security..."

The Army's arguments, situated within its self-presentation as "the Army of the pueblo" draw on statements generated at the site of the sexual torture of the sisters. Through the "area neighbors" and, especially, the man in whose house they appear to have been raped, rumors emerged that took on the force of truth both to the victims (because their reputations were damaged) and to the state (because the rumors supported its claims that the sisters were lying).

Rumor emanates from violence and can take on the force of, and produce the effects of, truth: while victims and witnesses lose their grip on what is truth, the power of rumor increases. This can happen within the realm of human rights, when rumors rendered truth are integrated into juridical narratives within the context of human rights law, including the juridical writing of state lawyers. At the heart of the production of the "fiction of the state" are "the structuring and enframing effects of violence," (Feldman 1995: 226) as the believability of the statements of the checkpoint neighbor, so central to the state's case, shows. This man, in his intimate proximity to the terror, became source of distorted accounts of violence, distortions which structure both the sisters' experience of the rapes and the state's fictional account of its own power.

III.

The Mexican military is not party to the particular rationality of power in which the rules of legal reasoning are respected. In this sense their arguments do not respect

"the empire of law;" they draw on a relationship between the state, force, and language. This phenomenon is not unique to the Mexican military.

On March 20, 1999, the Inter-American Commission on Human Rights conducted a public hearing on Military Justice in Mexico. I watched in the Rubén Darío Room of the Commission's elegant Washington, D.C. office building. The petitioners, a who's who of Mexican human rights attorneys, and the State, a group of grey suited men of various statures, sat in rows facing each other. The row of Commissioners connected their two rows on one end, facing the crowd: eminent men and women jurists from the Americas.

As the petitioners presented their arguments against military jurisdiction the five front-row state representatives looked on. The head of the state's contingent, Colonel Aníbal Sánchez Trujillo, at one point closed his eyes and pinched the bridge of his nose as if he had a headache; another delegate texted from the row behind him.

Colonel Aníbal Trujillo Sánchez was the Attorney General for Military Justice, the legal representative of the Army's military tribunal system, the body responsible for the investigation of rape of the Hermanas González. A quick internet search revealed yet another flash of intimacy in the unfolding story of the search for justice for the sisters: In 1994, Colonel Trujillo Sánchez, then a Major, worked as a military lawyer in Chiapas's 31st Military Zone—the "zone of conflict." He headed up the investigation of eleven assassinations, corpses found in a mass grave that the Army had forced locals to dig next to the government hospital in Ocosingo. In 1994, human rights groups had made certain headway on the case and then Military Justice had imposed its jurisdiction. A major

discrepancy between the findings of the human rights groups—which included the government's own human rights ombudsman—and those of Military Justice centered on the acknowledgement of eyewitness accounts of the Army's abduction of two civilians later found dead. When it seemed that an investigation would lead to a revelation of diverse Army detentions, interrogations, and gunfire upon hospitalized patients, Second Lieutenant Arturo Jiménez Morales confessed to all the Ocosingo hospital executions and committed suicide "under suspicious circumstances" in Army custody the next day (Human Rights Watch 1995). Colonel Aníbal Trujillo Sánchez then prepared a report [*determinación*] that centered all Army culpability on Jiménez Morales and recommended that the case be closed, which it was. The report neglected to consider the evidence of the Army's detention of the two civilians. The Trujillo Sánchez Report, dated September 4, 1994, had become public in a high level meeting between Human Rights Watch and Military Justice in April 1995 (Human Rights Watch1995).

Trujillo Sánchez's appearance in representation of the entire system of military justice before the IACHR undermined the sincerity of the pledges to Army professionalization he voiced in the Salon Rubén Dario. Furthermore it pointed to his likely first hand familiarity with the Hermanas González case, since he was an Army attorney in Chiapas at the time that Military Justice took control of the case in September, 1994.

This fact and my discussion of the role of violence induced rumor in the state's presentation of the legal truth of its actions suggests, I think, that those of us interested in the practice of human rights as a struggle against the arbitrary violence of the state need

to produce strategies which do not depend on a concept of the state subject as a subject of democracy. On repeated occasions, the Mexican military has refused to subject itself to the frail legality of suprastate institutions. The relationship of such institutions to speech and truth is crucially different from that of the law of the state, which can be summarized with the logic of the torturer. It is the torturer's irrational credo that brute force produces truth. It matters little that this is not the consensually supported truth of democratic rationality.

Conclusion

In this chapter I have presented human rights, press, victims', and state accounts of the occupation of Altamirano to explain why the attacks on the Hermanas González became possible. I argue that these rapes took place within the context of Altamirano's public-private sphere, which the Army transformed through arbitrary manipulations of legality and illegality. This process—which followed previously established patterns of class, gender, and racial domination—violated the availability of food, the safety of shelter, and the interiority of bodies. The everyday intimacies and enmities of a face-to-face public sphere became mechanisms in the suspension of legality and gossip became deadly. The result was a complicity in the transformation of everyday gendered routines into mass violation and its denial.

Recent human-rights related discussions of the representation of violence point out that human rights violations, which are texts, often become separated from the contexts in which they took place. The effects include the calling into place a human rights public which is motivated through tropes of saving distant, often gendered, others. These tropes tend to animate policies with diverse, deleterious foreign policy effects in

the form of military intervention and cultural effects in the form of a spread of philanthropic activism which refuses to see wider patterns of geopolitical complicity (Hesford 2011). Writing against those who seek to generalize on the causes and gender dynamics of rape warfare, in this chapter I seek instead to draw attention to specific contextual matters—including histories of land tenure, political authoritarianism, and racializing nationalism—to explain how the attacks on the Hermanas could have occurred and then been countenanced by some residents of Altamirano. The complicity evident in the Army's claims to popular support by the neighbors of the checkpoint, and the unsuccessful nature of the sisters' claims to "innocence" of having provoked the rapes, speaks not to a local cultural propensity for toleration of sexual harassment, however. Rather, it shows the vulnerability of "normalcy" to arbitrary shifts in legality, and the gendered lines of social conflict that can turn ugly. As accounts of rape warfare amass in ongoing armed conflicts across the globe, it becomes important to consider the sexualized normativity that all Army occupation remakes and imagine forms of sociality that resist such transformations.

5. Mestizaje and Testimony: Constructing *Ana, Beatriz, Celia, and Delia González v. México*

In a conversation with Ana in her house, in April 2011, I asked her how the falling out with the EZLN had happened. Was she aware of any tensions between their lawyer, Berenice Pedregal, and the Zapatista leadership? Berenice had told me that she had broken with the Zapatistas when she suspected that the donations of used clothing that she was bringing to Morelia weren't reaching the sisters. She had thought that the wife of the comandante was keeping them for herself. I was interested if the sisters had sensed any tensions.

When I asked Ana she told me, through Romi's translation, of a troubling incident:

> R: She says she has no idea about what happened between Berenice and Federico (one of the comandantes) because they met without her. They were meeting in one room and she was like, back here [gesturing]. The comandante's wife would come in and ask her about her how the soldiers ripped off her underpants and she never saw [the comandante and Berenice] meet.
>
> V: What? Wait, why was she asking about her underpants being ripped off?

Romi wasn't sure. "They were meeting together and this other woman was going back and forth, translating; but they didn't let her [Ana] in the room with them." The image of the indigenous comandante and the high-profile feminist lawyer meeting in a separate room, sending a translator (and wife of the comandante) to a different room to ask Ana blunt questions about the rape, suggests Ana's sense of powerlessness amid a conflict

between the Zapatista and women's rights authorities. The memory also provokes many questions, most of which will remain unanswered given both Berenice's and the Zapatista leaderships' reticence to discuss their meetings.

Ana and her sisters often wove disturbing details into our conversations. "If they didn't rape us, how do you explain that they dragged us into that room?" Celia once asked when I told her in a mid-2009 meeting with Gabriela and Romelia that government officials had denied the rapes, again. Such vivid anecdotes composed my understanding of the case. Much of my research consisted of trying to confirm them, to put them into a chronological context, or to try to make sense of their links to IACHR documentation.

Just such a pursuit brought me to Berenice Pedregal's house in August of 2011. About eight months after translating the full interview with the sisters, I was trying to flesh out the various depositions that Ana had described. Though Ana had been deposed by both civilian and military lawyers, her descriptions of these didn't differentiate between the two authorities. The scene in which Ana confronted the prosecutor; another scene in which plainclothes officials started taking pictures of her against her wishes; and, most recently, this scene in Morelia—they all stood as consequential turning points unmoored from legal chronology.

My efforts to link these images to a legal timeline ended up producing, instead, a cartography of two forms of distinctively Chiapan political authority: that of women's rights and that of Zapatista autonomy. Through the interview with Berenice of that day, and the analysis of its contents which follows, I came to understand how the sisters' case was imbricated in the women's rights politics of 1994—a time of transnational feminist

meetings, of international legal precedents against what had come to be known as violence against women, and of Mexican feminism's centering of citizenship and democracy after the massively contested 1988 elections (Espinosa Damian 2006: 214, 215). Yet these inspiring and powerful new points of unification found few points of convergence with the Zapatista movement, whose periodization obeyed more 1989's fall of the Berlin wall and signing of the Convention 169 of the International Labor Organization, the development of liberation theology during the Second Vatican Council (1962-65) and the Latin American Bishops' Conference in Medellín, Colombia (1968), and perhaps most importantly, the long, sparsely documented processes of struggle for political control and land tenure on the Chiapan margins of the Mexican state—commonly represented through shorthand reference to the 1974 Congreso Indígena in San Cristóbal de las Casas.

The conflict between the Zapatistas and women's rights activists in Chiapas in the 90s produced a central problem in the construction of *Hermanas González v. Mexico*: while the Zapatistas were the political authorities the women recognized, and thus best positioned to represent the sisters' claims, the guerrilla organization relinquished control of their legal representation. Women's rights activists, on the other hand, had few realistic claims to understanding the women's sense of justice and sexual violence, yet took leadership in the case. The Zapatistas' failure to represent the women reveals a paradox of their own politics: while they had cultivated women's political participation, encouraging them "to know how to speak" and to draw upon coraje to do so, in 1994 they had not developed autonomy in such a way as to provide a jurisdiction that would

adequately address gender violence claims. The EZLN's focus on women's participation had not prepared it for the corrosive effect of sexual violence whose scandal circulated in household, local, national, and international spheres

Women's rights activists, on the other hand, suppressed the women's speech, within an assumed women's-rights-as-human-rights jurisdiction. In the remainder of this chapter I present an ethnographic account of the sisters' lawyer's narrative of how she collected the women's testimony. I show that the Zapatistas inadvertently submitted the Hermanas González to a procedure of testimonial collection that elided information and affect from the women's explanation of what had happened to them and how they understood justice. Following authors like Ana Maria Alonso (2004), who shows that national ideologies of mestizaje can influence aesthetic choices in the representation of the nation, I argue that mestizaje as a dynamic of national exclusionary inclusion can modify the production of testimony. I show that in the construction of the Hermanas González case, mestizaje required recognition of an authentically inferior indigenous subject to confirm the truthfulness of indigenous women's testimonials. This reiteration of social hierarchy, furthermore, inserted human rights lawmaking into state formation, and supports arguments that international law reinforces the power of the nation-state as legal arbiter of rights.

Feminism, Chiapas, and the Zapatistas in the mid-90s

Many Mexican feminists had met the Zapatista uprising with ambivalence. Major feminist publications in Mexico City refrained from covering it immediately, and when

they did offered tepid, skeptical assessments (Biron 1996). In 1995, Rosa Rojas, a nationally published feminist journalist sympathetic to the uprising, published a compilation of feminist writing about the uprising entitled *Chiapas y las Mujeres ¿Que?* [Chiapas: What about the Women?] in the series called *Colleción del Dicho al Hecho* [Actions Speak Louder than Words Collection], whose title, Rojas explained, referred to the breach between the "discursive recognition that indigenous women have rights, as outlined in the [Zapatista] Women's Revolutionary Law" and "stark reality"—that Zapatista women had made little progress in terms of feminist concerns despite their organization's rhetoric (Rojas 2000 [1996]). A second volume followed. The volumes brought together critical analyses and published key documents all focused on the role of women in the Zapatista uprising. Most importantly for the purposes of this chapter, feminists elaborated a critique of Zapatismo that challenged its representativity of indigenous women, arguing that war-making was a masculine, anti-democratic undertaking (Speed 2006: 221). At its most sympathetic, this critique saw Zapatista women as sadly having to take up arms in an enterprise not their own; at its most critical, the view argued that the EZLN used indigenous women. Feminist critics portrayed Zapatista women community members as only weakly aligned with Zapatismo, a depiction that implied passivity and possible manipulation by Zapatista leaders.

In San Cristóbal de las Casas in the early months and years of the uprising, many stories circulated of failed efforts at collaboration between women's rights activists and the EZLN. Rojas's collection briefly mentioned several major conflicts. For example, the legal scholar Magdalena Gómez, in her introduction to the 3rd edition, commented

critically on “interaction between indigenous and non-indigenous women” in the 1996 negotiations between the EZLN and the Federal Government in which she participated. “The leadership and participation of non-indigenous women should be more discrete,” because the possibility for “communication between indigenous women was displaced by non-indigenous women”(Gómez 1999: xiii). Different versions of events described the indigenous women asking the non-indigenous women to refrain from intervening in their conversations after becoming frustrated with their domination of the discussions. In Rojas’s introduction to the second volume (1996 [2000]: v) she mentions “subterranean questions” (conflicts not aired publicly) such as women’s rights NGO workers’ complaint that the Zapatista leaders had demanded that they replace women’s human rights workshops with health training courses. The activists claimed EZLN leadership had told them not “to come and rile up the women [alborotarlas].” Rojas surmises that such anecdotes “reflect the difficulties that [Zapatista] women have moving forward [in the attainment of their rights]” (:iv).

These are representative of many other stories of conflicts between women’s rights activists and Zapatistas that circulated in Chiapas in the late 1990s.[60] Throughout this period, feminists initially enthusiastic about working with Zapatista women broke with the movement. They cited denied requests to conduct all-women’s meetings and male leaders who dictated the terms upon which the women’s rights activists could work with Zapatista women. Other women organizers were dismayed at the evidence of violence they observed in leaders’ houses. Sympathizers with the Zapatistas cited the

[60] See also Subcomandante Marcos 2007 and my interview with Mercedes Olivera from 2011.

mestiza feminists' disregard for Zapatista authorities, their claims to know what was best for the indigenous women, and their habit of assuming they could impose their ideas.

The published documents and talk of conflict reveal a number of the women's rights activists' assumptions about politics, rights, and gender. Underlying their critique of the Zapatista movement was a direct challenge to its claim to represent indigenous women. Yet such a critique rested on the assumption that Zapatista indigenous women, at the community and guerrilla-fighter levels, lacked political consciousness—a key element in the women's rights activists' concept of movement building and progress toward social transformation. By the same token, the women's rights advocates also assumed that the fact of being female was a pre-existing point of political convergence with indigenous women, rather than one that had to be constructed across differences of class and racialization. They often assumed that as women's rights activists they could lead and educate the indigenous women toward political consciousness and the betterment of their lives.

The sense of being cut off from the women by the domineering protection of male leadership was only part of the story. Indigenous women's inability to speak Spanish—commonly referred to as "monolingualism"—was a more problematic aspect of their incommunicability. Rosa Rojas, in her first writing from Chiapas in January, 1994, described an incommunicability that is equally as important to analyze as the patriarchal confinement:

> [I wanted to make contact with Zapatista women guerrilla fighters] because it's hard to find [*encontrar a*] indigenous women, even though they're right there. In

> the areas where there are conflicts and I go to report, when it's time to talk to the leadership there are normally only men present. We know that women exist, because smoke is coming out of the huts, because you can see them in the distance washing clothes in the river, because one crosses the road carrying her water jug or with a load of firewood on her back or dragging her kids behind her; because there are tons of kids everywhere. And since they normally speak very little Spanish, it's as if they didn't exist. And furthermore, it's hard to talk to them in private, since it's almost always a man who translates, they don't talk about themselves. (Rojas 1994)

The causes of the NGO activists' failure to work with Zapatista women were surely due to the accuracy of their critiques of certain aspects of male power within the Zapatista movement and resulting ruptures with EZLN leadership. Another cause was the insufficiency of their understanding of Zapatista women as political actors and the related naturalization of their incommunicability. Rojas's description of *indígenas* features tropes that fix indigenous women's place as reproducers of indigeneity and thus, the nation, from a position of recognized absence. The quote locates them in a distant, conflictive space, speaking a language that silences them, surrounded by symbols of their *miseria* or extreme poverty. Feminist leaders' unexamined assumptions about indigenous women's subjectivities helped shape the unspoken conflict at the contiguous edges of Zapatista and feminist political formations. In the Hermanas González case, where women's rights politics retained representativity over Zapatista women, the victims were subjected to the

workings of a juridical formation at odds with their political history and practice. The operations of the Mexican discourse of mestizaje entered to structure these relations.

Constructing the case, constructing the victims

Driving back from Altamirano in the pouring rain, I had called Berenice Pedregal, almost on a whim. Would she grant me an interview? "Can you come over right now?" she'd asked, and I'd found myself standing in her front courtyard gazing at the flowers from under my umbrella. She opened the door and ushered me into her small office. I sat down in front of her desk, she sat down behind it, and I began to assemble my recording equipment. I began discussing what was foremost in my mind at the time—whether there had been other checkpoint rapes in Altamirano. She had told me in a 2004 interview that there were "more reports of rape coming from there" in 1994. As I chatted I turned on the microphone. She looked at me, and at it. "Can you talk about this or should I just start with the questions?" "Just the questions," she answered. I proceeded with the questions I had promised to ask:

> V: How many times did the sisters come to San Cristóbal to press charges, and, if you remember, what happened each time and with which authority?
>
> B: I think that Ana, though she has a certain ability--. There are things that one never forgets, but it's obvious that as time passes one's vision of what happened changes, gets transformed, fills with symbols, meanings and such and today Ana's narrative is obviously not the narrative of sixteen years ago, nor that of ten years ago, especially after everything that's happened. So I really don't know to what

> degree her testimonio [to you] is based on fact. It's the same with me. There are things that I don't remember and especially if I don't have the documentation at hand. But you could say that the first thing that happened was a newspaper report by José Gil Olmos, and you can find it in the June 1994 *Jornada*.

Before turning on the microphone I had referred to my interview with Ana, the one that forms the basis of the second chapter of this dissertation. Berenice's abrupt warning referred to this alternative source of legal narrative: more than sixteen years had passed, the process had been difficult, and memory is particularly untrustworthy, open to being "filled with meanings, symbols, and such." It was an ironic opening statement, given that I was researching just such symbols and meanings; and the interview with Berenice would prove as open to interpretation as Ana's. Yet the effect was a skeptical disqualification of Ana's testimony with a brief mention of the legitimacy that documentation, and thus literacy, confers upon truth claims. In this section I will clarify this position and show its connection to a pattern of disqualification of Ana's testimony.

"Contact was limited"

As the interview continued I tried to get more information on Ana's suggestive memory of being excluded from the meeting between Berenice and Federico, the comandante. Whether due to defensiveness or an inability to recall, my questions provoked critiques of the Zapatistas' handling of the sisters' case while obscuring the nature of her limited contact with Zapatista commanders.

> From the beginning [the sisters] told us that [the high command] had hidden them in Morelia to protect them, but that we, CONPAZ and Grupo de Mujeres, weren't supposed to go talk to them, or even ask about them because that would put them in danger and reveal their identities. If I wanted to talk to them I couldn't go to Morelia and talk to them directly, "Hey, I want to talk to--." Because one couldn't, supposedly. And these were things that later really irked me.

Morelia was the central village of a large regional network of villages that supported the Zapatista movement. Regional leadership met there. Morelia had also been the Federal Army's target of attack on January 7th, 1994, when three men had been tortured in the village and then disappeared, only to have their remains found a month later. To meet with people in Morelia—with leaders, in private homes, or with the many organized sub-groups of Zapatistas such as women's collectives—it was necessary to ask for permission. While this practice was understandable, so was the frustration of the lawyer who needed to be able to consult with her clients regarding the case's legal development.

The Zapatista's restriction of the lawyer's access to the women, and the lawyer's anger at it, was a product of a political conflict whose dimensions stretched beyond the Zapatista village of Morelia. The Hermanas González case was located on the conflictive border between Zapatista and women's rights juridical formations, whose historical trajectories featured different relationships to the Catholic Church, to multilateral funding organizations and non-governmental organizations, to political parties and electoral

processes, and to emergent discourses of women's and indigenous rights that articulated these entities.

Here I am using "juridical formation" to name the connections among new multi-state economic structures (such as the Organization of American States), multilateral funding organizations, non-governmental organizations, international and national law, and instances of local legal authority. These entities are all generative of politics, connected by "mechanisms of command," and have reshaped sovereignty and political authority. As such, they are potentially continuous or contradictory. This chapter extends Visweswaran's (2010 [2004]) analysis of contradictions between international and national human rights law to focus contradictions between local, national, and international law.

The 1994 Zapatista uprising grabbed the national spotlight at a particular time in the recent history of Mexican feminism established a precedent of failed collaboration. By 1994, most expressions of feminism in Mexico had fully inserted themselves into electoral processes: either directly, through affiliations with political parties, or indirectly through the embrace of the idea of women's citizenship. Zapatismo, on the other hand, had rejected electoral processes and political parties (most famously breaking with Cuauhtémoc Cardenas of the PRD), a position it would strictly maintain throughout the 1994, 2000, 2006, and 2012 electoral processes. In relation to internationally funded activism, feminism in the 1980s and increasingly in the 90s found larger and larger networks of political influence through international *encuentros* [meetings], new global laws, and multilateral funding flowing southward from the global North. Zapatismo, on

the other hand, specifically rejected these fora and institutions in favor of EZLN-convened encuentros in Zapatista territory and select funders that would accept their conditions. Their politics of outreach to the non-governmental sector as well as to potential international allies interpellated activists that could claim more grassroots representativity and accountability than most non-governmental or professional activist groups.

Another key element of difference between the Zapatistas and Chiapas-based women's rights activists were the spaces of adjudication that both groups had loosely institutionalized in Chiapas's fractured legal landscape, whether through the autonomous councils that Zapatista authorities had begun to create; or in the offices of the women's group of San Cristóbal, where activism on behalf of victims of sexual crimes articulated itself with inadequate state services.

It is therefore understandable that the Hermanas González case could not have been managed as a cooperation between the two movements, as their claim to representation of the women rested on rival legal-political projects. As Berenice and Ana implied in their separate interviews, the conflict that Berenice referred to in this interview resulted in the withdrawal of Zapatista support from the case and Berenice's taking control of the women's representation.

Talking to Berenice I wanted to solicit more details about her especially restricted access to Morelia and the sisters:

V: So clandestinity made them....

B: I don't know, but to me—I understand it, there was a risky war going on and everything, but it felt like a lie and a deception to me.

The accusation of deception on the part of the Zapatista high command conforms to a characterization of the Zapatistas as illegitimately and corruptly representing the González sisters and draws upon a theory of Zapatista women's compulsory membership in the organization that circulated among feminists in 1994 and afterward in the Rojas volume. Berenice's later comment in the same interview, that the women "were very useful to [the Zapatistas] as symbols for their struggle [*les servia muy bien de bandera para su lucha*]" points to the same conclusion.

I persisted in asking about the meeting in which Berenice and Federico had met while Ana sat in a separate room. But Berenice was reticent to discuss, or did not remember, the details of the meeting:

> I didn't go to Ejido Morelia, I went once or twice to talk to them, including that one time when we talked to Federico and Florencia [Federico's wife] and everyone. [...] The people from CONPAZ were going to have a meeting with women for health or whatever and lots of people came from, lots of women from Morelia, including Florencia, who I had known from before, I had known her and her husband from before, we were *comadres*, they would even visit my mother in Mexico City and suddenly I wasn't allowed to enter [Morelia] because I didn't have permission and who knows what else. And those asshole military ideas—from whichever side—bother me a lot. But okay, I understood them. So we had a meeting and at a certain point we had a separate meeting, supposedly a very

> discrete one [...] and it was one of the only times that I could talk to her directly, I mean—never directly because there was always a man or woman translator in the middle....

Berenice describes "one of the only times she could talk to the women directly": a meeting in Morelia arranged under the pretext of a women's health workshop, in which she got a chance to talk to Ana after a long time of no contact. Berenice's frustration, and her eventual rupture with the Zapatista high command erupted here: she suddenly had no permission to visit the sisters, an imposition of rules that felt arbitrary, given her extensive contact with the comandante and his wife previous to the uprising. Such ruptures characterized the political transformation that was taking place in the regions under Zapatista influence. They attest to the nascent autonomy project's strict political control, especially of those with political or material resources intended for Zapatista community members.

Characteristic of other women's rights assumptions regarding indigenous women under Zapatismo, in Berenice's eyes the women were doubly incommunicado: by nature of their inaccessibility due to their compulsory membership in the Zapatista project, and by nature of the vexing need for "a man or woman translator" that would always obstruct "direct" or authentic access—access that might initiate a possible transformation toward women's rights. Berenice's sense that she never talked to the women "directly" is an extension of a trope of incommunicability central to the material processes of mestizaje that determined how the Hermanas González's testimony would become public.

Taking the testimony

La Jornada's publication of the newspaper report of June 17, 1994 alerted Grupo de Mujeres (of which Berenice was a founding member) and CONPAZ to this new human rights crisis in a region already afflicted by the extra-judicial execution of three elders from Ejido Morelia (Olmos 1994). Two weeks after the publication, in late June, CONPAZ members brought the women to San Cristóbal on a route that avoided military checkpoints. In a meeting of a few hours, Berenice, CONPAZ, and Grupo members worked with the agitated victims in a secret interview in a private home in San Cristóbal. Berenice explained that despite the presence of an accredited translator, the translation was "a mess" [*un despapaye*]. The activists made a recording, now lost, and later gave Berenice a transcription that amounted to

> a page and a half. But what they were saying—they looked to me very, very upset [*alteradas*]. Their declaration was very inconsistent.
>
> V: Inconsistent in what sense?
>
> B: It made no sense chronologically, it wasn't linear, it jumped all over the place. They would go out of the room, cry, express their feelings, say the last thing that had happened, then say something that had just happened; then they'd say that they lived with their mother, then they'd say that they had been left [by their father] [*abandonadas*], then they'd say that there were six soldiers—I mean, it was, it was, and because of the absence of chronological linearity, and then in Tseltal and then in Spanish, these limitations made it really hard to prepare a legal denuncia for the prosecutor with the right formal characteristics.

Berenice spent a significant amount of time in the first part of the interview explaining why she had filed the formal legal petition against the Army in the name of Grupo de Mujeres de San Cristóbal rather than in the name of the women themselves. For the purposes of the case, the first meeting with the women was a failure (see also Alvarez 1997): she argues that the effects of trauma, the language difference, and, as we will see, indigenous difference in self-expression and cognition intertwined to compose unusable testimony.

If several hours of recording rendered a page and a half, then much was discarded or not understood in the women's speech. Evidence of the sustained confusion of communication with the sisters remains in the written record: while the *Jornada* article of June 17 quotes them as saying they were attacked by 30 soldiers, the final testimony mentions six to ten. Yet despite the understandable confusion, there is nevertheless a sense that there was little effort to disentangle the effects of trauma from the problems of adequate interpretation, an oversight that led Berenice and her assistants to characterize the women as incomprehensible.

Berenice continued, explaining that the women's testimony was only going to hurt their case, which would "fall apart" if they testified. The women were simply not up for the task of presenting valid testimony to authorities:

> Because their declaration doesn't—When they begin to relive what happened to them they literally start to, to talk nonsense in terms of time [*desvariar en la linea del tiempo*]. It's not that they hallucinate [*alucinen*], it's just that they mix everything up, especially since linear narration isn't customary for them [*no es su*

> *costumbre*]. It's hard even for people from Western culture and for them it's even worse.

The final element of disqualification of their testimony is explicit in its reference to them as indigenous people with certain kind of customs. "*No es su costumbre*" refers to a history of Mexican anthropological discourse in which indigenous people are knowable and identifiable by their adherence to fixed patterns of social behavior identified and then popularized by the scholars of indigenismo. What is important for the law is the capacity to narrate in a linear fashion. The women, due to custom, are unable to successfully or adequately do so, and their case must proceed as mediated by representative organizations. Trauma-induced incoherence, a suggestion of madness (to rave, to hallucinate), and a weak mechanism of expressing themselves in linear time disqualify them as witnesses. Her description concludes by explaining that the Grupo de Mujeres formally presented the charges, based on the newspaper article, the short transcription, the government denial of the crimes, and a law that empowered third parties to press charges in such cases.

Examination

> BP: Now, the methodology for attending to people who have suffered violence, especially sexual violence, implies education [*informar*], attention [*atender*], and warm reception [*acoger*]. By 1994, the Women's Group had five years' experience working with women who had suffered sexual violence.

In 1989 Berenice had helped found the Women's Group of San Cristóbal in response to the growing grassroots and legal movement against rape and domestic abuse, known by the shorthand term of "violence against women" or VAW.[61] The group was led by middle class, educated professionals including academics, a lawyer, a medical doctor, and a communications specialist. Formed at the intersection of transnational feminism and a local outcry for victim centered reforms of the judicial system, Berenice and another Grupo member took up newly created posts in the San Cristóbal prosecutor's office to form a special unit for sex-crime victims, a reform that had partially resulted from their activism. Though this experiment in institutional reform from within discouraged further attempts, throughout the 90s the Grupo offered a space for women's activism that was different from lesbian and "mixed groups" (peasant and indigenous organizations with male leadership). In 1994, when the Zapatistas occupied San Cristóbal, the Grupo's members distanced their organization from the EZLN, which Freyermuth (1995) argues "passed over the particular interests of women."[62]

Berenice's claim to expertise regarding medico-legal activism with victims of violence emerged from her experience as a founder of this group and prominent feminist legal activist.

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[61] The description of this group that follows is based on Freyermuth (1995), an academic who is also a founding member of the group. See also Hernandez Castillo (2008) for a critique of this feminist practice.

[62] In formal and informal interviews with feminist organizers who either left or never joined the Grupo de Mujeres, principal critiques centered around their early rejection of the term "feminist" and preference for the less politicized term "women"; their charity-oriented politics [assistentialism], their lack of class analysis, their rejection of coalition building with lesbians, and their lack of outreach to rural, indigenous, and working class women.

> Their well-being [*integridad*], safety, life, and freedom were very important. So the first thing we did was try to, try to explain to them that we were their friends, that we were on their side [*estabamos con ellas*], that we could accompany them, that we could support them, that the most important thing was their physical and psychological well-being.

Berenice terms the relationship between the Grupo de Mujeres team and the Tseltal sisters in the language of rights: physical well-being, safety, life, and freedom are all rights reaffirmed in the Belem do Pará Convention,[63] the first OAS-based treaty against violence against women, signed within a week of the sisters' rapes on June 10, 1994 and cited in the IACHR finding of 2001 in the *Hermanas González v. México* case (OAS 2001). Yet as a conceptual framing device, the appeal to rights exercises an all-encompassing power on the women.[64] Berenice's claim to expertise implies a totalizing knowledge regarding what is their best interest, as we see as the narrative advances.

> [All this] through a translator because they didn't talk—they hardly talked. Although they did understand quite a bit--especially the oldest, Ana understood a lot of Spanish--but her *Castellano* back then was very, very limited. [...] And in that interview it comes out that they, um, that they've come to denounce per orders of the EZLN. ...[That was] the hardest part.

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[63] Also known as the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence Against Women.

[64] I draw here from Foucault's *Truth and Juridical Forms* to trace how the indigenous women victims become objects of medico-legal knowledge. Foucault describes "examination and surveillance" as a particular form of analysis proper to and emergent with the panopticism of modernity. An element of this kind of knowledge is what I am calling its all-encompassing claims on human existence (Foucault 2000 [1994] :82).

Though mutual comprehension flickers, as with the preparation of the transcription, the medico-legal team assumes the attainment of a threshold of sufficient comprehension to move forward with the case and with the necessary gynecological exam. “Informed consent” was doubtful. Given that Berenice Pedregal was disturbed by the idea that the women had denounced the rapes against their will, it is ironic that the involuntary gynecological exam moved forward, unquestioned. The violation of the women became a battleground for politico-jurisdictional claims between the Zapatista and the women’s rights movements.

> So we took them to the building that was the office of the Women’s Group of San Cristóbal. And there Dr. Guadalupe Peña examined them. She examined all three of them, that’s why I remember [that all three sisters were there]. The last one to be checked--because she didn’t want to, because she resisted and everything--was Celia [the youngest, sixteen at the time], accompanied by the eldest. [Celia was] the last one who let herself be examined. But she started to shake, and the shaking was so strong that it was almost a convulsion.

Here and later in the narrative Berenice explains that the doctor conducted a vaginal examination despite Celia’s fear and violent trembling that impeded the normal process. The description of the girl’s consent is ambivalent: “she resisted....she let herself be examined.” Yet the girl’s resistance to the gynecological exam is subordinated to the all-encompassing imperative of the rape investigation. While hearing about the compulsory denuncia was “the hardest part,” the compulsory vaginal examination is normalized, a sign only of how badly victimized the women were by the soldiers. There

is no consideration of refraining from conducting the exam. Berenice Pedregal assumes that the sisters, as women, belong to women's rights jurisdiction in contrast to Zapatista rights jurisdiction, which she sees as illegitimate.

Here women's rights activism is continuous with long-standing public health policies, dating back to Liberal health reforms of the late 19th century, that introduced medicine, sanitation, and hygiene to rural indigenous communities. In the late 40s and early 50s these ideas were put into practice in the central highlands of Chiapas, where the National Indian Institute or INI conducted campaigns through the work of its Chiapas Coordinating Center. The INI and its directors, among them renown anthropologists such as Alfonso Aguirre Beltran termed "resistance" villages' statements that they were happy the way they were, their refusals to submit to injections, and their disinterest in medicalized birthing techniques.

> So it was impossible to do what gynecologists call the [*maniobra de riendas*], that is to say, open her legs, open the vulva, open the labios menores, and take the sample.

And later:

> So the medical exam was done to the three of them. On the two oldest ones it was possible to take samples and do the exam and everything. But on the youngest one it was almost impossible, she was put in a gynecological position for observation of the genitals and at that point she was having convulsions, when we passed the Q-tip or whatever you call it in the area of the vulva, on the external genitals, the

> girl started to convulse so much that it was impossible to open her lips. Nothing. But it looked inflamed and red with discharge.

As the narration of the gynecological exam progressed the terminology became more precise and technical. Berenice used medicalizing terms such as “vulva,” “labios menores,” and “maniobra de riendas” where simpler, more general terms like “vagina” would have sufficed.[65] The reference to the “Q-tip, or whatever you call it” is a frustrated attempted at technical terminology. This demonstration of medico-legal knowledge renders the women’s bodies objects of such knowledge, a transformation essential to the construction of the case.

Description

As Berenice explains, the examination found ample evidence of sexual violence, including scratches on the women’s buttocks, flecks of green paint, and bruises that should have already healed, given that the attacks had taken place more than three weeks earlier. And beyond the harm inflicted by the soldiers, there was evidence that the women had already been harmed by their very existence as indígenas (*condición de indígenas*).

> The doctor explained that, given the physical condition of these girls, they didn’t just seem smaller than their chronological age, but also, given their malnutrition and everything, processes like scarring, which is what tells you at what moment the wounds were inflicted and how long they took to heal, were altered. Because

[65] The “maniobra de riendas” is a procedure whereby the gynecologist uses her hands to open the vagina as the patient bears down so that any evidence of violent sexual contact can be observed and collected [Sanchez Ugena et al. 1997].

> they had chronic anemia, and their skin was very fragile, very delicate, and difficult to rehabilitate. The skin doesn't—the skin is the organ that generally heals quickest on its own, but these girls didn't have that mechanism.

This description walks a thin line between medical-like description and a suggestion of intrinsic difference between "normal" bodies and indigenous women's bodies. They are undersized, malnourished, chronically anemic, and unable to heal at the expected rate from skin injuries. She presented this information as if it is self-evident—quickly, with confidence, and with little explanation.

> The three of them had infections from sexual transmission as well as some that are endemic to their region [*la zona*], trichomoniasis. These weren't from sexual contact but rather from lack of proper hygiene. Although none of them would generally wear panties--that day they had. But when they would use underpants they would wear nylon ones, which with the heat, the humidity, lack of washing and adequate hygienic conditions basically generates candida [and] trichomoniasis in that area. But there was definitely at least one sexually transmitted disease from recent, ah, from recent contact, but it was half hidden in the candida and the trichomoniasis that they had, all three of them.

According to the lawyer, certain infections are endemic to indigenous locality, as is lack of use of underpants, and both are unhygienic. These claims are continuations of historic and present-day discourses: early Indianists located certain kinds of illnesses as endemic to the lack of sanitation in rural indigenous localities. During the course of my fieldwork I heard this kind of description repeated by many people who worked in

positions of proximity to indigenous women including NGO activists and governmental advisors to indigenous politicians. At other times, indigenous women NGO colleagues explained to me that it was true that many rural indigenous women didn't wear underpants. Indigenous women from Chiapas have also denounced "always being seen as a filthy Indian" (Vazquez Gomez 1996: 268). These discourses, clearly related to racist attributions of dirtiness to Indians, naturalize the effects of structural violence: blaming indigenous women's mentalities on infectious disease produces a very different politics than looking to, for example, inadequate water systems despite an abundance of water resources in the Chiapas central highlands.[66]

The description of the already existing damage to the women's bodies also signaled, in the context of the interview, the legal verification of the authenticity of the women's indigenousness, true to an already established pattern in the case. This ethnography has found that the legal process often goes to extreme lengths to confirm the veracity of the claim to indigeneity, a confirmation that often relies on the identification of already existing harm. For example, in a March 2009 deposition, Berenice successfully objected to government lawyers' photographing the women by arguing that as *indígenas* they believed that photography would steal their spirits. The need for authenticity in legal documentation explains the section of the transcript of the women's testimony, incomprehensible and bizarre at first glance, in which the only words that appear in

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[66] On December 27 2011, the time of this writing, a young Mexican politician associated with the PAN party was described on Milenio.com as publishing on his Facebook page a picture of an indigenous women's meeting in Michoacan with the comment that "they smell astoundingly bad; but, poor things." A Facebook "friend" jokingly suggested he pass out some vaginal wipes. Rather than a denunciation of racism, I would suggest the outing is best interpreted in the context of the national electoral contest of July 2012.

Tseltal are the misspelled words for "penis" and "vagina" ["*yath*" and "*l'u*"] (OAS 2001, para 30). This substitution of Tseltal words for genitalia in an otherwise Spanish language legal document is a transcription technique still practiced in the Office of the Public Prosecutor in San Cristóbal de las Casas as of this writing. And the 2001 IACHR finding in favor of the women's claims recommends special reparations for the women, based on "their exacerbated suffering as members of indigenous culture"—suffering brought on by their inability to speak Spanish and their community's specious rejection of them following the rapes, as I argue elsewhere in the dissertation.

In light of these kinds of arguments that seek to protect or further their claims on reparations, it would seem that the drive for authenticating their indigeneity is harmless. Legal recognition of authentic indigeneity leads to a recognition of harm, which then leads to a certain protected status. Yet in both the struggle over photographing and the IACHR example, authenticity arguments substituted for more direct critiques of state actions, whether photographing the witness/survivors at their depositions against their explicit wishes, or when, in the case of the IACHR finding, "indigenous culture" was blamed for expelling the women from their community when in fact they had fled in fear of the Army. Demonstrations of authenticity, like indigenist discourse itself, are double-edged. They observe sedimented inferiority at the same time that they substantiate favorable legal claims or pretensions to lifting the women out of their misery by legal or scientific means. They also, dangerously, put lawmakers in the position of advocating descriptions of indígenas that confirm state authorities' own hostile caricatures.

Conclusion: Mestizaje and testimony

In a 2006 article entitled, "Between Feminist Ethnocentricity and Ethnic Essentialism: The Zapatistas' Demands and the National Indigenous Women's Movement," Aída Hernández Castillo examines the Mexican feminist movement's missteps in its relationship with indigenous women's processes of political organization.[67] She describes the 1995 Chiapas panel, mentioned earlier, called "Situation, Rights, and Culture of the Indigenous Woman" and explains that "the non-indigenous women organizers in charge of reporting the findings omitted detailed descriptions by indigenous women of their day-to-day problems" instead including only general demands against militarization and neoliberalism (:69). This omission contributed to the decision to limit non-indigenous women to observational roles in the 1997 First National Congress of Indigenous Women.

The article, which addresses the feminist movement of which she forms part, calls for a "feminism of diversity" that acknowledges "temptation to assume that we [indigenous and non-indigenous women] are united through the common experience of patriarchy." She argues that indigenous women's building of separate movement spaces should be understood within a framework of well intentioned feminists' lack of recognition of indigenous women's specific circumstances, a form of "cultural insensitivity" which has prevented the emergence of an inclusive women's movement.

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[67] There are at least four currents of Mexican feminism (see also Espinosa Damian 2006); Hernandez Castillo's work addresses that which works in close collaboration with indigenous women's organizing.

The example of the elision of indigenous women's political speech from the minutes of a meeting purportedly on Chiapas indigenous women's reality describes a problem similar to the one I present here in which a non-indigenous lawyer elides indigenous women's self-representation from her legal work. But in presenting the problem as one of lack of recognition, Hernández Castillo does not address the troubling implications of the dynamics she describes. Discourses of recognition often form part of a politics of multiculturalism that does little to address problems of economic inequality and justice (Hale 2002). I would argue that the use of the unproblematized terms "culture" and "ethnocentricity" does not adequately relate discursive elision with broader social dynamics that maintain stark economic inequalities. In the example of case-based human rights activism I present here, one can sense the full weight of structural inequality as it comes to bear on legal representation, in its textual and intersubjective dynamics.[68]

A closer look at the lawyer's narrative suggests that mechanisms of legal recognition of indigenous women are historically situated in larger patterns of exclusionary nation building. In her discussion of the women's damaged bodies, which establishes the women's authentic indigeneity, several problems arise: victimization rhetoric and its saveable subject are further elaborated through a focus on intrinsic bodily damage; scientific, physical evidence becomes necessary to replace incomprehensible testimony; and the women's testimony is called into generalized doubt through an appeal

[68] See De la Cadena (2000: 13) on the structures of feeling of scientific discourses that allow subjects to "express feelings of superiority while scientifically legitimating these emotions," thus "connecting intimate spheres with official realms."

to authentic indigenous incommunicability and a suggestion of intrinsic cognitive difference. This form of debilitating recognition is similar in its logic to the discourse of mestizaje, which includes the Indian in the national body through the metaphor of hybridization, while excluding her through the attribution of backwardness that has no place in a modern nation.

This analysis suggests that ethnographies of the construction of human rights discourses can contribute to the understanding of the situated politics of the human rights law as a mobile technology of governance. Elision brings discursive mestizaje into the legal evidence (the testimony, the gynecological exam) upon which the case rests. Gender and the law work together here not only to erase but to build a mechanism of epistemic violence into the construction of Hermanas González versus Mexico. Yet it would seem that the language of multiculturalism—recognition and diversity—is not an effective tool against these exclusionary tactics that are built upon national dynamics of racialized inclusion. This chapter shows that the collection of testimony in this international case inserted human rights lawmaking into state formation, and supports arguments that international law reinforces the power of the nation-state as legal arbiter of rights.

6. Conclusion

Even after receiving their "humanitarian aid" checks from the Chiapas state government in 2011, the Hermanas González continued to pursue their demands for justice. At the suggestion of the Chiapas Women's Rights Center, they agreed to take part in a preliminary hearing of the Mexico Chapter of the People's Permanent Tribunal (PPT). The event was be held in San Cristóbal de las Casas on March 7 and 8, 2012—for International Women's Day. In Mexico, the PPT convened renown scholar-activists to document human rights violations under seven different categories: Dirty War and Human Rights, Environment, Femicide, Maize and Rural Life, Media, Migration, and Worker's Rights. The González sisters' testimony fell under a gender-violence sub-category of Dirty War and Human Rights. As of this writing (2012), the Tribunal's work will to take place over a period of three years, provide a forum in which social movement organizations can publicize rights violations with a modicum of safety from repression, and center trade liberalization as a key cause of violations in the country.

Though the CDMCh requested I prepare an expert witness statement [*peritaje antropológico*] to submit to the Tribunal on the sisters' case, I proposed that I instead translate their testimony in the same manner that I had translated my 2008 interview with them. The Center accepted and a friend from San Cristóbal attended the event, held in San Cristóbal's largest public theater, to get a good recording of the women's words.

Celia González, along with her two sisters, had worked with Gabriela, Romi, and the CDMCh director to prepare her testimony, but she surprised the Center's staff when, just before her time slot, she decided to break with the no-photographs policy she and her sisters had maintained since 1994 and address the audience directly. From a live webcast, I watched as Celia spoke to a sparse audience for fifteen minutes. TPP authorities sat at a

long table, stage left, while victims testified at a lectern after lawyers' and activists' expert presentations. Later I learned that when Celia, speaking to the crowd in Tseltal, exceeded her allotted five minutes, NGO and TPP organizers had gathered nervously behind her, trying to figure out how to curtail the speech. She had ignored their signals to stop.

Afterwards, lawyers for the Tribunal suggested that the Center present Celia's translated testimony to a different PPT Gender Violence and Femicide hearing in May 2012. I convened an inter-disciplinary team who translated the testimony (Santiz Girón n. d.). Gabriela read it on May 28 in Ciudad Juárez, on Mexico's northern border. On the day of the hearing, PPT technicians projected a large video image of Celia's fifteen-minute speech as Gabriela read the translation. Audience members watched the muted image of Celia gesturing as Gabriela read. Visibly moved, Gabriela spoke beside a speakers' lectern almost as tall as she:

> Women: Listen to my words. Tseltal women: If you are ever raped, abused, mistreated, attacked, if anyone wants to attack you in your village, speak up! Look for a way to struggle. Don't be afraid. Don't let anyone rape you, harass you, or drive you from your land. We may not know how to write, but we can talk. We have feet. We have hands. We have eyes. We can't abandon each other. We can speak. Because if we don't learn how to speak, if we don't defend ourselves, our enemies will laugh at us. Even though I might be worthless in the eyes of the government, today my words can spread all over the world. I want the whole world to know that I don't want any more attacks! I want the whole world to know about the pain that I have felt during all these years of injustice.

Celia's speech captured much of what is powerful and paradoxical in indigenous women's activism in the age of neoliberal violence. Before an international audience, she centered indigenous women's insistence on collectivism—showing that talking, walking, work, and even sensory perception can be collective. She fused the social with the physical body through Maya figures of speech: "We have feet. We have hands. We have eyes." Yet the speech qualified its celebration of the fact of its own novel circulation ("today my words can spread all over the world") with the assertion that the speaker is "worthless in the eyes of the government." And this government is the same state which she ultimately must petition in order that "there be no more attacks" and that must administer justice so that her coraje subsides, as she put it.

At a key moment in the speech she pointed out, "It's as if the government could hear us being attacked, but only says, 'They can scream if they want, we're not going to recognize what's happening. Their demands are just lies.' And this denial of our truth only provokes more coraje in me, because what we want is justice." Despite the intention of putting justice in the hands of the people, the juridical form of the tribunal evoked the powerlessness of petition to a unpunishable state, reminding participants and observers of that state's simultaneous knowledge and ignorance of the violence they protest. Celia's testimony demonstrated this contradiction in the first person.

This dissertation argues that first Ana González, and then Celia spoke from a particular location, from the margins of Zapatismo to ground and bring new critical scrutiny to powerful universalisms. Using the means of international law and women's rights activism, the sisters centered the abstractions of law and political power on their own, precariously held terrain. By following the lead of these sisters and the Zapatista struggle which led me to them, I have formulated several contributions to the study of testimony, activism, military occupation, the relationship between the nation-state and

international law, and accountability in scholarship. In the sections that follow I discuss these contributions and why I think they are important for scholars and activists seeking to make sense of gender violence in an era of complex and contradictory invitations to seek justice.

Centering denuncia

I think the problem I have taken most seriously in this work has been the particular ethical burden of representing the subjects of sexual violence, since representation itself can have material effects. This concern brought me to center indigenous women's self-representation in discussing the violations against them. I have sought to maintain a sense of their unmet demands for justice by portraying them as subjects of denuncia rather than testimony. They have had to remake justice as its terms have shifted across local, national, and international jurisdictions and regimes of truth. In writing about them ethically I join a community of scholars seeking to resist the consumption of the spectacle of female victimization through critical engagement with human rights texts and contexts (Hesford 2011).

In evading testimony's powerful juridical constraints, Ana González's denuncia opened up a perspective on both EZLN and feminist social movement assumptions: while the first cultivated subjects of denuncia, it established no jurisdiction that would recognize wartime sexual violence. In the second, legal recognition of sexual violence found institutional expression, but could not hear the indigenous women subjects of speech.

The women's rights assumption of universal jurisdiction—a public sphere with common criteria for judgment[69]—framed its inability to understand her claims. Ana González's claim against gender violence did not emerge from a feminist-consensus based notion of violated consent. Rather, the Federal Army violated both her body and her community, causing illness and scandal, and her claim sought to reinstate her within her community, against the scandal. Her denuncia showed that the bodily injury and the social injury were inseparable; yet the IACHR sought to demonstrate that in the aftermath of the rapes, Ana's injured community became the gendered agent of harm against her.

In light of scholarship on the relationship between rights claims and injury, it might be tempting to call Ana's story a narrative of injury. Yet I would argue that she instead draws upon an embodied enactment of truth. "Knowing how to talk" is self-affirming and affective before external adjudication. Her denuncia questioned the power of human rights and her interlocutors, and, in challenging the terms of the elicitation of testimony, presented an alternate, radical narrative epistemology (Briggs 2007). By finding connections between the physical and the social body, and between Zapatista and women's rights practices, Ana and her sisters developed new languages against violence absent in social movement and human rights discourses.

"Walking" as indigenous women's activism

When I asked Ana González Pérez how she knew how to denounce military rape, she responded that she'd "always walked." "To walk," in Tseltal metaphor, is to be

[69] See Gilmore (2002) for a discussion of jurisdiction that informs this definition.

politically active. By linking denuncia and walking—a practice that includes political activism, forced evacuation, and religious accompaniment—this dissertation shows the extensive connections between embodied individual movement and collective political struggle.

Yet the attacks on the González sisters and Alberta Entzin Entzin show that indigenous women's walking and talking takes place within regimes of permissible violence against them: ways of seeing that mark their public presence as racially and sexually contaminated. The women's narration of their experiences of this violence shows that being seen as a "public woman" is a key factor in both spectacular violence such as military rape and everyday violence such as acquaintance rape. Their stories reveal the mistaken interpretation that indigenous culture is a locus of gendered harm against indigenous women, since they show rape regimes that bridge the indigenous-mestizo divide (Boesten 2010).

Crucially, indigenous women's walking and talking confronts its own marking with embodied practices of activism: denuncia and coraje. These ways of speaking counteract the bodily and communal effects of scandal. Denuncia, which "cannot be forced," enacts truth and does not depend on reception in the same way that petitioning state authorities for justice must. Though this dissertation shows the enormous communal, national, and international obstacles that its protagonists face when seeking to condemn sexual attacks against them, it also shows a formidable set of symbolic and practical resources from which they draw to defend themselves, contradicting narratives about indigenous culture that mark Maya women as isolated subjects of rescue.

Military occupation as domestic violence

In writing about violence, I have tried to maintain the tension between the emergence of new collective and individual actors, and the ongoing climate of structural and police-military aggression against them. In order to understand human agency, it is necessary to assess the technologies of power that violently disconfigure it. For this reason I turn the women's rights activism's concepts for understanding "intimate partner violence," upon military occupation. This move is necessary in order to confront the paradox that the state has become the primary focus for calls to prevent or punish family violence. In this dissertation I show that in fact, the same intimacy thought to characterize the heterosexual household characterized the Mexican Army's occupation of a small town, culminating in gang rape at an army checkpoint, in a space just on the border between domestic and public. This is important to all of us who struggle against gender violence while trying to keep in focus its close relation with statist forms of power. Military occupation as domestic violence contributes a key link between public and private violence, so that household violence and the violence of state actors can be understood as different configurations of the same problem, requiring a holistic solution.

Mestizaje as testimonial elision

The elision of indigenous women's speech out of the public record is a widespread but rarely confronted fact of the dominant Mexican public sphere. This can take the form of faulty translation, but more importantly it is a form of inclusionary exclusion, whereby the inferiority of the speaking subject warrants the suppression of the

unrecognizable and the unassimilable. That this takes place in an era of multicultural recognition indicates that logic of mestizaje, much like the logic of racism (Hill 2008), can colonize forms of cultural recognition that claim to correct it. The persistence of the elision of indigenous women's intellectual production, even among the emergence of spaces in which they speak, presents an important research agenda for those who center their agency, yet refuse to lose sight of the ongoing marginalization that characterizes neoliberal global policies toward rural, agrarian, and indigenous peoples. Mestizaje as testimonial elision is important for those seeking a better understanding of ongoing dynamics of national and global inequality, and their inter-relation.

Accountability

There are many challenges to scholarly work with an activist movement. Much of the dissertation is informed by a long term (almost twenty year) association with the EZLN, during which time I have continued to support its practices and principles despite disagreements with the actions of specific leaders—most significantly, the treatment of the Hermanas González by the high command. This long term association has led to a formulation of accountability that comprehends the fluctuation of membership in the organization and the fallibility of leadership, while not losing sight of the movement's important protest against the neoliberal policies that target it. Three perspectives inform this idea of accountability: 1) support for the movement's aims and authority; 2) an understanding of the difficulties that any movement confronts in putting its principles into practice; and 3) a desire to develop criteria for critique which emerge from the same

location as the movement itself. Accountability, as I understand, it resists the urge to offer an alternate ethics or political ideal and instead seeks better understanding of a problem—in this case the movement's most difficult contradiction—as seen from the grassroots. The accountability I develop here, then, is one which recognizes the larger forces—military and paramilitary occupation, neoliberalism—at play in political struggle which one documents. Gendered conflicts and macroeconomic policy ultimately inter-relate to formulate powerful critiques of movement practice on their own: Both neoliberalism's privatization of the countryside and the EZLN's failure to support the González family pushed them from their communal lands. It is necessary to assess the movement and one's own contradictions and consistencies in light of these forces and retain the struggle's small but powerful truths while probing what can seem like decisive failures. This same form of accountability characterizes, in different ways, the ex-Zapatista women that I discuss in this book.

This ethnography of a human rights case centers the discursive and non-discursive practices of indigenous women who protest gender violence. As Zapatista women, their authority does not proceed from being "subjects of harm," but "subjects of struggle." "Knowing how to speak" shows how these women weave undisciplined histories into their narratives, as they reckon with the constraints of local, national, and international law. This work will be important to scholars and activists who center their interlocutors' demands for justice, claims that may be at odds with such regimes of truth. The González Pérez sisters show how subjects can make claims against violence at the intersection of seemingly incompatible movements and offers a cautionary view of the corrosiveness of

sexual violence to movements across international and intimate domains. For those concerned to dismantle the ongoing influence of "the public" and "the private"—which confer state and household authority, respectively—this dissertation maps the many continuities between the two in social movements and law.

A recent, neoliberal shift in national justice regimes has centered the voice of the victim as the authentic claim to justice. Trials have made room for victims' confrontations with their attackers. This is a logic which privatizes and de-historicizes justice, placing it in the hands of a subject of harm and removing it from social accountability (Garland 2001). This is not the meaning of "to know how to speak." Because they articulate demands from the terrain of a movement informed by longstanding practices of claiming justice in tension with the supposed impartiality of the state, indigenous women's denuncia, rather than centering the subject of injury, centers the subject of struggle for self-determination at the intersection of the physical and social body.

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