

**Crossing Political and Gender Borders: A Feminist Analysis of Migration****Cruzando fronteras políticas de género: un análisis feminista de la migración**Almudena Cortés Maisonave<sup>1</sup>

Received: September 3, 2022

Accepted: November 3, 2022

Available online: December 15, 2022

*The political and cultural construction of the border*<sup>2</sup>

Geographic and political borders have gained enormous relevance in the world in recent decades as the mobility of the migrant and refugee population has intensified.<sup>3</sup> This is not surprising since, from a historical perspective, as historic walls like the one in Berlin have fallen, discourses and practices have emerged that strengthen new walls and borders in the world. For example, sociologist Saskia Sassen warns that the global dynamics of poverty and inequality, mass displacement, environmental disasters and armed conflicts have intensified, creating unprecedented levels of social expulsion that affect not only the Global South but also regions of the Global North, although through different events (Sassen, 2015).

In this way, there has been a shift from “post-war walls” to the creation and proliferation of barriers aimed at limiting clandestine immigration, human and legal and illegal merchandise trafficking, fighting drug trafficking and/or preventing terrorist infiltrations. More than 10% of the current borders arose after 1990, and since the year 2000 more than 40 walls have been put up in the world, specifically in countries such as South Africa, Botswana, Kenya, Singapore, India, Oman, Morocco, Arabia Saudi, Hungary, France and Spain (Tertrais & Papin, 2018). This is called the “great return of the borders” (Foucher, 2017). After a long and rich discussion in the field of border studies, instead of formulating the question to define what a border is, another question has

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<sup>2</sup> This critical essay was made within the framework of the “Salvador de Madariaga” Mobility Program for professors and researchers granted by the Ministry of Universities of Spain (Ref. PRX21/00312). The stay took place at the Centro de Investigaciones y Estudios Superiores en Antropología Social, in Mexico City.

<sup>3</sup> It is necessary to point out that human mobility is experiencing a slow but sustained increase since 1990 and that 3.6% of the world population resides outside their country of origin according to the latest available data. In addition, almost half of the world's migrants are women or girls (UN, 2019).



been raised: how are borders built? (Alvarez, 2012). Following this constructivist approach, borders are closer to *border and borderline processes* linked to power projects than to fixed points established on a map (Heyman, 2017; Heyman, Slack, & Guerra, 2018). In this way, borders are not fixed or homogeneous, they have become more polysemic and complex; there is talk of invisible borders but also of internal borders to account for the mutations and political and semantic displacements of the idea of border. In this sense, among the most relevant changes within the migration issue is that of internal borders (Balibar, 2002), which refers to the displacement of selective control and security functions within national territories. Border crossings can be diluted in a larger geopolitical framework, as is the case with the Franco-Spanish border as the internal border of the European Union (Barbero, 2018); or they can take place in the central territories of a country, as in the case of Mexico, where migrants are detected, detained, and deported without first having ensured their international protection in cases in which they are fleeing violence (IMUMI, 2019). Therefore, it is about the proliferation of security actions and humanitarian attention carried out by actors holding the legitimate monopoly of the use of force and by private actors in the internal territories of the states, at the same time that the classic border controls are exercised on national territorial borders.

In addition to the political and territorial dimension of the border, border processes refer to the relational, dialectical and dynamic nature of borders and, therefore, leads us to changes, crossings and separations as well as connections (Wolf, 2005; Kearney, 2006; Alvarez, 2012). But these connections and interactions must be understood from asymmetrical relationships and continuous differentiation processes (Bustamante, 1991) between economically unequal social positions from where political and cultural borders are produced and/or reproduced (Heyman, 2012). Therefore, the border has a real material dimension, but also a metaphorical and symbolic one (Alvarez, 2012). Indeed, it is a metaphor that leads us to an idea of social, cultural, political and identity displacement and establishes a dialectical and constitutive relationship between various limits and thresholds.

People who migrate cross political, moral, social and cultural limits embodying rites of passage (Van Gennep, 2013), symbolically placing themselves in liminal, ambiguous positions of invisibility and lack of status. But at the same time, the border leads us to “paradoxical combinations” (Heyman, 2017). As this anthropologist points out, the border can be seen by migrants as an opportunity and a way to improve their lives, but at the same time they are experienced from danger and risk, vulnerability, violence and damage distributed unequally through and throughout it (Heyman, 2017).

In short, the border can be understood as a bureaucratic, police, political and sociocultural system that simultaneously redefines the people divided and crossed by it. People cross borders, but borders in turn also cross people. The border allows classifications of people and these classifications correspond to the power projects of the State and the central actors of the social relations of the capitalist system (Heyman, 2001, 2012). In this sense, the border produces and maintains existing social inequality by being a reflection of the social and national orders that unite

and separate. In this regard, Mary Douglas (1996) rightly points out that it is society that provides the classifications, logical operations and guiding metaphors with which human beings live our lives. This is possible because the border acts as a structure and as a geographic, legal, institutional, and sociocultural process that produces cultural and identity borders, especially based on nationality, ethnicity, race, social class, and gender (Kearney, 2006). It is the national and social order that produces the border and not vice versa.

Control over the governance of mobility across state borders is one of the most relevant political issues of the 21st century. Although international migration is a constant, governments have never given such priority to migration issues nor has migration been so opportune to talk about national security, conflict and disorder on a global scale (Castles & Miller, 2004). Border control immigration policies, refugee reception, detention and deportation have become central policies and are the cause by which political parties win or lose elections in liberal democratic states around the world (Kalir, Achermann, & Rossett, 2019). As a result, the political and social conditions of physical mobility are increasingly painful, precarious and dangerous for migrants and refugees due to migration policies in the contemporary situation (Cortés Maisonave & Manjarrez Rosas, 2021).

Human mobility affects millions of people who leave their countries of origin in search of a better life, but in the case of women,<sup>4</sup> the impact of the historical, political, economic and sociocultural dimensions of gender and sexual violence on female migration is often hidden. The threat of sexual violence and the context of insecurity that migrant women often go through in their contexts of departure and on the different migratory routes, speaks to us of a violence that contributes to fixing structural positions of hierarchy and inequality between men and women in the access to resources (Maquieira D'Angelo, 2010), and mobility is one of the most important resources to which millions of people in the world can aspire. However, the threat of sexual and gender-based violence can deter women from migrating, ultimately limiting their mobility. In fact, sexual and gender violence tends to remain underreported and subsumed, hidden in discourses on crime, thus blurring its political, historical, and cultural nature (Cortés, 2018).

For this reason, in this work the intention is to carry out a brief feminist analysis of the effects of migratory processes for women and situate their experience in the border space characterized by a “continuum of violence.”<sup>5</sup>

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<sup>4</sup> In the definitions of the Istanbul Convention of May 11, 2011, it is established that the category “woman” includes women and girls under 18 years of age (Council of Europe, 2011).

<sup>5</sup> This text contains part of the reflections and analyzes developed between the Centro de Estudios de Género, Facultad de Filosofía y Letras, Benemérita Universidad Autónoma de Puebla (BUAP) and the Instituto de Investigaciones Feministas, Universidad Complutense de Madrid (Instifem-UCM). (Instifem-UCM), as a result of several university cooperation projects financed by the Universidad Complutense de Madrid since 2016.

*Border, Violence and Gender Order*

As the anthropologist Marcela Lagarde points out, “gender is more than a category, it is a broad theory that encompasses theories, hypotheses, interpretations and knowledge related to the set of historical phenomena built around sex” (Lagarde, 2018, p. 28). Meanwhile, the historian Joan Scott conceptualized gender in its double sense: as a constitutive element of relationships based on the differences that distinguish the sexes and as a primary form of significant power relationships (Scott, 1990). It is a social relationship that explains how power is organized based on sex. The feminist approach to gender precisely questions critically that the feminine and the masculine are natural facts and that they have become the basis of political and social inequality between men and women (Cobo Bedía, 1995; Moncó, 2011). Thus, gender, more than addressing cultural differences, tells us about the hierarchies between men and women and the way in which they are organized through the establishment of systems of status and prestige, of the social, political and economic position derived from the sexual division of labor and the symbolic representations of these sexual differences in society.

Regarding migration, gender is a social relationship that informs the mobility of women and makes it especially difficult due to the lack of economic resources, the assigned care responsibilities, and/or the restrictions on movement implicit in the order of gender, as well as the permanent threat and fear of violence during migration, which in the case of women has particular expressions and experiences (Cortés Maisonave, 2019; Freedman, 2016). Women often do not migrate until they have absolutely no other option.

One of the most invisible reasons in investigations, in public policies and in the daily work of humanitarian organizations is sexual and gender violence against migrant women. Cases have been documented in which, when traveling as a couple, the harshness of the departure and the painful conditions surrounding it can exacerbate the already existing gender-based violence in the couple at the hands of their husbands. In many other cases, gender violence is the trigger to emigrate, in such a way that women migrate to flee violence at the hands of their partners and family members. On the way to their escape, many of them face sexual violence as part of a toll they must bear until they reach a country where they can request asylum. It is paradoxical that for many women, exposing themselves to the risks of crossing borders may be less dangerous than staying (Cortés, 2018; Moncó Rebollo, 2018). As we can see, the mobility and gender regimes place women in positions of vulnerability, especially in the face of sexual and gender violence in the contexts of departure, transit and arrival. This is so because violence is systemic and constitutes an extreme resource to maintain power over women (Héritier, 1996).

The physical mobility of women implies, as a general rule, transgressing a gender order that assigns legitimate mobility to men. In other words: the migration of women transgresses the gender order that assigns them a sedentary and immobile position (Cortés Maisonave & Manjarrez Rosas, 2021). The gender order is key in understanding the mechanisms that organize migration, but especially in the development of policies that govern human mobility and that generally legitimize gender mandates. Indeed, the sociologist Mirjana Morokvasic reminds us that despite the fact that

migrant women have gained visibility, they continue to bear the moral stigmatization and social costs of migrating, especially if they travel alone (Morokvasic, 2011). While male migration is rewarded and socially legitimized, female migration suffers social sanction for not complying with gender, sexual, emotional and care mandates. Let us not forget that gender places men and women in a legitimate spatial order.

Women as migrant subjects cross the gender border in the same way that symbolically constructs them as immobile and, in doing so, transgress the positions assigned by the generic order, disobey and act with autonomy (Torres Falcón & Asakura, 2019) paying a price for it. This transgression challenges the power of political borders that, as we said before, reflects the national and state social order that acts to maintain the patriarchal order based on gender in migration by reproducing inequality, especially through the use of violence against women, gender and sexual (Cortés Maisonave & Manjarrez Rosas, 2021). The threat or enforcement of gender and sexual violence is a reminder to all women of their subjection to men and of the gender order. In this way, a “reparatory violence” is applied, understood as a patriarchal identity reaffirmation maneuver aimed at repairing the “natural” hierarchical order (Asakura, 2019, p. 115). It is a type of violence that seeks to discipline the behavior of women whose agency places them in mobility, which implies challenging the gender norm with the aim of forcing them to choose between trafficking and prostitution networks or returning to the patriarchal home (Cobo Bedía, 2011), seeking to erode or end their projects of personal autonomy and independence. While the female labor force is overexploited in neoliberalism and the sex industry is globalized and strengthened, the subordination mechanisms of women are reproduced and consolidated in migration. The tightening of conditions to reach Europe and the United States contributes to creating new forms of violence and exacerbating existing violence. Women are aware of this and try to control risks through their agency capacity within their limited margin of action, which implies assuming and minimizing the set of risks to which they know they are exposed.

### *Strategies of Women in Transit*

Political borders and border controls are liminal areas that must be understood as a space/time of transition and waiting. However, far from thinking that they are areas without order, these are spaces loaded with gender regulations that pressure women to occupy a position based on a differential patriarchal and regional order according to the cultural communities of origin and transit that demands and directs the female workforce according to the sexual division of labor at the border, especially to the maquila (in the Mexican case), to domestic and care work, and to prostitution.

The sudden vulnerability of migrant women is the result of the painful, dangerous and precarious conditions in which migration takes place, which legitimize the role of men as protectors and companions of women. It is very revealing that when talking about changes in migratory profiles, it is stated that women migrate in groups... but “alone”. Actually, what is meant is that they travel without men. What connotes the condition of accompaniment or loneliness is the presence/absence of men. This is not a minor issue because it legitimizes the idea that women

should be watched, accompanied and protected during migration (Torres Falcón & Asakura, 2019) by male relatives (husbands, brothers, fathers) or by circumstantial partners who protect them from other men (private security personnel, police officers, migrant partners, members of organized crime, trafficking networks, humanitarian workers, among others).

Far from assuming this situation, the feminist perspective allows us to understand the way in which women negotiate the assigned role and devise strategies to avoid being locked into the same violence. However, it is necessary to point out that all agency does not in itself imply successful resistance (Abu-Lughod, 1990), since in most cases the margin of action is very limited and it is convenient to remember that agency always takes place in a framework of power relations. In this sense, Saba Mahmood (2008) proposes to take up agency beyond resistance and understand it as a capacity for action that is enabled and created in historically specific relationships of subordination.

Well, within the margin of action of migrant women, several examples of strategies carried out by them can be found; for example: seek the protection of a man, cross-dress as a man, settle in a place on the road for a while, follow safer routes or travel in groups of women (Cortés, Forina, & Manjarrez, 2017; Cortés, 2018; Cortés Maisonave & Moncó Rebollo, 2021; Moncó, 2021; Willers, 2019). In this framework of unequal gender relations in mobility, we find a clear tension between the activation or deactivation of sexual difference from the body of women. Women negotiate with their bodies: some try to dilute sexual difference by hiding their physical attributes in order to avoid being sexually violated, and others activate the sexual difference by exchanging sex and/or care for the protection of men, with the strategy of contraception as a resource to avoid getting pregnant. Other women prostitute themselves to earn income en route or while waiting at the border. It should be remembered that the female body is constructed in the patriarchy as a body-object desired and exchanged by groups of men (Lévi-Strauss, 1998; Rubin, 1986), something that is intensely activated in border areas. As noted above, male protection can be provided by another migrant (“travel husband”) or even by the same coyote (Torres Falcón & Asakura, 2019). In this way, the sexual contract<sup>6</sup> is ensured and reproduced at the border; men are guaranteed sexual access to women’s bodies and also ensured additional attention and care such as clothes washing or food preparation, naturalized activities as typical of women. In these cases, it is clear that in this contract the women pay a reproductive tax, a higher price than their male migrant partners. On other occasions, while waiting for their refugee applications to be resolved at the border, it has been documented that women carry out these care activities for pay (including caring for boys and girls whose fathers and mothers go to work), which allows them to earn income to support themselves during the trip. In this sense, for migrant women who are in border areas, childcare can imply confinement logics while refugee applications are resolved, which makes it difficult for

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<sup>6</sup> The sexual contract was proposed by Carole Pateman (1995) in her doctoral thesis, where she points out that before the social contract, a non-peaceful pact between men was established to distribute access to the fertile female body. This pact sustains the patriarchal organization of society that emerged in modernity and founded the bases of inequality between the sexes.

them to find work. This shows that sexual and care work are extracted from women's bodies to deal with daily reproduction in migration (Femenías & Soza, 2009). The logic of the sexual bodies of women made vulnerable at the border becomes relevant in a context where there is an unregulated market that supplies huge numbers of women to trafficking networks for the purpose of sexual exploitation and prostitution, feeding a multimillion-dollar sex industry.

## CONCLUSION

### *Sexual and gender violence as a border*

As has been shown, women are border beings that always move between gender mandates. They not only cross political and territorial borders, but also gender borders that place them in immobility. Borders are articulated with the patriarchal system to maintain forms of domination that reproduce and establish gender regulations in border areas through violence against women. We are faced with continuous violence in the gender order, which is precisely the most difficult thing to understand in male domination (Héritier, 1996). I agree with François Héritier in stating that when migrant women try to denounce the damage suffered by this set violence, they do not find clear ways to do so. It is striking that sexual violence is assumed by women as something foreseeable and evident, as something that is part of their journey, even though it seems that only they see it. The patriarchal order continues to try to control women's freedom as a reaction to the feminist achievements of the last decades. Sexual and gender violence stands as one more border, as a wall that tries to limit the mobility of women and tries to distance them from power by attacking their desires and obstructing their chances of carrying out their life projects with freedom and dignity. However, all this contrasts with the daily experiences, strategies and tactics of migrant and refugee women who are oriented to resist, avoid and minimize the risks of sexual violence in order to live a life with dignity and free from violence.

Translation: Erika Morales.

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