Artículo Especial

Silenced wor(I)ds. Resistance through the Gender Identity Law and the Voluntary Interruption of Pregnancy Bill in Argentina.

Mundos silenciados. Resistencia a través de la Ley de Identidad de Género y el Proyecto de ley de Interrupción Voluntaria del Embarazo en Argentina.

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Abstract

Until recently, there were certain utterly silenced words in our society which, when mentioned, were given a negative connotation. The purpose of this paper is to explore new narrative practices in which certain terms are no longer invisible. We will take into account two struggles: that of the sexual dissidents and the fight for reproductive rights. In the first part, we will deal with the analysis of the collective work titled *Cumbia Copeteo y Lágrimas* compiled by Lohana Berkins, in which several transgender people have exposed their extreme marginalized situation in Argentina in 2007. We will focus on the aspects that lead to their alienation, violently hindering the construction of their gender identity, while deconstructing the male/female opposition. In the second part, we will focus on the new cultural and literary practices that emerged in Argentina as a result of the campaign for legal, safe and free abortion. Even though the practice has always existed, the word itself could not be pronounced. As such, the signifier and its signified have been a burden for many women. Since the word finally came to surface, women started writing about their experiences in narrative, poetry and even on their bodies. **Key words:** silencing, visibility, gender identity, abortion, resistance

Resumen

Hasta hace poco había ciertas palabras completamente silenciadas en nuestra sociedad que, cuando se mencionaban, recibían una connotación negativa. El propósito de este artículo es explorar nuevas prácticas narrativas en las que ciertos términos ya no son invisibles. Tendremos en cuenta dos luchas: la de los disidentes sexuales y la lucha por los derechos reproductivos. En la primera parte, abordaremos el análisis del trabajo colectivo titulado Cumbia Copeteo y Lágrimas compilado por Lohana Berkins, en el que varias personas transgénero han expuesto su extrema situación marginal en Argentina en 2007. Nos centraremos en los aspectos que conducen a su alienación, obstaculizando violentamente la construcción de su identidad de género, al deconstruir la oposición hombre / mujer. En la segunda parte, nos centraremos en las nuevas prácticas culturales y literarias que surgieron en Argentina como resultado de la campaña por el aborto legal, seguro y gratuito. Aunque la práctica siempre ha existido, la palabra en sí no se puede pronunciar. Como tal, el significante y su significado han sido una carga para muchas mujeres. Desde que la palabra finalmente salió a la superficie, las mujeres comenzaron a escribir sobre sus experiencias en narrativa, poesía e incluso en sus cuerpos. **Palabras clave:** silenciamiento, visibilidad, identidad de género, aborto, resistencia

Over the years, there have been words and minorities that have been silenced by the patriarchal order. Not only is the struggle to make them visible a political issue, but also a cultural one. We will refer to two cases that are related to laws: one that was finally passed, gender identity, and one that was rejected by the Senate, the abortion bill. In both cases, there are still conservative sectors in our society that want to silence these issues. That is why writing about them is an act of resistance.

Voice of the Voiceless

"What a lark! What a plunge!" (Woolf, 1994: 7) said Mrs. Dalloway in her excitement to face the fresh London morning. In an utterly different context, the people whose worlds we will endeavour to discuss in the present article, find little but a nightmare every day they face in their lives. The purpose of the first part of this paper is to explore new narrative practices by analyzing the indefatigable struggle of the transgender people depicted in the collective work titled *Cumbia, Copeteo y Lágrimas* compiled by Lohana Berkins, in which they have exposed their extreme marginalized situation in Argentina in 2007. Despite the fact that the gender identity law was passed in 2012, many of the incidents recounted in the book are regrettably current.

To begin with, we deem important to explore the reasons for the title of the book as explained by Berkins. A possible translation for it would be *Cumbia, boozing and tears*¹, and she explains the three words allude to vital experiences in the transgender community both in Argentina and other Latin-American countries. *Cumbia,* the popular dance, in her words, brings back the music they listen to as well as dance when they celebrate themselves, highlighting the exclusive *we,* altogether unable to be inclusive, reminds the reader of their isolation, implying that nobody else but themselves would celebrate any activity carried out by their community. The use of slang reinforces the transgender identification with the working classes, the cast-outs, the others. Continuing with the second term of the title, *copeteo*, which derives from glass or *copa* in Spanish, the allusion is to the drinking binge associated to those celebrations where the tears or *lágrimas* in Spanish, will crown the joyful and sad stories of their lives which give birth to the book (Berkins, 2007: 8). Berkins opens the book with a loud outcry for the vindication of their habits and customs that have been systematically denigrated; the spreading of their voices, historically silenced and ignored, and the urgent visibility of their bodies, their wishes and their needs thus, coming into our closeted minds in the hope that they become visible.

Following Ashcroft et al (2003: 105-7), decentering the collective consciousness installed by the hegemonic powers of the state becomes a crucial point. Berkins recalls her childhood at mamá Pocha's house, an old transvestite woman who would allow homeless lolitas, little transvestite girls who had nowhere to live, generally because they had been expelled from their own homes, and were welcomed into this communal house. The first thing mama Pocha would teach them was to lie about their age, so they could turn to prostitution without the penalization of the state, which as she sadly recalls, instead of protecting their citizens, orphan children in this case, paradoxically, it would beat them, rape them and lock them in police stations (Berkins, 2007: 13). There is a stark contrast between the individualistic outside world and the sense of community and belonging created in that big foster family they created themselves to replace their nuclear families which had rejected them. Their partying, so central in their lives to celebrate and vindicate the marvel of the trans world, would cast a spell against the cruelty of extreme poverty, police extortion, the electric prod and transvestophobic mocking, poor health, forced labour and unattainable schooling (Ibid.: 14-15).

Marlene Wayar, another transgender woman boldly states, "What could Hitler have achieved without the fear of the Germans of not being German?" (Ibid.: 53) And the answer is through the tortured, socially and physically murdered body, which then faded into oblivion. The deceitful invisibility of an unworthy body and their wishes. In *Modernity and the Holocaust,* Bauman explains the process through which these ordinary Germans became the national enemies,

[...] moral inhibitions against violent atrocities tend to be eroded once three conditions are met, singly or together; the violence is authorized (by official orders coming from the legally entitled quarters), actions are routinized (by rule-governed practices and exact specification of roles), and the victims of the violence are dehumanized (by ideological definitions and indoctrinations). (Bauman, 2010: 21)

Chronological and contextual distances aside, this is perversely similar to the situation of the transgender community described in the book. Probably the bearers of the cruelest of oblivions when it comes to rights within the minority groups. Wayar calls our attention to the fact that amongst the segregated groups, there was not a single gipsy, Jew, political activist, man or woman who remembered or reminded society of the murdered *maricas*, meaning the transvestites in that society since all the other victims had erased them from their memories as well (Berkins, 2007: 53). The forgotten among the forgotten, the last link in the chain, the worthless.

In a chapter called the *Visibility of the Invisible,* Wayar reflects upon the intimate relationship between the transgendered people and death. The extreme alienation depicted in the stories makes allusion to a death which is moral long before it becomes physical. There is an insistence, a return to the idea of their being undeserving, undeserving of living, of respect, unworthy of being considered human beings, equals to the *normal* people. Among the several anecdotes, she shares the story of Ave Maria, or Hail Mary, whom they called *the mute* because she had some speech impairments. Ave Maria was a thirteen-year-old transvestite who was physically abused in her home in a shanty town in

Córdoba by her father, who was a heavy drinker, despite the fact that it was her the one that paid for her siblings' meals every day with the little money she made by prostituting herself (Ibid.: 47). The physical abuse she received at home led her to avoid sleeping in her house very often, however, what waited for her outside was not much better. The leader of the transvestite group she joined slapped her twice very hard when she introduced herself as Hail Mary or Ave Maria, "How dare you!", she shouted indignantly putting her identity into question, "your name will be Maria, since Ave Maria is the Virgin, mother of God" (Ibid.: 47). Wayar recalls, "it seems as though carrying that name were an insult, as if we were unworthy of it, dirtying everything with our mere existence" while actually the only intention Ave Maria had was to pay homage to the virgin, "How naive! Poor little girl!" (Ibid.: 47). Soon after that, Ave Maria was picked up by two police officers and later found dead near a shanty town, raped, burnt and with a wooden stick in her anus (Ibid.).

So worthless are their lives and so extreme their marginality that the promise of a peaceful death may be more alluring than a tormented life. As shocking and unfathomable as it may sound, by the time *the pink plague* reached them, there were transgendered women who started to inject themselves infected blood donated by others who had the disease. The first one was young Leona. "Is this coherent?" Leona was very young and the communal room in the hospital where she was hospitalized was packed by men who forced her to be their sexual slave. When she was moved to the HIV room, she not only got rid of that nightmare but she could also eat decently. "How can we choose death? We can", she affirms (Ibid.: 48).

A vicious circle is created yielding a kind of *trans apartheid*. Massey, D. & Denton, N. in a section of their book titled "The Perpetuation of the Underclass" (2003: 183-184) explain that once the members of a minority are segregated by political marginalization, then a spiral of decay is triggered by economic disaster that removes their means of subsistence, therefore the interaction of poverty and segregation create certain social and economic characteristics in which the lack of opportunity and hopelessness the members are immersed in make it very difficult to build a self-esteem "satisfying the values and ideas of the larger society or to acquire prestige through socially accepted paths" (Ibid.: 184). At this point it is important to reflect upon some cultural myths that surround the life of the transgendered people, such as their generalized wish to prostitute themselves and the lack of motivation to study.

For the transgender people, choosing to live in agreement with their gender and sexual identity very often implies losing their homes, their families and marginalization at school, which are usually the first places where they are physically and psychologically assaulted, forcing them to migrate to less hostile environments or the anonymity of the cities where they may strengthen their subjectivities with other members of their community, as well as the possibility of finding more prosperous sex markets.

According to different surveys carried out in their research, 85 percent of the interviewees expressed a wish to continue their studies, but fear of discrimination is the main obstacle why they abandon them, having experienced this not only by their mates but their teachers and school authorities as well. They link the impossibility of completing further studies with prostitution as the almost exclusive means of sustenance available to them, notwithstanding the fact that 77, 5 percent of them expressed a strong wish to leave that activity if it were possible (Berkins, 2007: 67-92). There exists an endless loop of segregation, indifference and abandonment by the state and society as a whole when after being disinherited by their families and having worked in the black market all their lives it is impossible for them to have access to a mortgage that would enable them to buy a house. Another major problem is that as they grow older the sex market discards them and they have no pension scheme to count on,

...the bond between our identities and prostitution starts to disentangle: for prostitution to be a choice and not a survival imperative, for our identities not to be criminalized and for us to stop being the target of consumerism of our own societies, we have to have societal rights and thus have access to proper jobs (Berkins, 2007: 94).

Now turning our attention to the construction of their gender it is remarkable the way in which they deconstruct the dimorphic sex model, celebrating the "anti-essentialism in relation to sexual identity" that as Butler points out, "identity categories like 'gay' and 'straight', tend to be instruments of

regulatory regimes" (cited in Barry, 1995: 144). Marlene Wayar confesses she feels an accomplice to the hegemonic cannibalistic system that kills them, "like an automaton [the system] never reads me as Marlene, but as Rubén Osvaldo, so forcefully, that's who I still am [the system is within me and I reproduce it in spite of myself, every time I get distracted [...] unable to kill it" (Berkins, 2007: 49). She indignantly expresses her stifled anger for feeling impotent against the monstrosities the system does to her. It is inevitable to read the implications of this statement, since after all, are we all not directly or indirectly, partially or fully responsible for not doing anything about this? For encouraging, or at least, not stopping their mocking on the streets, or the frequent cars tooting the horn when they are spotted in dark streets, half naked in the cold trying to make a living? May be it is just easier for us to remove the humane in them, exoticising them and turning them into carnivalesque objects to be mocked and laughed at.

All throughout the work a willful vindication of their gender fluid recreation is perceived. Challenging those that stare at them, Wayar boldly states that what they feel is envy by facing, "the unstoppable freedom of making ourselves [...] of becoming human art" (Ibid.: 50). They are indescribably proud of being in charge, of holding the reins of their gender, with disdain for those who have for centuries been "copies" of copies [...] resentful of their creator" (Ibid.). They feel they are reborn thus, creating their own identity, "could I have the freedom to recreate myself? I want to be mama trans" (Ibid.). Following Barry, they advocate a "liminal' consciousness when existing categories are in process of deconstruction [...] a force against rigid definitions and polar oppositions" (Barry, 1995: 147). Wayar insists on the intentions of the hegemonic matrix of creating a "killing context" that systematically liquidizes their desires so that they are molded into a rigid cast. Marlene shouts, "I want to mold with my own hands! The clay of my body is consistent and expects to be molded by the wind and the rain water, never by a universal cast. I want to expose my clay to the contingencies of life" (Berkins, 2007: 51).

Mauro Cabral, a transgender man, also challenges the gender stereotypes while reflecting how to introduce himself in a chapter of the book called "If I wished". He hypothesizes whether he should introduce himself as a man and that might

be true, he says; yet for the law, that would not be true since his ID states that is not. He claims that "exposed, nude in front of the look of those that believe that to be a man you need male genitals, my body would say I may be lying" (Ibid.: 57). As Glover and Kaplan in their book entitled Genders explain, "sex and gender are [...] related, but not because one is 'natural' while the other represents [...] 'culture'. Rather, both are inescapably cultural categories that refer to ways of describing and understanding human bodies and human relationships, our relationships to ourselves and to others" (2000: xxvi). Cabral wonders "why should I register my masculinity in a chain of afflictions and symptoms? I could affirm I am a happy transgender man. I am a guy with a cunt, who has sex with all kinds of men and who does not give any explanations" (Berkins, 2007: 57). After all, like Foucalt stated some years ago, "Do we truly need a true sex? [...] Isn't what truly matters the reality of the body and the intensity of its pleasures? (1980: vii). Cabral says that if he wished he could be an ovaric father, he could be a papa trans and his children would speak more languages than the two the dimorphic model teaches us and that his children from an early age would learn to distinguish between body, identity and sexual arousal" (Berkins, 2007: 59).

The book is a celebration of choices, a vindication of the possibility to choose who they are, defending their artistic identities, their ways of living, the language they speak, the language of their bodies, shouting to be seen with respect, to be acknowledged by the law and eventually by a society who still mocks them, in their view, because of jealousy. The transgender people are very proud of showing a wide, probably endless, as long as each of us is unique, number of possibilities of shaping yourself. They also encourage the world not to be afraid of what is different, but on the contrary, to embrace ambiguity and celebrate life with all its marvellous diversity.

The silenced word

In this second part of the paper, we will refer to the restrictions on the freedom to choose that have always affected childbearing people. Discrimination in this case befalls on those who are physically capable of having children but choose not to. A year ago, when this silenced word was finally brought to surface during the debate for legal, safe and free abortion, most of us would not have thought of a poetry book on the issue being published.

Although the first demonstrations in Argentina date from the 1980s, the official campaign began in 2005 and covered the streets green in 2018. As a result of this, many women started talking about experiences they had been forced to keep for themselves, never to be spoken. Writing went hand in hand with this movement dubbed 'the green tide', as the colour invaded the streets of Buenos Aires first, to spread to the rest of the country and abroad as well. The green neckerchief with the inscription of the Campaign became a worldwide symbol of the pro-choice movement. The people who attended the demonstrations started writing on their bodies as a way to reject patriarchy. What is more, some of them narrated that moment of their lives to be published online, others gathered every Tuesday to read their poems outside the Congress. These new literary practices emerged as an "urge to break the silence" (Pessah, 2018: 68).

We will focus now on the book Martes Verde (2018), which gathers the works of the collective *#*poetsfortherighttolegalabortion. Through these poems by authors that belong to different generations, we become witnesses to this silent oppression: "1000 años de patriarcado sucio e implacable (...) y comparten ese silencio de mujeres / rotas y enteras" - "1000 years of dirty and implacable patriarchy (...) and they share that women's silence / broken and unbroken" (Colectivo de poetas x la verdad la memoria y la justicia. Poesía YA!, Poema para *Ia Matria*, 2018: 25). This silent condition that we broke by screaming united as if we were one voice brought with it new words, such as sororidad to express the female attitude of fraternity. Although it is not the objective of this paper, it is relevant to point out that this led to a new discussion about how patriarchal the Spanish language is, how silenced the female world is through the use of language.

Together with silence, the idea of fragmentation is also present in several of these poems. Following Mulvey (1989), objectification and the way female bodies are dismembered on the screen reflect the way we are murdered in real life: "*A las mujeres nos matan a trocitos* / We are killed piece by piece" (María Insúa, 2018: 43). We can extend this nowadays to media in general, the portrayal of female bodies reinforces the chauvinistic behaviour that pervades this phallogocentric culture:

¿No es acaso
este cuerpo
mi única posesión?
Conquistar
es un gesto
político
y poseer
no es tener.
Somos
territorio
en disputa.
(Aldana Antoni, 2018: 12)

Is it not that this body is all I possess? To conquer is a political act and to possess is not to have. We are a disputed territory.

This testifies how our bodies have been colonised over and over again, even to the point that men decide over our wishes. There exists a feeling of impotence at the thought of not being able to choose what we want to be (or not to be). The poems we encounter in this book seem to follow the concept of women's writing explained by Cixous: "A feminine text" is both subversive and volcanic (Cixous, 1976: 229)

Que mi cuerpo goce	May my body rejoice
Que mi cuerpo viva	May my body live
Que mi cuerpo hable	May my body speak
Que mi cuerpo sangre	May my body bleed
pero que no muera	but not die
por decidir cómo quiero mi cuerpo	because of the way
	l want it to be
mi vida que sangra	my life that leeds
mi cuerpo que sangra	my body that leeds
ży el tuyo?	and yours?
(Carolina Bartalini, 2018: 14)	

As Cixous urged us, these women put themselves "into the text" (Cixous, 1976: 224). Even though the poems exemplify the "decensored relation of woman to her sexuality" (Ibid.), they ooze frustration: the frustration of the stigma we carry for choosing not to be what we are supposed to. This leads us to the different traumas that are attached to the word abortion.

First, there is a sociolinguistic issue: the word was never

mentioned in public until last year, one would not discuss that with anyone. The poem *Ay Rosa* shows this as well as the differences between social classes: there are those who can access an illegal but rather safe abortion, and those that could die for it:

Es que Rosa no abrió las piernas por placer

él hizo un enchastre de su cuerpo, también de su infancia.

Y ya nada NUNCA importó de ella porque la pobreza es una manta rota [...] Es que Rosa nunca escuchó la palabra ABORTO [...] (Valeria Belén, 2018: 16)

It's just that Rosa never spread her legs for pleasure he made a mess of her body, of her childhood as well and nothing about her mattered EVER AGAIN because poverty is a torn blanket [...]

It's just that Rosa never heard the word ABORTION [...] In several cases, women are violated over and over again. This is particularly striking when it comes to young girls who are raped and then forced to have the baby, to carry within them a constant reminder of the trauma.

Secondly, what we aim to leave behind is the guilt, the Catholic guilt, that society inflicts on us: "(...) *esta historia de culpas y penas / e injurias pronto será pasado" /* "this history of guilt and sorrow / and injuries will soon belong to the past" (Ibid.: 17). Because of the campaign, the word abortion is no longer taboo but there is still a long way to go for people to understand that, although it is the last resort, the practice exists. The reason why the green tide overwhelmed us is because there were thousands of women drowned in their own sorrows for something they were not allowed to tell:

un río de sangre fluye	a blood river flows
dentro de mí, me inunda hasta ahogarme.	inside me, it floods me until I drown.
()	()
es a la vista de todos	it is for everyone to see
y es lo que todos	and it is what everyone
callan ()	silences ()
(Flor Codagnone, 2018: 22)	

This recurrent idea of the unsaid coincides with the characteristics of postcolonial literatures. In this case,

we use it to refer to the colonised bodies that are left powerless. Denying child-bearing people of their right to choose resembles the concept of women as incubators as in Atwood's *The Handmaid's Tale* (1985), which has also been a powerful symbol of our struggle.

In addition to replacing women "in a place other than silence" (Cixous, 1976: 226), the poems denounce that the fact that abortion is illegal does not mean it does not happen, there is a dark secrecy around it:

a dark soorooy aroana n.	
antes las mujeres lo hacían	women used to do it
todo el tiempo	all the time
ahora también	nowadays too
pero es distinto	but it is different
ahora hay un mercado	now there is a market
hay una legalidad	there is legal
en la ilegalidad	in the illegal
abortiva	abortion
(Virginia Janza, 2018: 45)	

This black market makes abortion another cog in the capitalist apparatus. This is why one of the slogans was "it's not yes or no, it's legal or clandestine". By rejecting this project, all they have achieved is that more women die because of illegal and unsafe abortions.

It is true that "the future must not be determined by the past" (Cixous, 1076: 224), but in order to look forward and overcome all the barriers we must rescue ourselves from the abyss into which we have been thrown: "*Desde el hueco del pasado nos alzamos /* From the pit of the past we rise" (Cristina Piña, 2018: 69). Thus, our struggle is renewed every time we are hindered. The oppression is as old as time, but resistance will not stop until we succeed.

Este grito que es nuevo	This cry that is new
está escrito con palabras	is written in words
más viejas que la sombra	older than the shadow
de un pájaro.	of a bird.

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(Paz Garberoglio, 2018: 36)
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The silences that we value in literary texts are the silences that our society chooses to hide and punish if they are ever uttered. Suffice it to say that women in Argentina are still forced to go through this clandestinely. However, the debate that took place during the year 2018 changed the social norms regarding what can and cannot be said in public (Lucaccini, Zaidan, Pecheny, 2019: 261).

Through these two collective works, we can hear the voice of the voiceless, of women and the sexually dissident, of those who do not comply with the sociocultural impositions. Until we are no longer silenced in any way, we will keep on claiming 'down with patriarchy'.

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Endnotes

¹ All translations in the present paper are our own. In the poems, we have favoured content over form. In those cases, we have also included the original version in Spanish.