

Mexico



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LESBIANS AND THE LAW

In Mexico, there are no laws or regulations that specifically prohibit same-sex sexual relations. Lesbianism is also not mentioned in any restrictions imposed on civil rights, and there are no laws against free speech and association by gay and lesbian groups. However, lesbians experience significant coercion and stigma within Mexican society, and their treatment within the legal system is reliant on the interpretation of those in charge of administering justice. Frequently, the homophobia of individual civil servants can result in lesbians being denied equal protection under the law.

For example, the Regulations for Police and Good Government mention "moral lapses" and "accepted customs" and these provisions have been used to impose fines or arrest lesbians who have been caught publicly kissing or embracing. A recent example involved two women who were kissing in a car. A police patrol approached, demanded an explana-

tion, and gave them a citation on the grounds that what they were doing was deviant; they were threatened with being taken to the police station for "moral culpability." Even after the women accepted the citation, the officers continued the interrogation with prurient questions about the nature of the women's relationship. They were made to get into the police wagon separately and they were asked to pay a certain sum for their release.

In this particular case, the women noted the identity of all the officers involved in this attempted extortion and plan to file a complaint. However, few lesbians are willing to challenge such harassment because they fear the consequences of being public about their sexual orientation. Women who speak out as lesbians have limited chances of achieving prominent positions or even of keeping their jobs, and lesbians have no legal recourse in such cases because no anti-discrimination legislation exists to protect them. This makes lesbians vulnerable to wrongful arrest, extortion, and other forms of harassment. In addition, because of police bias, lesbians who are victims of crimes are often hesitant to report them, out of fear of facing moral disgrace when placing a complaint or making criminal allegations. At the same time, if a woman who commits a civil or criminal offense is known to be a lesbian, her sexual orientation is likely to be brought out in her trial.

DISCRIMINATION IN SOCIETY

Lesbians in Mexico suffer discrimination on two counts—as women and as lesbians. For this reason, few manage to attain prominent positions or develop their personal abilities. Any attempt to live freely and express one's sexual orientation requires a high degree of autonomy and emotional and economic independence, not only from one's family, but from society as well, and this autonomy is beyond the reach of many Mexican women.

In small towns, the state of isolation, loneliness, and lack

of information can be overwhelming. Those who manage to live as couples generally have only a small nucleus of friends. El Clóset de Sor Juana, a lesbian-feminist group based in Mexico City, receives several letters each week from lesbians in need of information and emotional support. Many of these letters speak of social isolation and fear. Teresa, from Tabasco, writes: "Honestly, I would like to be free and open and not secretive as I am most of the time; unfortunately, out of fear I cannot do that here." Judith, from the State of Mexico, writes, "I have a big problem. I am 25 years old. I have just realized that I am a lesbian and I am very much afraid of coming out of the closet. I don't know any girls with whom I could live and share my life—something I cannot do with my family. They would prefer to see me dead."

In larger cities, there are more lesbian and gay meeting places, and the communities tend to be larger. Lesbian groups, while limited in number, offer at least a point of reference for many women seeking contact with other women in spaces other than bars and discos. Even so, however, social invisibility still leaves many lesbians, even in large cities, lacking information about their lives or the opportunities available to them. El Clóset de Sor Juana publishes a bulletin, *Las Virreinas* (The Vicereines) and has also produced a supplement, *Las Amantes de la Luna* (Lovers of the Moon) for the recently defunct gay magazine *Del Otro Lado* (From the Other Side). However, lesbian publications have minimal and often irregular circulation, so they do not as yet provide an effective vehicle for information.¹

VISIBILITY

Lesbian images are denied or avoided in almost all forms of public life. Because of this, few women dare to declare publicly that they are lesbians, despite the fact that some hold prominent positions in political, intellectual, artistic, and sports circles. This silence contributes to the isolation and sense of powerlessness that many lesbians experience.

There are, however, a few significant exceptions to this silence, particularly within the artistic arena. Nancy Cárdenas, theatrical director, writer, and poet, was the first lesbian to argue for human rights for sexual minorities, initially from anonymity and later publicly. She approached lesbian, gay, and bisexual themes in her art, promoting social reflection on the subject.² Chavela Vargas, a performer of Mexican music, has earned worldwide fame while her lesbianism has not gone unperceived; the content and language of her songs are directed principally at women. Jesusa Rodríguez, writer, theatrical director, comedian, and feminist, has been a sharp political critic and a strong supporter of women's issues throughout her career. Her production *Concilio de amor* (Council of Love) gave rise to a great debate within Mexico on the church and sexuality, and she has been the

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subject of threats and violent attacks from conservative leaders and groups such as Pro-Vida (Pro-Life). She and her companion, the singer and composer Liliana Felipe, provide space for political and social discussion in their theater-bar *El Hábito*. Rosamaria Roffiel, writer, poet, and feminist, takes an active part in the lesbian and feminist movement.³ Sabina Berman, writer, theatrical director, and poet, has won the National Theater Award four times.⁴

CULTURAL AND RELIGIOUS ATTITUDES

Mexican culture is deeply patriarchal. Women who do not fulfill the roles of mother and spouse—single mothers, pros-

titutes, lesbians—are seen as posing a threat to society. Women are educated from a young age to become wives and mothers; they are under pressure to marry and are subjected to frequent questioning from friends and family. The small number of lesbian support organizations and the social invisibility of lesbians cause many women to live out their lives in isolation, without benefit of knowledge or personal acceptance, and many end up marrying. Family pressure is aggressive, sometimes even violent. When violence does occur, lesbians rarely seek redress from the authorities because of the culture's tradition of homophobia.

I felt affection and desire for my girlfriends ever since I was young; I didn't know what was wrong with me. I thought it would pass when I got married. I tried never to be alone, to avoid temptation. When I learned that a group existed, I knew it was the place for me. Now, at the age of 40 and with two daughters, I am starting to live my own life.

—Clara, a 40-year-old woman who has only recently come to terms with her sexuality⁵

When I first became attracted to other women, I told my parents; my father got extremely angry. Once he caught me with a girlfriend, and he beat me so hard I had to go to the hospital. When I got out of the hospital a male friend went with me to make a formal complaint, but we received no legal response. In high school, I had a girlfriend, but my family found out, and my father sent three guys to rape me, so I got married. I separated after a year. Now I have a son, and my family is still watching me.

—Dely, 25 years old.⁶

Religion reinforces the culture's patriarchal ideology, promoting the image of the traditional family as the sacred ideal to which all respectable people must adhere. The Catholic Church has been outspoken in its condemnation of homosexuality. In 1991, when the 13th annual conference of the International Lesbian and Gay Association was scheduled to take place in Guadalajara, the church joined local

authorities in a campaign of harassment and intimidation towards lesbians and gay men. The Mayor of the City, Gabriel Covarrubias Ibarra, stated to the daily newspaper *Metropoli*, "An event of this nature cannot be authorized in any way because neither our customs, nor history, nor education, nor religion, nor anything will permit it."⁷ The mayor also stated that conference participants would not receive police protection in his city. Fearing violence, the organizers were forced to move the conference to another city.

LESBIAN FAMILIES

Recently, lesbian couples have begun considering the possibility of having children through donor insemination. Since it is a private service, donor insemination is available only to those with significant economic resources. Not only is it an expensive procedure, but few doctors are willing to assist lesbians with donor insemination, and lesbians have no legal recourse in such instances. Adoption laws stipulate numerous requirements even for heterosexual couples, such as legal marriage, economic solvency, emotional stability, moral authority, conjugal assistance, and ownership of community property, making it impossible for lesbians to adopt.

In the majority of cases, lesbian mothers have children from previous marriages. For these women, divorce and custody proceedings can be extremely difficult. Lesbians can be denied custody of their children if the judge deems them "morally unfit" on the basis of their sexual orientation. Even if they manage to hide their sexual orientation from the judge and retain custody of their children, their ex-husbands can blackmail them with the threat of having the children taken away. This puts lesbian mothers in a vulnerable position in divorce negotiations.

Lesbian mothers are also faced with another difficulty: if they are in a relationship with another woman, their partner has no legally recognized relationship with the child. Same-sex couples are not recognized in any way under Mexican

law. Thus, the rights afforded to heterosexual married couples are denied to lesbians. These include not only the ability to obtain parental rights over a partner's children but also to bequeath or receive an inheritance, to recognize their partner in a public ceremony, to obtain loans for purchasing real estate as a couple, and to obtain medical and life insurance with legal recognition as a partner.

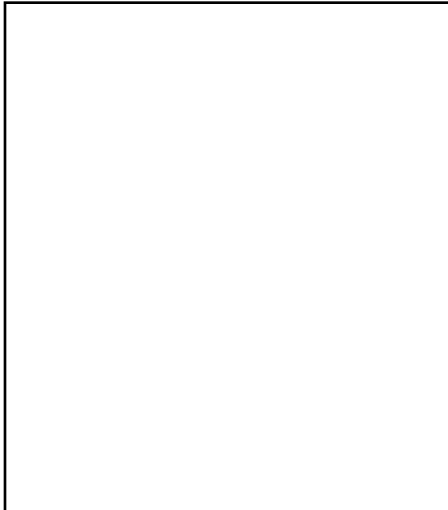
HEALTH AND SOCIAL SERVICES

The opportunity to speak openly to health care providers about sexual orientation rarely exists. Doctors are often highly conservative and do not consider sexual orientation in their diagnoses or treatment. A significant number of mental health professionals continue to claim that they are able to "cure" homosexuality. Homosexuals Anonymous, an organization supported by religious groups and Pro-Vida which expanded in the early 1990's but never managed to establish itself in Mexican society, takes a repressive stance, aiming to control homosexual urges through abstinence, and classifying homosexuality as an illness or a compulsive disorder. At the same time, however, a significant number of mental health professionals, and organizations such as the Consejo Nacional de Lucha contra el SIDA (National Council for the Struggle against AIDS) and various feminist and gay organizations not only acknowledge lesbians but have increasingly begun to diversify their efforts in order to fulfill the differing psychological, legal, recreational, and political needs of lesbians.

VIOLENCE

Lesbians are subject to various forms of verbal and physical harassment. Right-wing groups, especially anti-abortion groups such as Pro-Vida, have shown great intolerance towards lesbian existence and lesbian activism. Some lesbian activists, such as Guadalupe Lopez, founder of Grupo

Patlatonalli, a Guadalajara lesbian group, have received telephone death threats. Lesbians have also been victims of aggression and neighborhood pressure regarding the establishment of assistance centers, suffering sexual harassment and requests by neighbors that the police investigate their



Lesbian activist Patria Jiménez with a female member of the EZLN, April

mirrors and antennas stolen.

activities. This harassment necessitates frequent changes of location, resulting in a lack of continuity in the work that such centers can perform. Frequently, in neighborhoods surrounding lesbian centers, members of the organization—and sometimes visitors—find their automobiles damaged or scratched, their windows broken, their

LESBIAN ACTIVISM

The lesbian movement began in 1977 with the founding of Lesbos, whose primary purpose was to organize lesbians and encourage consciousness raising. It survived for approximately three years. The years 1978 through 1987 can be considered the formative period of the movement, with a proliferation of groups such as OIKABETH, Oasis, Madres Lesbianas (Lesbian Mothers), Coordinadora de Lesbianas (Coordinator of Lesbians), Mulas (Mules), Gestación (Gestation), La Colectiva (The Collective), Seminario de Lesbianas Marxistas Leninistas (Seminar for Marxist-Leninist Lesbians), and Patlatonalli, a group which has managed to survive in

the conservative city of Guadalajara since 1986 and to achieve recognition and prestige on both a national and international level. It is important to note that in the years 1987-90, the lesbian movement consisted of Patlatonalli, Oasis, and a few other shadow organizations, and yet maintained the tradition of organizing national meetings of lesbians, taking part in the annual march, assisting Latin American meetings, and becoming involved in international events. The Fourth National Lesbian Feminist Meeting took place in 1994. In 1994-95, El Clóset de Sor Juana held the office of Women's Secretariat within the International Lesbian and Gay Association. Several lesbian activists attended the final preparatory meeting for the UN Fourth World Conference on Women, and three had the opportunity to address governmental and non-governmental delegates. In 1982, the first openly lesbian candidates, Claudia Hinojosa and Patria Jiménez, ran for seats in the Federal Congress, and in 1991 Patria Jiménez was among the 10 political candidates nationwide who were fielded by the Coordinadora Feminista (Feminist Coordinator).

Lesbians have also been active in mixed lesbian and gay organizations, such as Lambda, El Movimiento de Liberación Homosexual (MLH), El Comité de Lesbianas y Homosexuales en Apoyo a Rosario Ibarra (CLHARI), El Comité Nacional de Lesbianas y Homosexuales (CONALH), Colectivo Sol, Círculo Cultural Gay, La Asamblea Lésbica Gay, El Foro Lésbica Gay, and La Semana Cultural Lésbico Gay. However, discrimination, disdain, and misogynistic attitudes within gay male organizations have led lesbians to keep their work separate and to collaborate only in certain specific activities, such as the Lesbian and Gay Pride march, which has been held annually in Mexico City since 1978.

While still relatively invisible within society as a whole, lesbians have gained a measure of visibility within social and political movements. Lesbians have become involved in many aspects of Mexican political life, participating in political campaigns and other activities undertaken in the strug-

gle for democracy. Responding to an invitation from Subcomandante Marcos of the Ejército Zapatista de Liberación Nacional (Zapatista Army of National Liberation), lesbian and gay activists participated openly in the National Democratic Convention that began in Chiapas in September 1994 and presented the proposals of the lesbian and gay movement.

LESBIANS AND THE FEMINIST MOVEMENT

The lesbian movement has been tied to the feminist movement since its advent. Discussions regarding patriarchy, oppression, and sexuality within the feminist movement have led to various examinations of female sexuality, and lesbian participation in national feminist meetings has been extensive. After 10 years of lesbian efforts under the feminist banner, the demand for respect for the human rights for lesbians became one of three principal goals to which the feminist movement is dedicated.⁸

NOTES

- 1 Another significant publication is *Debate Feminista*, a review of the feminist movement that appears every six months; it is in great demand in all of Latin America. Since its beginning in 1990 it has discussed the theme of homosexuality in each of its issues. It is, however, a theoretical review with limited distribution.
- 2 In 1972, Nancy Cárdenas put on the first play with homosexual content in Mexico: *Los Chicos de la Banda* (The Boys in the Band). She went on to write, produce, direct, and act in three performances with lesbian content: a musical comedy based on the short story *Claudine a l'École de Collette* (Claudine at the School of Collette); *The Bitter Tears of Petra Von Kant*, by W.R. Fassbinder; *El día que pisamos la luna* (The Day We Set Foot on the Moon), a work she wrote herself, which portrays the lives of four lesbians of varying ages. Just before her death in 1994, she completed *Cuaderno de amor y desamor* (A Notebook of Love and Disaffection), a book of erotic poetry about lesbian love.
- 3 Her writing is in the field of lesbian romance. Among her