

4. Provide a comparative analysis of one form of gender-based violence in two or more countries.

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**The Femicide Crises in El Salvador and Guatemala: Cultural and Structural Violence
Against Women Through Machismo and Impunity**

Abstract

The neighboring countries of El Salvador and Guatemala share more than just a border. Both countries have experienced high levels of extreme gender-based violence in the form of femicide, attracting international concern. Scholars have identified a culture of machismo embedded in all aspects of society and impunity as primary factors in the perpetuation of femicide in both countries. A deeper look at their histories and cultures reveals stark similarities in the precursors to the present-day femicide problem. This essay examines how machismo has evolved through Spanish colonialism in the sixteenth century, civil war in the twentieth century, and post-war gang violence to create a contemporary culture of aggression and violence towards women that largely goes unpunished. It examines machismo and impunity within the context of cultural and structural violence, and analyzes how Salvadoran and Guatemalan women are repeatedly victimized by a machismo culture that condones violence and shapes structural responses, specifically legal responses to femicide.

Key words: Gender-based violence, femicide, machismo, El Salvador, Guatemala

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1. Introduction

The human narrative is stained with a profusion of violence against women. Yet, it did not emerge in the social consciousness as a human rights violation until advances in the first and second-wave feminism movements of the nineteenth and twentieth centuries (Jaggar, 2002; Penn and Nardos, 2003; Dahlberg and Mercy, 2009; Khan, 2015). In 1979, the United Nations (UN) adopted the Convention on the Elimination of all Forms of Discrimination Against Women; however, it was not until 1992 that it recommended expanding the definition of discrimination to include gender-based violence, which is violence committed against a woman due to her gender (Goldberg and Kelly, 1993). The 1993 UN Declaration on the Elimination of Violence Against Women more explicitly addressed gender-based violence, defining it as acts of gender-specific violence causing sexual, physical, or psychological harm to women (UN General Assembly, 1993). It specified different forms of violence, including battering, sexual abuse, and rape; acknowledged that violence can be perpetrated culturally and structurally; and recognized that gender-based violence results from historical and existing inequalities between men and women (UN General Assembly, 1993; Krantz and Garcia-Moreno, 2005).

This essay examines gender-based violence in the form of femicide. Research indicates that Latin America has consistently experienced some of the most extreme rates of femicide over the past decade (Widmer and Pavesi, 2016; Joseph, 2017; Lopez, 2020). Within this region, the countries of El Salvador and Guatemala have been selected for closer examination because reports reveal that they have continuously experienced some of the highest rates of femicide both regionally and globally (Joseph, 2017; Forero, 2018; Nugent, 2019). The bordering countries have similar precursors to femicide, including their history of Spanish colonialism, civil war, gang violence, and machismo (Hardin, 2002; Carey and Torres, 2010; Pardilla, 2016).

This essay posits that femicide in these countries is perpetuated both culturally, through pervasive machismo ideals, and structurally, through legal impunity. It will discuss the aforementioned precursors to femicide and analyse the role cultural violence plays in hindering justice for victims and accountability for perpetrators by bleeding into the legal structures of these societies.

2. Theoretical Framework

2.1 Femicide

Femicide, a term popularized by Diana Russell in 1976, emphasizes the misogynistic elements rooted in the killing of women, distinguishing it from the gender-neutral “homicide” (Radford, 1992; Corradi et. al., 2016). Russell subsequently broadened the definition of femicide to emphasize the killing of females by males on the basis of gender, simultaneously addressing the fact that such deaths are sustained in a society when aspects of a culture condone or promote gendered violence (Russell, 2001; Carey and Torres, 2010). This exemplifies cultural violence, which Galtung defines as aspects of a culture that are used to justify different forms of violence, including structural (Galtung, 1990).

Radford argues that femicide takes place in societies with socially and politically entrenched values of male dominance (Radford, 1992). In heavily patriarchal settings, “active and aggressive behaviors” constitute perceptions of masculinity, whereas women are expected to be “receptive and passive” to male dominance (Radford, 1992, 8).

Described as the most extreme manifestation of gender-based violence, femicide stems from deep-seated inequalities between men and women (Caputi and Russell, 1992; Grana, 2001). As a tool and a symptom of inequality in patriarchal societies, femicide is a powerful mechanism for oppressing women and ensuring male domination prevails (Radford, 1992). In Guatemala and El Salvador, masculine ideals culminating in femicide reflect the presence of a pervasive machismo culture that is entrenched in their structural bodies and has resulted in high rates of injustice for victims and impunity for perpetrators (Obinna, 2020).

2.2. Cultural Violence: A Legacy of Machismo

Rampant femicide in El Salvador and Guatemala is a byproduct of a deeply embedded patriarchy, which fosters the exaltation of masculinity over femininity and weaponizes gender-based violence to control women (Joseph, 2017). Scholars conceptualize machismo as an

aggressive form of patriarchy defined by “hypermasculinity” (Musalo, 2018, 32). It is “an expression of the exaggeration of maleness to the detriment of the feminine constitution, personality, and essence” (Perilla, 1999, 117). Machismo celebrates male physical superiority over females, dividing the genders “along lines of masculine dominance and female submission” (Mosher and Tomkins, 1988, 64). This becomes especially relevant when examining impunity in the Salvadoran and Guatemalan legal systems. Longstanding machismo ideals normalize violence against women, legitimize disparities in power relations between males and females, and minimize the consequences of masculine aggression that culminate in femicide (Bookey and Musalo, 2014; Mobilia, 2020).

Scholars link machismo in El Salvador and Guatemala to Spanish colonialism (Hardin, 2002; Musalo, 2018). Before the arrival of Spanish invaders in the sixteenth century, indigenous females were already subservient to males; however, the Spanish conquistadors amplified patriarchal values through violent domination of indigenous civilizations, particularly when they raped native females (Goldwert, 1985; De La Torre, 2009). During conflict, violence against women is used to demoralize the opposition and emasculate enemy men (Engle, 2014; Barberet, 2014). To the Spanish conquistadors, women were tokens of war, dominance, and virility (De La Torre, 2009). A psychoanalytic perspective suggests that the trauma of conquest reinforced machismo because an exaggerated sense of masculinity through the infliction of gender-based violence compensated for the emasculation of indigenous males, who felt they failed in their patriarchal duty to protect their lands, women, and children (Martinez, 2019). Thus, “masculinity” became identified with an “active/dominant personality” and “femininity” with a “passive/submissive” one (Goldwert, 1985, 162). This outlook remains prominent amongst both the minority indigenous populations throughout Latin America, and the majority “mestizo” population, who are of mixed European and native ancestry (Perilla, 1999, 129). This exemplifies the mechanics of a transgenerational cycle of gender-based violence.

Thus, machismo prevails today and is widely attributed by scholars as the cause for extreme femicide rates in El Salvador and Guatemala (Obinna, 2010). A turbulent history of civil war further buttressed the expression of male dominance through violence against women and

kindled the flames of machismo (Carey and Torres, 2010; Musalo, 2018). This is observed in the evolution of post-war gender-based violence and in obstructive attitudes towards female justice.

2.3. Structural Violence

Research across various countries illustrates that structural violence plays a critical role in femicide (Grana, 2001). It is perpetuated through formal structures, such as legal and political bodies, that institutionalize social inequalities and deprive the lowest-ranking members of their basic human needs, creating unequal distribution of resources and power (Galtung, 1969; Shannon et al., 2017). A form of injustice driven by inequality, it keeps the lowest ranking members of society disempowered through social, economic, and political oppression (Galtung, 1969). Structural violence manifests in different ways, including subjugation, racism, sexism, gendered violence, and higher rates of death among the most oppressed and disadvantaged (Gilligan, 1997; Farmer, 2004).

Females in heavily patriarchal societies are confined to the bottom of the social order, where they are subordinate to men as the historically “passive/submissive” counterpart to the dominant male personality and lack the structural power and resources to alter their oppressed realities (Goldwert, 1985, 162; Sultana, 2012). Male dominance and female subordination are sustained structurally through various institutions, including the law, military, education, the economy, and government (Sultana, 2012). This hierarchical relationship is clearly visible in the legal order and a history of impunity for femicides in El Salvador and Guatemala.

3. Cultural and Structural Violence in El Salvador and Guatemala

3.1. El Salvador

Violence against women in El Salvador is ubiquitous, with 67 percent of women having experienced gender-based violence (UN News, 2018). Staggering femicide rates have made El Salvador one of the most dangerous countries for women (Griffin, 2018; Murray, 2019). In 2017, a woman was killed every 18 hours, with the death rate for women reaching 10.2 per 100,000

women (Forero, 2018; Murray, 2019). Data collected by the Institute of Legal Medicine reveals that, between January and December 2017, women aged 25-29 were the most affected by femicide, followed by women between 20-24, and teens aged 15-19; however, while the majority of victims were under the age of 30, femicide affected Salvadoran females of all age groups (Obinna, 2020).

In 2018, the UN reported that the femicide rate in El Salvador was 13.49 per 100,000 women — one of the highest rates of femicide globally (2018). In the same year, 285 femicides were reported between January and June, with 51 of the victims dying as a result of “femicide suicide,” which is defined as a female being driven to suicide due to repeated exposure to abuse, (Nugent, 2019). By 2019, it was estimated that the nation’s femicide rate was six times the global average (Ahmed, 2019).

Scholars identify the 1979-1992 Salvadoran Civil War as a precursor to the contemporary femicide epidemic (Carey and Torres, 2010; Huttner, 2020; Obinna, 2020). Incessant violence against women in the form of rape, torture, and death was inflicted structurally by the state military as a war tactic to subdue the opposition, contributing to the normalization of gender-based violence seen today (Huttner, 2020). Soldiers trained to engage in extreme acts of violence against women had to reintegrate into society at the end of the war; however, neither victims of gender-based violence nor soldiers suffering from psychological trauma were provided with resources by the state to adjust to post-war life (Musalo, 2018). Consequently, men continued to commit gender-based violence and women accepted it as normal (Musalo, 2018). Thus, it can be observed that these factors contributed to a transgenerational cycle where gender-based violence is tolerated and condoned both culturally and structurally.

While the most common form of femicide is intimate partner femicide as a result of intimate partner violence, the extreme femicide rates in El Salvador are widely attributed to the prevalence of gang culture, which emerged after the civil war (Nugent, 2019; Moloney, 2019; Obinna, 2020). There is a consensus among scholars that machismo is at the center of gang culture (Musalo, 2018; Huttner, 2020; Mabilia, 2020). While machismo is prevalent in almost every aspect of Salvadoran society, its values of male dominance and aggression and the

expectation for females to passively submit to aggressive masculine behavior are particularly amplified amongst Salvadoran gangs (Musalo, 2018). Gang members feel entitled to a woman's body regardless of consent and will often resort to violence and murder when rejected (Nugent, 2019). Women forced into relationships with gang members to avoid harassment and death are still subjected to intimate partner violence that, in many cases, lead to femicide (Moloney, 2019; Nugent, 2019). Access to weapons and large criminal networks make gang violence towards women particularly deadly (Musalo, 2018). Gang members will also target the female relatives and partners of rival gangs for "revenge killings," yet another example of how violence against women is used as a weapon during conflicts to humiliate and assert dominance over the opposition (Joseph, 2017; O'Toole, 2018; Nugent, 2019).

Gangs are so widespread throughout El Salvador that they occupy 247 of the country's 262 municipalities, meaning 94 percent of the country's towns and cities are under the influence of violent gangs (Human Rights Watch, 2019). There are varying reports about the actual number of gang members in El Salvador; however, government estimates indicate there could be as many as 60,000 active members and an estimated 500,000 gang-affiliated citizens who are either friends or relatives of gang members or who cooperate with gangs in one form or another (Zaidi, 2019). In contrast, there are only 52,000 state officers, including police, paramilitary, and military personnel (Zaidi, 2019). In terms of numbers alone, the criminal justice system lacks the capacity to tackle gender-based violence carried out by gangs. Yet, even if it did, there is little evidence to suggest that it would. Around 80 percent of femicide cases reported to law enforcement fail to result in convictions, reflecting a pattern of impunity for perpetrators (Moloney, 2020).

Impunity is a form of structural violence against women, hindering justice, sending the message that women's lives are not valued, and effectively disempowering women. According to Menjivar and Walsh, structural violence in El Salvador compounds violence against women and obstructs the state's ability to respond appropriately, "in part by sidelining the significance of profound inequalities, which have been normalized and have specific gender expressions" (2016b, 589).

Several factors contribute to impunity in El Salvador. Prosecutors often fear retaliation from gang members if they prosecute them for any kind of crime (Musalo, 2018; Moloney, 2020). In a country where patriarchal machismo values condone violence against women and shift blame to victims, crimes against women are frequently dismissed in the justice system — more often than not, they seem to have almost no place at all. Machismo in the legal system is deeply entrenched, a reflection of its ubiquity in every sector of Salvadoran society (Huttner, 2020). Female recourse to justice is obstructed by widespread belief among police and justice officials that women should be submissive to dominance and are likely responsible for the violence by not conforming to fixed gender roles. Victims often do not report to police because they fear they will not be taken seriously and lack faith in the legal system to protect them, as many officials are not only often bribed and/or threatened by gang members to turn a blind eye, but are also misogynistic themselves (Musalo, 2018). In many cases, police will not even respond to reports of women being repeatedly attacked by partners or relatives, with the abuse eventually escalating to femicide (Griffin, 2018). Judicial officials and police officers, informed by their own gender biases, will not grant women protection nor see them as victims; rather, they deem women second-class citizens and male perpetrators as being within their rights to inflict violence on a woman (Musalo, 2018; Huttner, 2020). Such attitudes are why, despite the enacting of various laws to combat the gendered killing of women, femicide rates remain high (Gellman, 2020; Huttner, 2020).

3.2. Guatemala

Like El Salvador, Guatemala has one of the highest rates of femicide worldwide (Menjívar and Walsh, 2016a). In 2017, there were 500 reported femicides (Obinna, 2020). As in El Salvador, women 25-29 were the most affected (Obinna, 2020). Women 20-24, 30-34, and 35-39 were affected equally, ranking in second for the age groups that experienced the highest percentages of gendered killings; however, women across all age groups were affected (Obinna, 2020). While the 2017 femicide rate was 2.6 per 100,000 women, it is likely that the number is higher due to underreporting and the failure of legal officials to properly classify gendered killings as femicides (Forero, 2018). For instance, between 2014 and 2016, 2,264 women were victims of violent murders; however, only 611 were formally labeled as femicide (Johnson, 2018).

Furthermore, El Salvador is currently the only nation to criminalize the act of driving a woman to suicide through abuse (Nugent, 2019). Therefore, it is also unlikely that femicide suicides are taken into account in Guatemala. Despite the likelihood of underreporting, Guatemala's femicide rate is still three times the global average (Ahmed, 2019).

With strong beliefs about fixed gender roles, the prospects of fighting gender-based violence and preventing femicide are bleak. Women are expected to take on a submissive role in all relationships with men, whether it is a relative or a partner (Lakhani, 2013). When a woman does not passively subscribe to this submissive ideal, she is subjected to violence, which a prevailing machismo culture accepts as normal and justified (Lakhani, 2013; Menjívar and Walsh, 2016b).

As with El Salvador, scholars link Guatemala's femicide crisis to the civil war that ravaged the nation between 1960 and 1996 (Velasco, 2008; Carey and Torres, 2010; Trujillo, 2010). Guatemalans grew accustomed to violence against women. The Guatemalan state military sanctioned gender-based violence to demonstrate patriarchal power over the opposition, as violating women was viewed as a way of emasculating and subduing enemy soldiers (Carey and Torres, 2010). When veterans returned home, they were offered no resources to adjust to civilian life, and thus turned their aggression towards their female partners and relatives (Piette, 2015). Despite the prevalence of gendered violence during the war, 99 percent of the crimes committed against women were never prosecuted, perpetuating a normalized pattern of gendered violence and impunity that persists today (Carey and Torres, 2010). It is evident that the state capitalized on existing machismo attitudes to enact further structural violence against women through its military, a strategy that consequently deepened cultural violence in the form of machismo.

The end of the civil war turned an unstable Guatemala into a breeding ground for the rise of dozens of gangs, who have divided territories amongst them and retained violent control over most of the country (Menjívar and Torres, 2019). As in El Salvador, gang violence in Guatemala plays a key role in elevated femicide rates (Carey and Torres, 2010; Menjívar and Torres, 2019). Women lack the ability to navigate freely outside of their homes due to the constant threat of violence from gang members (Pardilla, 2016). They are especially at risk because they lack equal social standing and are expected to submit to the will of men, facing sexual pressure, physical

assault, and death if they do not (Sauer, 2005). In Guatemalan society, there is widespread belief that men — as social superiors — are entitled to use aggression when women refuse advances or do not conform to fixed gender roles. As stated previously, such machismo notions are exacerbated and expressed even more violently amongst gangs. It is evident that in both El Salvador and Guatemala femicide is linked to machismo as a tenet of post-war gang evolution.

Women are further victimized by a legal system that is tainted by underlying machismo ideals and gang ties. According to Menjívar and Torres, gangs have infiltrated state institutions and secured ties with government officials, including law enforcement and judicial officers, through bribes and threats (2019). Prevailing ideas about gender roles also inform police and judicial responses to gender-based violence. Many officials believe that men are within their rights to inflict violence against women and frequently blame female victims or do not respond quickly enough — or at all — to reports of gendered violence (Ruiz, 2017). Even when reports of abuse against women reach prosecutors, they are not taken seriously because violence against women is not deemed a serious enough issue to take up time and resources (Bookey and Musalo, 2014). Cases that reach the trial stage are often dismissed by judges who, as a result of biased perceptions, stereotypes, and even contempt, blame women for the violence or do not believe them at all (Bookey and Musalo, 2014). The conviction rate for femicide is only about six percent (Ahmed, 2019). Analyzing legal responses to gender-based violence has revealed that Guatemala lacks the structural capacity to protect women from gender-based violence and prevent the escalation to femicide. The failure of the system to intervene and prosecute appropriately is clearly fatal for women and contributes to a repetitive cycle of violence (Bookey and Musalo, 2014). It articulates that gender-based violence is not taken seriously by the state and will not result in consequences for perpetrators — even when it escalates to murder. The attitude towards gender-based violence in general creates an environment in which femicide is seen as acceptable. This mirrors the culture of violence in El Salvador.

These factors coalesce to create widespread impunity, which scholars and human rights organizations have identified as a leading cause of high femicide rates in the country (Amnesty International, 2020). Due to a deeply ingrained culture of victim-blaming and misogyny, women

are discouraged from seeking legal help and thus lack the resources and structural support to remove themselves from situations that endanger their lives.

4. Conclusion

This essay has suggested that extreme rates of femicide in El Salvador and Guatemala result from a prevailing machismo culture, which itself is a reflection of violent practices during the Spanish conquest, civil wars, and the structurally and culturally entrenched manner in which these practices evolved in post-war gang culture. The absence of transitional justice from war, prevailing machismo attitudes, and a failed legal system where machismo values shape the justice process converge to create environments where women are repeatedly victimized. The violence against them is multidimensional, as they are not only victimized by partners, relatives, and gangsters, but by a system that has failed to prioritize justice for femicide victims and the welfare of women exposed to repeated violence that all too often leads to their deaths. A combination of culturally aggressive and structurally dismissive machismo creates an environment that simultaneously threatens female victims while protecting male perpetrators.

While the countries share clear similarities in historical and contemporary factors influencing femicide, El Salvador is reported to experience consistently higher rates. Investigating this difference presents an opportunity for further research, as existing literature indicates a slew of commonalities with no distinct differences to explain why El Salvador has higher rates of femicide than Guatemala. Furthermore, it is difficult to gauge the true extent of femicide in these countries due to the absence of reliable data and standardized reporting methods for femicide; however, the available data still offers significant insight on the femicide crises in El Salvador and Guatemala (Joseph, 2017).

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