**READINGS Point 4 - What are the alternatives for combating violence against women: institutional depatriarchalization, conflict self-resolution, preventive/punitive laws against violence?**

1. Presentation of the topic
2. Rita Laura Segato *The War on Women*, 2016.
Excerpt from Chapter 6: “Five feminist debates. Themes for a divergent reflection on violence against women”

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**Presentation**

The theme is organised into 3 organizational axes, as follows

Identifying the roots of patriarchal violence against women and girls 2. The power structure. Indicate what we specifically consider to be violence against women. Box: Understanding violence.

*Organisers of demonstration NousToutes*

-the system of gender-based and sexual violence is constantly renewed as the capitalist system evolves.

-These violences are not a persistence of an old system, of which traces remain despite a certain number of social evolutions, but a product of capitalist modernity. It is not a question of saying that there was no violence before capitalism, but that today, on a global scale, neoliberal capitalism, in its imperialist dimensions, produces and reproduces women as a category to be specifically exploited, and therefore as a category that will also be specifically victims of violence.

- Violence against women stems above all from the existence of a relationship of domination. This domination is protean, it is found in the justice system, in our culture, in the police, in political life and in the media. It is economic, social, legal, medical etc. Until this relationship is reversed, sexual and gender-based violence will remain a structural problem.

*Feminists fighting against incest and its world*

Incest, a systemic violence

- While the family is often presented as a space of refuge and solidarity in the face of a capitalist society, it is also a place where many forms of domination and violence are initiated. The authority figure over childhood is at the centre of the construction of most families and makes aggression within it possible and commonplace. This violence subsequently extends to other aspects of life in society in a patriarchal system. It should be remembered that although in the majority of cases it is the spouses who hit their wives, it is also a large majority of men who sexually assault minors in their nuclear or extended family (around 95%).

- With regard to the link between incest and incestors, the structural relationships of domination in schools, sports, child welfare services, etc. are of the same nature as those within the biological family: in all these situations, on a daily basis, it is people who are dependent on adults they trust who are led by physical force or persuasion to have sexual relations with people who dominate them. In the same way that we talk about a rape culture, these facts show that our society is run through by a culture of incest which also affects the institutions directly linked to children.

2. identify the types of violence and underline what we consider as violence suffered specifically because we are women. Types and modalities of violence: family violence, (institutional) violence in the state apparatus, in medical institutions, rape culture, etc. Uninterrupted increase in patriarchal violence, increase in feminicides. Emblematic cases of institutional violence (Bolsonaro, Trump...).

3. What is feminist justice, what is integral reparation of damages, what transformation of society do we need, after identifying these macho violences?

What are the alternatives and experiences that we feminists have developed to deal with violence (laws, resolutions within left-wing organizations, self-resolution of conflicts, etc.) and what would be the remedies to rebuild the relationships crossed by these types of violence? How can we move forward to overcome this specific type of violence, which is generated in systemic violence? To talk about the reality of people/women who have parents and relatives in prison, about the feminist vision of prison. Putting the deconstruction of privileges and the horizontalization of relations and functioning of organizations as part of the alternatives. Transformation of our organizations: depatriarchalization of left political organizations.

*Getting out of carceral feminism.*

We will never condemn a victim of aggression who decides to file a complaint. We understand intimately the need to feel listened to, believed, understood and safe. On the other hand, we accuse the justice system, the police and the prison, in a word the state, of being an obligatory, omnipresent and totalitarian intermediary in cases of violence and of dispossessing us of our experiences.

- For all these reasons, the victims' associations' call for more protective laws is understandable. But (...) we believe it is essential to understand the concrete impact of such laws on the people targeted by the judicial and prison system. Feminist struggles therefore have no interest in going into the punitive field and have every interest in emancipating themselves from the penal system.

- This is not angelism. We know that violence is a daily occurrence, that rape is commonplace, that silence is overwhelming (...) But we believe that the state will not protect us from incest and, more generally, from patriarchy. On the one hand, because the justice system prosecutes above all economic crimes and because prisons have historically always served to protect capitalism and imperialism, not physical integrity. On the other hand, because there will never be courts and prisons big enough to punish all these acts: if 1 woman out of 3 has experienced violence in her life, it's because there is an aggressor behind each aggression; so, frankly, what's the plan? Lock them all up?! So what is more realistic for us feminists? The punitive management of patriarchal violence or seriously considering other strategies to deal with it? Moreover, the punitive system never takes care of the victims: post-trauma support, economic and social independence, self-defence,...

QUESTIONS TO THE GENERAL GROUP :

- How can we move forward in the fight against violence and the depatriarchalization of our organizations and the spaces where women live?

- How can we make progress in resolving these situations of violence without having to resort to the repressive apparatus of the state at any time?

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Author: Rita Laura Segato

Book: *The War on Women*, 2016.
Excerpt from the Chapter 6: “**Five feminist debates. Themes for a divergent reflection on violence against women”**

**Unequal, but different**

If we consider patriarchy as the elementary cell of all expropriating violence and a type of structure of very long time that practically coincides with the time of the species, it seems an almost natural structure. This does not prevent us from thinking that it is a structure that has undergone modifications over time, that it is historical. And here I come up against a third divergence, the most difficult to explain, the least concrete, which requires a little more care. What I am interested in highlighting is a third type of discontinuity, the discontinuity of patriarchy from the experience of conquest and colonization. I believe I can prove that the patriarchal structure has a transformation there, a turn of the screw that turns it into modern patriarchy as we know it today, which for me is the patriarchy of maximum lethality (Segato, 2015b).

My view on this issue is fuelled by ten years of collaboration with FUNAI, the National Indian Foundation, the state body that administers indigenous issues in Brazil. In 2002, two indigenous women went to FUNAI asking for gender policies for indigenous women, policies that did not exist at the time. When Lula won the elections and took office in January 2003, the women asked the president of FUNAI to hold a big meeting and take a request to the new president who was arriving at the Planalto Palace. I was invited to give this workshop for 41 indigenous women from all regions of Brazil. That workshop then gave rise to a sequence of two series of workshops, organised with some difference, but continued over ten years. They were held in all regions of the country and involved women who were "uninhabited", already urban, and women who lived or still live in their villages; women who spoke fluent Portuguese, who still spoke it with a strong accent of their own languages and who did not speak it - the use of "still" is part of this evolutionary heritage from which we have not been able to extricate ourselves. I accompanied this state action in the indigenous world and, in a way, I was also able to observe the advance of what I call the state-business-media-Christian front, always patriarchal and permanently colonial, towards the interior of the country.

One of the questions I asked myself at the time was what was happening to men in the villages, in what - to use a kind of Weberian ideal - I call the "village-world". In the regions, in the villages where community and collectivist organisation still exist, with strategies to control accumulation and concentration, with technologies of sociability that are their own and with historical projects that diverge from capital, what happens to gender? What happens when that well-intentioned state front, with its NGOs, its public policies, schools, health posts, actions for indigenous women... are entering that world? It happens that, along with all this, violence increases. A big question mark: why is this happening? It's a phenomenon that is totally provocative to think about. Why, together with the state front and its business, media and Christian alliances, are the forms of aggression against indigenous women also advancing and increasing? This is observable, it is a fact of reality. There is a woman whose husband cut off her arm with a machete, another woman who was left with a limp after being beaten, beaten, etc. These forms of domestic violence, these forms of cruelty against women, of hatred towards women, were not typical of the previous community structure, they have to do with the capture of men by the colonial world.

Here I synthesise an argument that I have developed in two texts, *Gender and Coloniality, and The Role of the State and the Law in the Face of the Structure and Transformations of Gender Violence.* It is a great synthesis, almost a geometry of an analysis that would have to be much longer. A key issue is the issue of acriolation. I am Argentinian, and for a large part of my life, saying "Creole" seemed to me to be a very nice thing to say. Today I think that "criollo", "prejudice", "homophobia" and "misogyny" are synonyms. Our Creole world is a lethal world for women. And that has to do with the colonial front. I am not the only one to say this, French researchers have also said it for Africa. I see it for our world. The man who wars with the colonizer becomes a creole, whether he is a coloniser of the overseas administration or a republican coloniser, of our republics, a state agent, it is the same thing.

From this observation I come to the idea that we were deceived when we were told that our republics represented a great break, a great rupture with the world of overseas administration. That is a myth. Or not even a myth, myth is too noble a word to use here. It was a deception that we suffered, because our republican States, our creole governments have much more continuity with the colonial world, with the overseas administration, than discontinuity, a break, a rupture. This can be seen in the way in which the states approach their inner world, the inner world of our nations.

The case of Uruguay is very interesting. In Argentina and Brazil we are fascinated by Uruguay's great citizenship. But we tend to forget that it is a country built on top of a great mass grave. And those spectres can be felt, those spectres are always present. You can't completely suppress the population that has circulated through a landscape and bury it in “Salsipuedes”, you can't do that.

In the advance of the state front there is an acriolation of the men, who are captured first to defend themselves militarily against the conquest and then to negotiate peace. These men are captured, hijacked by white male patterns, by white sexual styles. The vision, the meaning of carnal access, changes completely. And the acculturated man is profoundly transformed and adapted, because he has to make a choice, he has to choose between his peer, his peer, his brother, the white man, or his wife, his children and his home. The interpellation of white masculinity is very strong, especially because white masculinity is victorious. This man surrenders to the mandates of the format of sexuality, of white power, and becomes the coloniser inside the house.

This is my account of the story, but within feminism we can see three positions on the issue. A first position, which we could simplistically characterise as Eurocentric, says that gender is the same here, there and, if you like, worse in the "peripheral" world as seen from Europe. At the other extreme, we have a group of authors among whom I would like to highlight an Argentinean author, María Lugones, who teaches in the United States. Even if I disagree with her, I appreciate her essays, her texts. Taking ethnographic and historical evidence from a range of women authors, she argues that in the pre-colonial world there was no such thing as gender. Her great inspiration is a Nigerian author, Oyeronke Oyewumi, who also teaches in the United States. Oyeronke Oyewumi points out that gender in the Yoruba world is a British colonial invention, which did not exist before British colonisation. This would be the set of authors at the other extreme. I am located in the middle ground.

My position is that in the pre-colonial world there was indeed patriarchy, gender hierarchy, the greater prestige of men and male tasks, and a certain violence, because where there is hierarchy it must necessarily be maintained and reproduced by violent methods. But this patriarchy was or is, where it still exists, and exists in many places even in recession, a low-impact or low-intensity patriarchy. Where there is community, women are more protected. What happens in the transition to modernity is this colonial capture of the non-white male and an abrupt fall of the domestic space in value and in politicity. We see this happening, it is almost visible in some basins, in some spaces.

In the community world we have two spaces. On the one hand, the public space, a male monopoly? Yes, with greater prestige? Yes. Is it only men who speak in the public space? Yes, in very many tribal societies. And on the other hand, a domestic space, with less prestige but political, endowed with politicity, not intimate, not private. How is the domestic space political? When the family is nuclearised, when the domestic space becomes that capsule between four walls, mum, dad and children, it also becomes depoliticised. This can be seen in the indigenous world. Before, the community had its domestic space criss-crossed by dozens of people looking at everyone. There was no notion of private life, as there is among us, the idea of protecting privacy, that value of the private that is fully modern, fully individualistic. There was no such thing as the intimate, that which cannot be seen, no such vision of things. That collective eye was lost with the nuclear family. Modernisation, individualism, the nuclearisation of the family, there is in all this an abrupt fall in the value of private space, of domestic space, which becomes an intimate and private space. This was not the case before.

Another very important difference is that the public space in the community world is not a sphere where what is enunciated has universal value, there is no universality, the two are two, it is a dual world. With modernity, this structural duality is transformed into binarism. They are not the same thing, there are differences between dualism and binarism. The binary structure is the structure of the One. To speak politically, to enunciate a discourse that has universal validity, of general interest, a frankly political statement, it is necessary to enunciate it in the public sphere. This sphere did not exist in the tribal world, because it was only a public space, a space of two. Here, in the world of modernity, there is a space of One, the public sphere is the only space where what is spoken has a political impact on the totality of people. Whoever wants to speak there is going to have to adapt, learn to behave, certain forms of corporeality, certain forms of dress. We may think that this is a lie, because women, black people, gay people, people with disabilities, they all speak there. But they have to make a great effort of transvestism, a great effort of learning to speak in the public sphere. Nobody speaks in an apron there, because that is the sphere that monopolises and totalises the political. And the rest is rest, is residue.

This is the structure of modernity, lethal as never before, because it transforms women's lives, nuclearises families and transforms everything that happens to us. That is why it is also essential to talk about what happens to us in war, not because it is numerically more important, but because it changes our thinking about what happens to women, it shows us that what happens to us can be of a fully public order. This is key, because all the mechanisms we see, all the official discourses on women, push the fate of women into the realm of the private, the intimate, the particular. The very difference between the general and the particular, and the way we classify it in modernity, that difference is structured by binarism.

This is another of the great divergences, another of the great debates within feminism that I consider very important in order to think more clearly. In a text I have written on this subject, I say something that is aberrant, *épater le bourgeois*, but it is necessary to challenge the biemenscent schemes with which we go round in circles. I say the following. If the modern slogan is "different, but equal" - which in the end is a fiction, because in the binary structure that is impossible, there is no place for the other, the other is a function of the one - in the tribal world the slogan would be "unequal, but different", the world is frankly plural.

When we say the great slogan of ours, so heartfelt, "different but equal", we are believing the discourse of modernity. It is an egalitarian discourse, but it is only a discourse. As feminist jurists have always said, and this is the great criticism of feminist jurists, modernity has an egalitarian discourse that masks inequality. Never in the history of humanity has concentration and inequality been greater than in the present. Eighty-five people have the same wealth as the remaining half of humanity. Never has concentration been greater. And that doesn't mean that inequality is about money. It is about power, those people have the power of life and death over others.

In the tribal world, men and women are two different natures. There is no postulate of a universal equivalent, of a universal human being, with all the problems that can arise from that. They are not hierarchically equal, but in that inequality they are both full in their being, in their difference, in who they are. And they have their own world. So they are unequal, but in a plural world. To say "unequal, but different" is a warning, a challenge. In these societies, men and women are two sets, two groups of ontologically full, ontologically complete people, one group is not the deficiency of the other, the alternate function for the One. It is not the world of the One like ours, both have their completeness, their historical project, their pacts, their forms of politicity, their alliances even within divergence, their spaces for doing politics. Women have a shield, the community protects women, the collective eye, because the domestic space is populated by a large number of people who pass through it.

I emphasise the difference, because it is difficult for us to understand the existence of this diversity in the ways of being. Arab women have said it a lot. We also see it in America. Whoever goes to the countryside, whoever approaches community life, sees that women behave very differently from fully urban life. In Argentina I live in a very rural region in the Andes. There, women are much more powerful than in the city. It is an observable phenomenon, which is being lost as urbanisation advances, as the world of the masses advances and as citizenship advances.

In the Western world, in the European world, difference is a problem that has to be "equated" in some way, in some way a universal equivalent has to be used to produce equality. And here the sacrifices are many. Today the community world is crossed by discourses of equality, by the discourse of human rights and the internal debate of the communities themselves, which are producing a historical path, in Chiapas for example, using the good slogans that come from the world of modernity. These are open worlds.

It is not a question of customs, I am not talking about culture, because culturalism is one of the variants of fundamentalism. In some tribal societies, in indigenous societies, we sometimes see forms of “caciquismo” that are Creole, but which are presented as their own customs, as if the gender hierarchy were prescribed by tradition. This recourse to custom is a culturalist recourse, which is synonymous with fundamentalism. It happens not only in Islam, it also happens in Catholicism, in some forms of evangelical religions, and it happens in the tribal world. That's why I don't practically use the notion of culture unless it is indispensable, I'm not talking about customs, I'm talking about historical projects, historical pluralism, different history. In those different historical projects there was, there was always internal deliberation, there was always change. Humanity was never the same anywhere. That history is ours, of the modern, white, European world, and that other peoples have customs is a binary invention, a Eurocentric invention, a Eurocentric view of tribal peoples. But it is not true. Every people has always had customs and history, both. And so have we, if we are a people.

In some instances it has been pointed out that I idealise the tribal. Are we not, on the other hand, prejudiced against the tribal? Do we not have to examine our beliefs? Is it not a constant obligation of the inquirer and the inquiring person to examine his own certainties? Can we advance in thought without doubting our certainties? Now, our certainties point out that the tribal is underdeveloped. And what I say - and this is why I understand the resistance, because it challenges the general certainty that the tribal is underdeveloped - is that the world is moving in the direction of violence, that the holocaust is modern, as Hannah Arendt and Zygmut Bauman have said, in other words, that without modernity there is no genocide. I say this in full awareness of instilling a doubt in relation to a series of unexamined certainties with which we think and work. I believe it is necessary, because we are coming to defeat, the feminist movement is defeated in its struggles to diminish violence.

This call, this alert, is often absolutely disconcerting, because we have a civic blindness, a civic faith that prevents us from seeing the reality of the world we inhabit and the reality of our faith. The discourse of modernity is egalitarian, but legal, liberal, general equality masks a progressively unequal world. And we have staked all our chips on the state field, the social movement has jumped in with both feet to expand the field of the state. I simply ask, what are the results of this gamble? What are the results of our gamble on the project of equality?

The challenge is very big. If we need to make all the distinctions I am talking about and, at the same time, affirm that the subsoil of all violence is a common structure, the symbolic patriarchy, how do we do then? The solution is to think historically, it is essential not to compartmentalise our theories, our thinking or our struggles. We are making a mistake in ghettoising our struggles. Why can I say it is a mistake? Because we are not achieving great results. Today we are facing a world where the exercise of the pedagogy of cruelty is evident, it is enough to listen to raggaeton, it is enough to listen to a lot of the music that is listened to massively, to watch television, to see the propaganda. We see all the time that we are subjected, we are trained in a pedagogy of cruelty. The television lens is a lens of plunder, of dispossession.

Finally, we must also ask ourselves, why do feminist women manifest this desire for historical, civilisational indistinction? I believe that this is a characteristic of feminist thought today. Thus, it fosters indistinction within the feminist movement, it masks the forms of domination, the inequalities of prestige within the movement itself. But within the movement itself there is also a struggle, as everyone knows, for control, for influence, for prestige and even, above all, for resources. We women should be the first to recognise the plural character of experiences and to be able to think about different historical projects.

**On the role assigned to the state**

There is still a fourth feminist divergence, to which I will refer only briefly, as I refer to the literature on the debates on institutional feminism: the one that divides those sectors, now in the majority, that have put all their faith and efforts into advances in the field of the state: The first sector believes that there is a causal relationship between institutional feminism and the institutional strategy, which has borne little fruit, especially in terms of lethal violence and the forms of cruelty suffered by women, and, when it has, it has mainly benefited white, middle-class women, who have thus managed to be "included" and to act in the public sphere. The first sector believes in the causal relationship between laws and practices, which I have criticised on several occasions.

This position is related to the debate I examined in the third section, which contrasts European feminisms with non-white or Latin American feminisms, and derives from the Eurocentric perspective, typical of a reality in which, for historical reasons, the relationship between state and society is not the same as the state-society relationship in our continent, in spaces of colonisation. In our spaces, the republican state, heir to the overseas administration, has maintained its colonial exteriority in relation to the national territory and society. Women who follow this path adhere, without inspection, to the assumption that institutional failures are due to the inadequate execution of rules by state agents in charge of public service counters. They believe, therefore, that with proper instruction, this circumstantial defect can be resolved and, also, that the state itself can be reformed for better management performance vis-à-vis society. This belief arises, as I indicated above, from the influence of Northern feminisms on us, and their pressure to impose goals and generate policies in our midst that are modelled on the policies that serve their geopolitical region, without sensitivity to recognising the history and constitutive architecture of the state in post-colonial contexts. This constitutive architecture, inherent to the continent's states, is characterised by a design that, from its foundation by the Creole republican elites, guarantees its permanent appropriability and the physiologism of its appropriators. This, as I said, is a constitutive flaw, since history has never proved that the appropriability of its divisions, operated territorially by an administrative elite that reproduces itself endogamically in its spaces - an elite, in the definition I adopt, is any group or network of state operators. Added to this is the increasingly less and less judiciable and restrainable state-business pact, which the discourse of human rights is trying, unsuccessfully, to curb.

Faced with this position, there are those of us who ask ourselves what the state can and cannot do for us, and we look for solutions within and outside the state sphere. Those of us who are realising that, almost without realising it, we have been giving in to the strategies and goals of the feminisms of the North, which have led us to place all the chips in the game, without exception, in the state arena, without this having led us very far in the direction of our proposals and demands.

Without abandoning the struggles on the state front, because it is necessary to fight on all fronts, it is necessary to try to advance our goals also outside the state, on extra-state paths, by reconstructing the community fabric from fragments of community that are still recognisable and vital, what I have called "shreds of community", never from abstract models, because the community needs history and symbolic density, a cosmos of its own that sustains its cohesion and points the direction of its historical project.

**Do not ghettoize the gender problem**

This fifth divergence has already been mentioned above, when examining the difference between the dual world of collectivist societies and the binary structure that organises modern societies, but it merits its own specific section. In the latter, the binary design of the relationship between the public sphere, the platform that authorises the enunciation of everything of universal relevance and general interest, and its margins, where the issues corresponding to the particular interest of the so-called "minorities" are accommodated, determines, as I explained in my analysis of the intersection between gender and coloniality and the resulting emergence of a high intensity colonial/modern patriarchy, that everything related to gender relations and what affects women's lives is cornered, relegated, relegated to the realm of the intimate, of the private, of what is devoid of politicity. This binary structure, which traps the fate and "citizenship" of women in the realm of the particular, the specific, the partial, underlies approaches to gender that ghettoise it, that is, that define the question of gender relations and the victimisation of women and all those marked by non-normative sexualities as an issue that can be examined only in the realm of the bonds, affects and representations of men and women. This is a position that, as a theorist and activist, does not represent me.

The position thus defined as guetifying the gender issue also derives from the very consolidated approaches, categories and practices of Eurocentric feminisms, which we could describe as "productivist" and institutional. These "specialist" feminisms tend to isolate the issue of gender relations from broader, more general considerations of context and power relations specific to the context in its historical time. In opposition to this approach is a feminism that primarily addresses the historical scene and considers the fate of women in that historical scene as a fundamental reading domain for locating power and analysing how it is exercised. This approach understands gender as a thermometer, a field that allows us to read and be read in the light of a broad context constituted by the web of capital, politics and societal practices in general. The gender situation makes it possible to diagnose the historical scene, and only its analysis within the framework of that scene makes it possible, in turn, to understand gender-related events.

Only when the subject is considered in this way do we understand why it is so difficult to remove women from the increasingly vulnerable position in which they find themselves in today's world, despite the increase in laws and institutional measures for their protection and promotion. For the plot that binds their subordinate position far exceeds any analysis that ghettoizes and specializes the patriarchal structure.