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# CROSS-BORDER WOMEN: CAPITAL, VULNERABILITIES AND RIGHTS VIOLATIONS

**Érika Rejane Rodrigues de Souza Fideles** Goiânia – GO http://lattes.cnpq.br/8929563748603060



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Abstract: This article's theme is Cross-Border Women: Capital, Vulnerabilities and Rights Violations. The general objective of this article is to analyze the human being woman at the border, with her vulnerabilities, needs, her challenges in a scenario of human and social rights violations reinforced by a capitalist - patriarchal society. To achieve the aforementioned objective, the exploration of bibliographic surveys carried out in article banks from CAPES, SCIELO -BRAZIL, ACNHUR - United Nations High Commissioner for Refugees and IOM -International Organization for Migrants and specific doctrines were used as a research method. About the subject. We understand that there has been progress regarding the issue of rights violations in relation to women in general in recent times. But, at the current moment, with several authoritarian and conservative governments, including Brazil, there has been a setback in matters linked to these rights.

**Keywords:** Women, Cross-border Women, Patriarchal Capitalism, Violation of Rights.

## **INTRODUCTION**

"(...) I take the border as a privileged place for sociological observation and knowledge about the conflicts and difficulties inherent in the construction of the human in the encounter of societies that live on their limits and on the threshold of stories. It is at the border that one can best observe how societies are formed, disorganized or reproduced." (MARTINS, 2019, p.10).

Brazil is the country in Latin America that has the most territorial borders, in total there are ten countries that surround it. According to the Ministry of National Integration, there are 11 Federation Units, 588 municipalities that bring together approximately 10 million inhabitants along the border of our country. Therefore, 27% of the national territory is bordered.

The Brazilian border region was established as the Border Strip in 1974, delimited 150 km from the international limit, respecting the municipality. The creation of this territory was carried out from the perspective of national security, and to this day it is a space lacking solid public policy that promote economic and social development (MACHADO, 2005).

Thinking of the border as a different form of territorial organization from that of capitalist logic is also necessary, as the border constitutes an analytical and spatial outline of different social, political, economic, ethnic and cultural realities. As a category of spatial analysis, it involves the issue of the volatility of capital and production relations across the territory. Furthermore, the border is the stage for cross-cultural and identity encounters and conflicts, violations of rights and violence.

According to author Luciane Almeida (2017), discussions about borders occur between two currents, the first with a more negative view, stating that the border is a "lawless land", which serves as a passage for various crimes., the second current with a more positive perspective, "(...) sees the border as an opportunity to strengthen ties, commercial relations and friendships" (ALMEIDA, 2017, p. 31).

# BORDER AND ITS VARIOUS MEANINGS

The border is the result of an imaginary construction, understood as a space for sharing historical processes, a place of passage, transit and circulation of goods, beings, ideas, languages, cultures and social practices that create new territorialities and landscapes with their own characteristics. and private individuals (PEREIRA, 2014).

It is at the border that we find the human being at its historical limit, there we come across the anthropological difficulties of making history, stories that overcome social needs, transform social relations and this way create the humanity of man. The border is, above all, the human border. A limit point of territories, which are incessantly redefining themselves, litigated in different ways and by different human groups (MARTINS, 2019).

Still from the perspective of Martins (2019), borders are areas marked by tensions, conflicts and disputes. The conflict makes the border a place of discovery of the other and of mismatch of historical temporalities. The social space of the border is privileged and specific, with striking components ranging from its occupation as a territorial border, to the confrontation with the Other, the human border. Everything that arises from this relationship manifests itself as a site for various disputes, caused by ethnic and social disagreement. For the author, the border will no longer exist when there is no conflict, as the conflict makes the border essentially, at the same time, a place of discovery of the other and of disagreement. There is no territory without subjects who build it. The territory is organized through social subjects in movement. The border is a line of separation, whether concrete or abstract, but which is not necessarily rigid.

Albuquerque (2010), draws attention to the fact that borders are not static, but rather diverse and dynamic social phenomena, adds Albuquerque (2010):

National borders are much more complex phenomena, they are not limited to limits, currencies, diplomatic treaties, nor can they be simplified as the place of drug trafficking and smuggling. There is no border in the abstract, what exists are social and singular border situations. Some phenomena can be generalized to other border contexts and others are specific to a given social configuration. (ALBUQUERQUE, 2010, p. 42).

It is a social construction materialized in the relationships between people who live daily contact and exchanges. The border is the domain of the people who inhabit it, with characteristics typical of places of contact, it has a dynamic character as an articulator of exchanges, but also a catalyst for conflicts, outside the strict control of the territorial State (MACHADO, 2000).

As we have seen, the word border acquires different meanings, related both to the aspect of geographic space and in the metaphorical sense. In this article, the term "border" will be used to describe the territorial limits of the State of Mato Grosso do Sul with Paraguaia, based on its geographic, sociocultural, ethnic and racial dispositions.

The State of Mato Grosso do Sul is made up of a native indigenous population and migrants who came from other States in the country, but also from neighboring countries that border the State, namely Paraguay and Bolivia. As we know, populations migrate in search of a better quality of life, fleeing war, an economic crisis, poverty, political persecution, drought and other natural tragedies.

The population of Mato Grosso do Sul in 2020 was estimated at 2.809 million inhabitants, a population increase of 30 thousand people compared to 2019 and a growth rate above the national average. This is what the Technical Report on Population Estimates 2020 reveals, prepared by SEMAGRO - Secretariat for the Environment, Economic Development, Production and Family Agriculture, based on data from IBGE - Brazilian Institute of Geography and Statistics published on August 27 in the Diário Union Official (BRAZIL, 2020).

Of the 79 municipalities in Mato Grosso do Sul, 45 of them have part or all of their territory located on the border with Paraguay and Bolivia. This 150-kilometer-wide strip totals 143 thousand square kilometers, 40% of the 357.1 thousand km² that make up the Mato Grosso do Sul territory. Of the 45

municipalities in Mato Grosso do Sul on the border, 27 have 100% of their territory located in this space. Among them are the border areas in the municipalities of Ponta Porã, Amambaí and Mundo Novo and Dourados. The entire municipality of Dourados is in the border strip, which takes into consideration, the straight-line distance. The municipality of Corumbá, neighboring Bolivia and the largest in Mato Grosso do Sul and the Center-West with 64.7 thousand km², has 72.3% of its area in the border strip. In Miranda, of the 5,475 square kilometers, 68.5% are on the border.

The municipalities mentioned here face several serious social problems, including: violence against women, high homicide rates, smuggling, drug trafficking, weapons trafficking, human trafficking, sexual exploitation, unemployment, exploitation of cheap labor, problems of basic sanitation, homelessness, lack of health care, lack of school education.

According to Almeida (2017), we need,

(...) understanding the issue involving immigrants and refugees in Brazil and the State of Mato Grosso do Sul is to unveil the social issue that is hidden in the invisibility of reality, extremely necessary so that we do not trivialize the human person who finds himself in situations of extreme vulnerability and social risk. Research needs to be carried out to better understand these realities, so that they can be minimized through social policies capable of responding to the desires and needs of this population (ALMEIDA, 2017, p. 42).

Still following the author's vision, Brazilian borders are beginning to be remembered by our governments, with the objective of national security. We witness every day at the borders not only in Brazil, but throughout the world, a selectivity of human beings, closing the territorial limits of countries trying to prevent the entry of people considered undesirable. It is important to highlight that debating

the border issue goes beyond thinking only about national security, it goes far beyond the territorial separation of two countries, which comprises distinct social, political and cultural relations. Thinking about the border is also thinking about human beings with their vulnerabilities and needs. It means thinking about identities and differences (ALMEIDA, 2017).

# THE BORDER, CAPITALISM AND THE SOCIAL ISSUE OF WOMEN

"As long as women are not called upon to participate freely in public life in general, also fulfilling the obligations of permanent and universal civic service, there cannot be (...) integral and durable democracy." (Lenin, 1979)

According to Queiroz (2009), reflecting on the border, as a specific form of territorial organization from that of capitalist logic, is also necessary, as the border is formed by different spaces, different social, political, economic and cultural realities. As a category of spatial analysis, the border encompasses the issue of the volatility of capital and production relations.

The capitalist system appropriates subordination and oppression to enhance the exploitation of vulnerable segments, such as women and black people, to achieve higher rates of surplus value. Being considered inferior to men, women are more likely to receive low wages, even when they assume the same positions as men, without guarantees of rights, in precarious situations. The author draws attention to the fact that the concepts of subordination and oppression came from the patriarchal system, which is prior to the capitalist system, however, capital has maintained and accentuated the oppression of women throughout history, as well as perpetuating various prejudices and discrimination against women. the aforementioned class (QUEIROZ, 2009).

Heleieth Saffioti in her work "Women in class society: myth and reality" (2013) highlights that it was not the capitalist system that created the social inferiorization of women, but took advantage of it, intensifying the dispute, deepening the inequalities between the sexes. Thus "(...) sex, a source of social inferiorization of women, starts to infer, in a positive way for the updating of competitive society, in the constitution of social classes" (SAFFIOTI, 2013, p. 190).

Still from the perspective of Saffioti (2013), it is important to highlight that the oppression to which women are subjected does not arise with class society, however, it is in this society that inequality between men and women is remounted, favoring only men, bearing in mind that there are no changes in the structure of patriarchy (system of domination-exploitation of men over women), that is, while women continue to be exploited, patriarchy is sustained.

Class has race, sex and ethnicity. And the capitalist system has "a divide and rule strategy, the configuration of these divisions is socially constructed through class, race, gender relations and social practices" (SOUZA-LOBO, 2011, p.173). Forming a hierarchical system, which is taken over by capital in its exercise of producing and reproducing inequalities.

Following this same perspective, Antunes highlights:

The relations between gender and class allow us to verify that, in the universe of the productive and reproductive world, we also experience the implementation of a sexual social construction, where men and women who work are, from childhood and school, differently qualified and qualified. for entry into the job market. And capitalism has known how to appropriate this sexual division of labor unequally.

The aforementioned system benefits

from the oppression of women, both from an ideological point of view and from the perspective of precarious and subordinate inclusion in the world of work, "devalued work", "work considered feminine" "women's work", which characterizes by: informality, precariousness, sexual harassment, etc. Also, earning salaries from women, "something remunerable and the extraction of free work, or through the appropriation arising from sex relations" (CISNE, 2018, p. 121), women are reduced to sex, it is an appropriation of the body of women, a method that removes the conditions of human beings and turns them into objects, things (CISNE, 2018, FALQUET, 2012, GUILLAUMIN, 2005).

Therefore, the class inequalities to which are subjected, accentuated gender relations, as well as the struggles to guarantee their social rights and citizenship are, therefore, expressions of the social issue. It can also be said that the various types of rights violations to which women are exposed daily are expressions of the social issue, with the capitalist-patriarchal mode of production reinforcing these ideas. In the capitalist system, as human beings, women are subject to patriarchal violence, which subjects their lives, sexual exploitation, exploitation of cheap labor, underrepresentation in Brazilian electoral politics and many other violations of human and social rights. Associated with the capitalist-patriarchal system, these women are transformed into objects of consumption, exchange, commodities; and thus, they are precariously entered into the process of production and social reproduction. Capitalism endorses the difference of class, of sex in patriarchal-racist oppression and exploitation, the condition of vulnerability to which this class is exposed.

# CROSS-BORDER WOMEN: VULNERABILITY, TRAFFICKING AND VIOLENCE

The border space is the stage for clashes of different realities that energize cross-border dynamics, as already mentioned in previous paragraphs. In addition to the possibility of contacts and improved integration between countries, the border line enhances illicit dynamics that attribute a greater burden of vulnerability from a security perspective. The international border has always been considered a vulnerable region.

According to ACNHUR - United Nations High Commissioner for Refugees and IOM - International Organization for Migrants (2015), the conditions of vulnerability of women at borders are still marked by various forms of violence and violations of their social and humans. These women, alone or with young children, face the ranks of migration at the borders, and increasingly represent an important portion of displacements resulting from social inequalities, unemployment, civil wars and poverty in their countries of origin. However, many also migrate to escape domestic violence from their partners, husbands, boyfriends, parents or brothers (ACNHUR AND IOM, 2015).

Although situations of violence against women are not specific to the Border Strip, they can be aggravated by the low institutional density in certain border segments or because they remain in the background due to the emphasis of security agencies on combating crimes of greater national prominence – such as drug trafficking and smuggling.

In the State of Mato Grosso do Sul, the municipalities with the highest rates of lethal violence were located in the Southwest mesoregion, in the territories that border Paraguay. This region has a 1,300 km border with that country, through which three

federal highways pass (BR-267; BR-463 and BR-060) and is known for being one of the gateways for drugs and weapons to Brazil. The municipalities with the highest homicide rates in this geographic space were Paranhos (91.3), Antônio João (90.8), Ponta Porã (48.0) and Itaquiraí (67.8). Ponta Porã, the municipality neighboring the Paraguayan city of Pedro Juan Caballero, has a strategic position as a warehouse for international drug trafficking <sup>1</sup>.

According to the State Secretariat for Justice and Public Security - SEJUSP, Mato Grosso do Sul has the second highest rate of femicide in all of Brazil, tied only with the State of Roraima. According to the Public Security Yearbook, from the FBSP - Brazilian Public Security Forum, the two States recorded 3 crimes for every 100 thousand inhabitants. Data from the Mato Grosso do Sul Feminicide Map show that 2020 was the year with the highest number of records of the aforementioned crime against women in the State, since 2015, when the penal code was changed, by 13.104/2015, and feminicide became be considered a heinous crime. In every month of last year, Mato Grosso do Sul recorded this type of crime. In total, 40 women lost their lives, simply because they were women. In 2019, the total number of victims was 34 women, compared to the 39 recorded in 2020. In 2021, the majority of cases, 20 in total, were registered in municipalities located on the border line and strip between Mato Grosso do Sul and Paraguay and Bolivia<sup>2</sup>.

The perception of the advancement of violence in the border region of Mato Grosso do Sul has been observed through the high rates of homicides and feminicides as mentioned in previous paragraphs, which, for Minayo (1994), homicide mortality has been considered an indicator significant amount of social violence and violation of rights. However, there are other indicators

 $<sup>1. \</sup> Available \ in: \ http://www.ms.gov.br/ms-tem-estimativa-de-crescimento-de-30-mil-habitantes-em-2020 \ Accessed \ on \ May \ 4, \ 2021$ 

that influence the increase in this violence, social and economic inequalities, prejudices regarding race and gender, unemployment, lack of efficient public policies, etc. As economic and social vulnerability has been pointed out by scholars as a general cause of conflicts and violence.

Federal According to the Public Defender's Office and the Public Ministry of Labor, they highlighted the incidence of trafficking in Brazilian and Paraguayan children, adolescents and women to commit crimes such as smuggling goods and drugs. According to the factors analyzed by the ENAFRON Coordination, the border is a space of vulnerability, the ease of entry and exit on land and river routes in the border area, provides interaction between people and the movement of people, whether or not they are being trafficked. According to the Federal Police Department, the cost of travel is low, which is generally done by bus or private car, as well as the use of a passport is not mandatory to travel in most border countries, which contributes to the occurrence of human trafficking in the region. Besides, according to the Public Ministry of Labor, it is also possible to observe the enticement of Paraguayan women and adolescents from border regions to exploit cheap labor, in informal domestic work in several border states (BRAZIL, 2015).

Confirming what was discussed in the previous paragraph, the International Organization for Migration – IOM, in research on victims trafficked for labor exploitation and sexual exploitation, found that half of the victims surveyed are trafficked for labor exploitation, the majority are directed to the construction, agriculture, manufacturing, domestic work, hospitality or food sectors. However, sexual exploitation corresponds to

the most common type of exploitation, where according to research, it involved more than half of adults and more than 70% of children, as well as, in 80% of cases, the victims are women. Furthermore, victims of kidnapping for trafficking are highly likely to have friends and family involved in this criminal act (UN, 2018).

As stated by Naím (2006), human trafficking and smuggling are among the forms of transnational crime<sup>2</sup> that grow the most, because current conditions in the world have created increasing demand and supply. Migratory flows are enormous and this illicit trade becomes hidden in the massive movement of people.

Human trafficking is one of the biggest threats to fundamental rights and guarantees of human beings, such as the right to life, the freedom to come and go, among others, which impedes the political, economic, social and cultural development of society. It is also noteworthy that the legal systems of democratic countries are also affected. Because criminals take advantage of every loophole in legal norms to circumvent the legal apparatus, due to the lack of standardization in the definition of the typical fact – the crime of human trafficking, penalties imposed, as well as the limitations imposed by the sovereignty of countries.

The trafficking of women and children disrespects human beings, as it treats them as objects of trade. In addition to bringing various consequences to the victims, as out of every 100 women trafficked, 24 acquired some type of sexually transmitted disease, 3 contracted the HIV virus, 15 became pregnant, 26 suffered physical attacks by clients, 19 were sexually attacked and 9 suffered some type of threat or intimidation. We can also say that

<sup>2.</sup> Transnational Crimes - are criminal actions, motivated by profit and committed by organized groups, involving more than one country. The following can be characterized as transnational crimes: illicit drug trafficking, migrant smuggling, human trafficking, money laundering, illicit trafficking of firearms, wildlife and cultural goods. Available in:https://www.unodc.org/lpo-brazil/pt/frontpage/2013/10/16-un-convention-against-organized-crime-celebrates. Accessed on May 6, 2021.

the criminal organizations responsible for the crime of trafficking in women and children are allied with other organizations, such as weapons and drug trafficking. Which makes criminal practice increasingly profitable and, on the other hand, with low risks (BONJOVANI, 2004).

# VIOLENCE AGAINST WOMEN ON THE BORDER: IN THE CITIES OF PORTO MURTINHO - MS AND CAPITÁN CARMELO PERALTA -PARAGUAY

Violence is understood as a global public health problem, a violation of human rights. "Violence is opposed to ethics because it treats rational and sensitive beings, endowed with language and freedom, as if they were things, that is, irrational, insensitive, mute, inert or passive (CHAUÍ, 2000, p. 337).

Among the different research perspectives and studies of violence, some groups considered vulnerable stand out in academic interest due to the repercussions they have on society in general. Domestic and family violence against women is one of them. According to the Ministry of Health and the National Council of Justice, domestic and family violence is any action or omission that harms the well-being, physical, psychological integrity or freedom and right to full development of a family member. in relation to the other, in our case the woman<sup>3</sup>.

According to the Maria da Penha Law, Law 11,340/2006, domestic and family violence against women is any action or omission based on gender that causes death, injury, physical, sexual or psychological suffering and moral or property damage, as defined in article 5.

Domestic violence against women receives this name because it occurs within the home, within the home. Supposed to reduce intimacy, where affection, protection and respect must prevail. And the aggressor is generally someone who has maintained, or still maintains, a family bond. Using the words of Hermann (2012), it is in the domestic space that patriarchal relationships promote the oppression of women, acting internally in this dimension, but also reaching all social dimensions.

In Brazil, every 7.2 seconds a woman is a victim of physical violence, according to 'Clocks of Violence', from the Maria da Penha Institute. The United Nations Office on Drugs and Crime (UNODC) estimates that, worldwide, 50% of murdered women are victims of their spouses or male family members. (CASTILLO, 2017).

When reflecting on the border as a territory that expands from the national context, we have regional border scenarios that are quite worrying regarding violence against women. But in this research, we will focus on the Brazil x Paraguay border specifically, the municipalities of Porto Murtinho/Brazil and Carmelo Peralta/Paraguay, research that is in progress. The city of Porto Murtinho was created in 1911, the municipality is limited, in the State, to the municipalities of Corumbá, Caracol, Jardim, Bonito and Bodoquena and to Carmelo Peralta, in Paraguay, through the wet border of the Paraguay River.

The Porto Murtinho Police Station is made up of 12 employees, all of whom are male police officers, and a clerk who handles general cases (robberies, bodily injuries, homicides, violence against women, etc.). According to Delegate Dr. Pablo Reis, the biggest occurrence of violence in the municipality is domestic violence, and there was an increase in cases of this violence during the pandemic period. Besides, according to the delegate, cases of violence against women occur in the municipality because it is still a region with a sexist outlook, conservative, where women are seen as property, possession and generally

 $<sup>3.\</sup> http://www.cnj.jus.br/programas-de-a-a-z/pj-lei-maria-da-penha/formas-de-violencia.\ Accessed on July 11, 2021.$ 

violence is related to alcohol and drugs, very present in the border area.

There is also no specific service for these women. Also, there is no service network in Porto Murtinho – MS, that develops guidance and prevention projects for domestic and family violence against women, that work on prevention and awareness of these specific audiences, respectively, individuals in training and the public. male and female, with lectures on the Maria da Penha Law. It is important to say that the Maria da Penha Law determines the promotion of educational programs with a gender, racial and ethnic perspective, among other recommendations.

All of these protection mechanisms defined by law intensify an integrated network to combat domestic and family violence against women, in addition to complying with the recommendations of the Inter-American Commission on Human Rights.

Continuing with the speech of delegate Pablo Reis, the urgent protective measures granted by the Maria da Penha law are requested almost daily, as well as preventive detention for non-compliance with the imposed protective measure. One of the difficulties cited by the delegate in monitoring compliance with the protective measure addressed in the aforementioned law is a peculiar characteristic of this border, the alternation of domicile, whether of the victim or the aggressor, which makes it difficult to carry out both police procedures (police investigation), as well as legal proceedings. This behavior is common on borders, for family or work reasons, in search of more economical living conditions. On this border, for example, the cost of living is lower in the Paraguayan city, but the Brazilian city offers a better structure of services, especially medical and educational, as well as commercial opportunities arising from fishing tourism.

Finally, for effective preventive and

repressive actions to combat violence against women to occur, the coordination of the service network is essential: education, health, police, judicial. Mainly, when we are talking about the border region, the issue becomes a little more complex because the coordination has to be covered by the neighboring country, international cooperation is one of the necessary paths to guarantee the effectiveness of public policies to protect violence against women in a border region, because it has no border or nationality.

### **FINAL CONSIDERATIONS**

Human trafficking, violence against women, the high rate of femicides is a global public health problem that requires initiatives and responses that are efficient in preventing and controlling this transnational crime. All over the world, and especially in developing countries, thousands of people, including men, women and children, are victims of human trafficking for all types of exploitation.

Most of the time, they are attracted by the expectation of having a better life, offers linked to the sex market that provide them with a better living condition. Therefore, social and economic issues generated by the capitalist-patriarchal system are part of the factors generating international human trafficking and violence against women.

The United Nations - UN, through a collective global action plan to improve living conditions around the world by the year 2030, brings in one of its proposals, the 2030 Agenda. With seventeen objectives aimed at sustainable development, the planet and all beings present on it, the Sustainable Development Goals - SDGs, translate concerns idealized into 169 global goals. Gender equality is one of these objectives present in the UN Agenda 2030, which has as one of the goals: "5.2 Eliminate all forms of violence against all women and girls in public and private spheres, including

trafficking in sexual exploitation and other types" (UN, 2018).

During the research, we found that combating violence against women and the violation of their human and social rights is a global public health issue. However, they depend on commitment, responsibility, international, national and regional actions for true implementation. It must be noted that there are several ratified international human rights treaties and agreements, adhered to by Brazil to advance the continuity of the human and social rights of this class –

women. However, it is not yet possible to say that the Border Strip has made great progress in combating violence against women, since the women's protection network is still nonexistent or incipient in the vast majority of Border municipalities.

We draw attention to the fact that currently in the world, we are witnessing countries being governed by misogynistic, authoritarian, conservative and racist citizens, here we include Brazil, with a global setback occurring in matters linked to the human and social rights of women.

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