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Preface:  
Feminist Keys for  
Understanding Femicide

THEORETICAL, POLITICAL, AND  
LEGAL CONSTRUCTION

It all began over the alarm sounded to bring attention to the crimes against girls and women in Ciudad Juárez more than fifteen years ago.

From the horror and dismay came protests and demands for justice. Nonetheless, time passed, and there was no satisfactory response from the authorities. Organizations were established to provide support to the victims' relatives and to struggle against violence against women, and groups cropped up to provide services to victims that spoke out forcefully as part of social movements in defense of human rights and of women's and feminist movements. Despite such initiatives, the homicides have continued. Voices of protest spoke out first locally and then nationally; since then, Ciudad Juárez has become known worldwide for crimes committed against girls and women through intense campaigns to dismantle the impunity that has accompanied these killings.

The concept of femicide has transcended the borders of Mexico — and rightfully so — because the organizations engaged in the process of seeking justice, and in the more general social movement, have had recourse to international organizations, both civil and intergovernmental. Statements and reports have been issued by Amnesty International; the Inter-American Court of Human Rights; the European Parliament; legislatures of European countries, such as the Congreso de los Diputados of Spain; the U.S. Congress; local governments in several countries; nongovernmental organizations (NGOs); and women's networks, among many others. In her most recent visit to Mexico, United

Nations High Commissioner for Human Rights Louise Arbour made very strong statements about femicide to the government.

Mexico has received more than fifty recommendations from international human rights agencies and rapporteurs of several United Nations mechanisms. They include demands that the government determine the facts in all of the cases, ensure access to justice for the victims' family members, and increasingly implement policies with a gender perspective to confront the crimes and their causes and to eradicate violence against women and impunity (Comisión Especial para Conocer 2006c).

The civic organizations and families have received expressions of direct solidarity and have taken joint action to pressure the authorities and to raise awareness of violence against women. They have toured other countries; participated in forums, conferences, and press conferences; and told the stories, time and again, of what happened to daughters, sisters, students, or tourists and have found great sympathy. Yet they have been treated unjustly, with contempt, paternalism, lack of professionalism, negligence, and violence, by the widest array of authorities, from the police, public ministries, prosecutors, female attorneys (*procuradoras*), and directors of mechanisms put in place to serve women to governors and presidents of the republic. Family members and activists have knocked on institutional doors and helped organize hearings, speeches, and rituals of governmental exaltation and artistic festivals of solidarity, such as the annual International Day for the Elimination of Violence against Women on November 25; the sixteen days of activism; and International Women's Day on March 8. Although they face intimidation and violence, as well as all types of efforts to manipulate the situation, they continue to fight for justice.

## Ideologies and Other Practices

A particular culture has emerged around the crimes of Ciudad Juárez and Chihuahua constituted by how what has happened is addressed, and also by literary and poetic, pictorial, sculptural, musical, photographic, theatrical, filmic, and other artistic creations. The communications media — including the print media, radio, and, especially, television, as well as national and international news programs — have gone to the scene and covered the issue from various perspectives, ranging from yellow journalism to serious journalistic analysis in pursuit of the truth. Academics have also approached the issue, and long-term research projects have been undertaken, as well as theses, essays, courses, seminars, and short

courses (*diplomados*), all motivated by a profound commitment to contribute, through scientific inquiry, to the analysis of the situation to take action and eradicate crimes against girls and women.

Besides originating out of indignation and a commitment to justice, NGOs have taken action to provide legal, psychological, and economic services and support to the victims while also constituting a forum for critical discussion, information, lobbying, and pressuring the authorities. They have also created observatories to monitor the process. They have maintained the voice of protest, demanded justice, and mobilized solidarity. They began by asking how many had been killed and set out to count them. They have forcefully demanded, time and again, “*Ni una muerta más* (Not one more dead woman)!”

The movement has given rise to the most varied political expressions: demonstrations, rallies, religious rituals, protest encampments, exhibitions, and installations. It has also engaged in broad creativity and skill building and capacity building with groups, organizations, and individuals to become informed of the situation, acquire certain knowledge, and even get academic training and dealt with all kinds of individuals and philanthropic, financial, and solidarity institutions, in Mexico and elsewhere, with whom it should engage.

#### APPROACHES

Explanations that reflect different ideologies and different degrees and levels of knowledge and information—journalistic, academic, and political—circulate in the media and among the organizations.

There has been speculation based on criminology in which hypotheses are put forth as to whether the assailants are serial killers. Psychiatric profiles are suggested that consider them mentally ill or psychotic. Psychoanalytic and semiotic approaches see the crimes and the criminals as part of a system of communication and power based on belonging to fraternities and forms of totalitarian control over bodies and territories (Segato 2003c, 2006).

There are also sociological and anthropological analyses that examine the crimes in the context of the reality of the border zone and that consider the economic status, class, and power of the female victims and of the perpetrators, as well as the impact of the North American Free Trade Agreement and the *maquilas* (cross-border assembly plants) on uneven and disorganized development, marginalization, and poverty (Washington Valdez 2005). There are also studies on the links between the rise of the so-called Juárez Cartel and the first gender-based crimes.

Finally, there are culturalist perspectives that, in combination with prior explanations, emphasize the *machista* and misogynist culture that is supposedly a core trait of Mexican identity.

Some points of view are simplistic and traditional, and others are more evolved, documented, and complex. The simplistic and traditional points of view have helped generate fantastic myths; the more evolved views have made very important contributions to profound and complex scientific knowledge not only of the violence but also of its relationship to patriarchal social organization and patriarchal power.<sup>1</sup> Some reproduce an “otherness” in their perspective: It is others who engage in this conduct. There are some who note the exceptional nature of certain prevailing characteristics in the area, a border region with many migrants and a high incidence of crime.

The predominant trend depicts the crimes as a phenomenon, as an unusual, exceptional occurrence that only happens there and only in that way. Several hypotheses circulate, with great credibility, that tie the homicides of girls and women to other criminal activities and groups, such as the selection of the victims and the use of their damaged bodies as coded languages among powerful men, businessmen, or among criminals and their gangs. It is presumed that there are ties between the homicides of girls and women and organized crime and drug trafficking (González Rodríguez 2002). The killings have also been said to be related to the direct production and marketing of hardcore pornography and other perverse forms of the violent reification of women.

For several years, the authorities have failed to disclose any information on their inquiries or have done so only in a partial, incomplete, and confused manner. They have acted inefficiently in prosecuting crimes; they have even had to release a person allegedly responsible who was tortured and have fostered widespread distrust of law enforcement and its institutions. There has been a full-fledged confrontation among NGOs, press, and public officials. How many girls and women have been killed? The authorities contradict themselves almost all the time. There is no certainty in many cases that the victims correspond to the bodies or remains handed over to loved ones, and it is not known whether some girls and women who have disappeared correspond to unidentified corpses. In more recent cases, an arduous effort has been made to ensure better investigations in technical terms and to secure the involvement of forensic anthropologists to identify remains in unresolved cases. For fifteen years, disinformation, uncertainty, and anxiety have held sway, fostering the exaggeration or downplaying of the facts with a sensationalist tone.

Most notable is the omission of the key fact—key because it is consistent and apparent: The vast majority of the crimes are committed against girls and women. The victims' gender is taken into account only as one more item of information, as if it were merely a question of classifying the victims as “male” or “female” without any social context or consideration of oppressive power relations. In the extreme, the victim's gender is treated with bias and, if gender is taken into consideration, it is to point to the victim's evident culpability.

In this way, there is no recognition or investigation of the gender status of the girls and women who have been the victims and of the assailants who, in the immense majority of cases, are men. There is no analysis of the overall conditions in analyzing a multi-determinate event. The scientific perspective in general that one finds in academics, politics, and in the defense of human rights—in particular, women's human rights—is set aside. Androcentrism envelops most of the information and most of the investigation into the problem and gives rise to partial speculation, failing to address the core of the problem.

In an early effort to become familiar with the situation, and basing my opinions on available knowledge, I recall repeating—as so many continue to repeat—that the women murdered in Ciudad Juárez were poor and young; that many of them worked in the maquilas; that they were dark-skinned and had long hair; and that they had been kidnapped, humiliated, tortured, mutilated, and raped before they were killed in cold blood and their bodies were left in the street, in the desert, or in open spaces.

The stereotype was cast and persists, despite other evidence.

As a feminist anthropologist, I was asked by feminist colleagues who were involved in the investigation of the cases to contribute to an explanation of the events in Ciudad Juárez. I proposed to analyze the crimes against women and girls through a feminist lens and to define them as femicide. The category and theory of femicide emerge from feminist theory through the works of Diana Russell and Jill Radford. I based my own analysis on their theoretical and empirical work as elaborated in their volume *Femicide: The Politics of Woman Killing* (1992). The translation for femicide is *femicidio*. However, I translated femicide as *feminicidio*, and this is how it has circulated. In Spanish, *femicidio* is homologous to homicide and solely means the homicide of women. For this reason, I preferred *feminicidio* in order to differentiate from *femicidio* and to name the ensemble of violations of women's human rights, which contain the crimes against and the disappearances of women. I proposed that all these be considered as “crimes against humanity.” *Femini-*

*cide* is genocide against women, and it occurs when the historical conditions generate social practices that allow for violent attempts against the integrity, health, liberties, and lives of girls and women.

## From Femicide to Femicidal Violence

In 2003, I agreed to run as a candidate for the lower house of the Mexican federal legislature, the Chamber of Deputies. I was elected and became a member of that legislative body with the firm purpose of taking action to address femicide and to legislate on the matter and with a view to adopting legislation that spelled out the crime of femicide.

The previous legislature had formed an entity known as the Special Commission to Monitor the Investigations into the Homicides of Girls and Women in Ciudad Juárez. It was our hope that another such entity would be formed by the 59th Legislature. I already had incipient information about and reports of crimes against girls and women in other parts of Mexico. For this reason, the group of legislators from the Partido de la Revolución Democrática (Revolutionary Democratic Party; PRD), of which I was part, proposed—and the Chamber of Deputies approved—the creation of a Special Commission to Make Known and Monitor Femicides in Mexico and Efforts to Secure Justice in Such Cases (Comisión Especial para Conocer y Dar Seguimiento a las Investigaciones Relacionadas con los Femicidios en la República Mexicana y a la Procuración de Justicia Vinculada).

This represented enormous conceptual and political progress, because the inquiry was not limited to the events in Juárez. Instead, it encompassed the whole country, and the subject was no longer *homicides* of girls and women but *femicides*. For the first time, a legislative commission included the term *femicide* in its name and sought from a feminist gender perspective to gain familiarity with the problem, take action, and help eradicate it.

The name of the Special Commission did not, as I would have liked, contain the words “on femicide in Mexico.” Instead, the Junta de Coordinación Política (Board of Political Coordination) chose to use the words “on femicides.” This created confusion about whether each homicide should be called a femicide—the version that has come into popular use through the media and the movement—or whether a set of homicides in a given territory should be called “femicide.”

Before long, the Special Commission developed several lines of work, including denouncing such homicides when they happened and demanding justice; shifting the focus of investigation from femicide or

femicides to feminicidal violence to produce more knowledge about the violation of women's human rights in Ciudad Juárez and throughout Mexico; and producing legislation on femicide. In this context, I made a proposal to typify femicide; over time, other legislators introduced other initiatives. Another line of work was approving a budget to do this work and to confront violence against women.

## The Diagnostic Research

To learn more about the problem, the Special Commission performed an assessment of feminicidal violence throughout the country (Comisión Especial para Conocer 2006b, 2006c). For the first time, research was done based on official information about what had happened from 1999 to 2006, only in relation to intentional and unintentional homicides (*homicidios dolosos* and *homicidios culposos*, or murder and manslaughter). We wanted to learn the scale of the problem in Ciudad Juárez and in the rest of the country.

Crimes against girls and women were examined in the framework of gender violence and in relation to all forms of violence against girls and women on which we found official information. The results of the research were surprising: One thousand two hundred and five girls and women were murdered in all of Mexico in 2004, which means that an average of four girls and women were murdered per day.<sup>2</sup> More than six thousand girls and women were murdered in the six years from 1999 to 2005. Accordingly, one can deduce that more than one thousand girls and women are murdered every year in Mexico, and the situation has not changed.

The following figures and rates are for 2004, the only year for which we had official information from twenty-nine states and Mexico City, which allows for a comparison. Different data came from different sources, and not all used the same methodology. The figure for girls and women murdered is from the offices of the Attorney General (Procuradurías Generales de Justicia) of each state and the Mexico City; some include intentional and unintentional homicides, but most include only intentional homicides, excluding unintentional homicides from the count. The analysis must consider that the missing part of these data means that the figures are lower. And lacking more information, they allow for only a cautious approximation. The state rates of female homicides are based on the same criteria; only the number of intentional homicides per 100,000 women is calculated, and such figures do not include unintentional homicides. Therefore, they are not comparable, either, and are

merely indicative. See, for example, the case of Veracruz, whose rate of 1.144 per 100,000 people is low, in relative terms, and the number of homicides of girls and women is very high, at 264, when adding up the intentional and unintentional homicides, yet the rate is calculated based only on the intentional homicides, leaving out the unintentional ones, of which there were 188, many more than the seventy-six intentional ones. The state of Mexico, with eighty-six homicides of girls and women, has a very high rate of 4.136 per 100,000, even though they did not include unintentional homicides. How high would the rate be if they were to include them?<sup>3</sup>

The Servicio Médico Forense (Forensic Medical Service) reported that 743 girls and women were murdered in Mexico City, the country's capital, in the five years from 1999 to 2005. The Procuraduría General de la República (Office of the Attorney-General) reported that in the twelve years from 1993 to 2005, a total of 379 girls and women were killed by intentional homicide in Ciudad Juárez, Chihuahua.

### Who Were They?

The girls and women murdered in Mexico had different ages, and included girls, elderly women, young women, older women, and adolescents. They belonged to all social classes and socioeconomic strata; some were rich women, from the upper class and the elite, though the majority were poor or marginal. The full array included illiterate women, with little schooling (as was the case for most of the victims), though there were also students in vocational schools and universities, and graduate students with excellent academic records. To their assailants, these women, either single or married, were spouses, former spouses, coinhabitants, girlfriends, former girlfriends, daughters, step-daughters, daughters-in-law, mothers, mothers-in-law, cousins, close friends, neighbors, employees, bosses, subordinates, or unknown. Their occupations varied: the victims were service providers, dancers, peasants, teachers, vendors, waitresses, researchers, models, actresses, and bureaucrats. Most were hard-working girls and women; some were on vacation, others were unemployed students and transients. Also killed were women associated with criminals, and upstanding citizens, activists, politicians, and women in government. Almost all were Mexican, and among them, some were Tzotzil, (such as the Lunas of Acteal), Rarámuris, and Nahuatl. Others were foreigners, including those from Canada, the Netherlands, the United States, El Salvador, Korea, Brazil, and Guatemala. Most were killed in their homes, though some bodies were found in the street, in a vacant lot,

along a roadside, in a ravine, in a store, at a construction site, in a car, in a cave, in an upland area, along a highway, in the desert, in a river, or in a house for holding kidnap victims, and it is not known where they were killed. Some had marks of sexual violence, though in most cases there is no trace of sexual violence. Some were pregnant, others were disabled; some were locked up, others kidnapped. All were tortured, mistreated, and intimidated, and they experienced fear and humiliation before being killed. Some were beaten to death, others were strangled, decapitated, hung, stabbed, and shot; some were mutilated and bound. For some, their remains were placed in a sack, a suitcase, or a box, put in concrete, dismembered, burnt, or stretched. All were held in captivity; all were isolated and unprotected. Terrified, they experienced the most extreme impotence in their defenselessness. All were assaulted and subjected to violence until death. Some of their bodies were mistreated even after they had been murdered.

Most of the crimes remain in impunity.

## **Femicidal Violence**

Research on femicide arose from the acknowledgment that in Mexico, and worldwide to different degrees, all women experience forms of gender violence in the course of their lives, and many also experience class, racial, religious, judicial, legal, and political or cultural violence. There is an evident simultaneity and cross-fertilization of various forms of violence linked to various forms of social oppression. All women experience violations of their human rights stemming from the subaltern social status and political subordination of gender that affects them. It is in that framework that femicide must be explained.

Accordingly, violence against girls and women was recognized in its specificity, framed in the political gender relationships between women and men and in the relationships of class, ethnicity, and age, and it was associated with the complexity of social status, life situation, and position of women. Research was done on institutions' interventions to address gender violence against women, as well as government policies to learn of their content in terms of gender equality and equity and the budgets earmarked to that end. An analysis was done of the legislation, and misogynistic content, or content that was identified as being at odds with gender equality, gender equity, and the advancement of girls and women.

Due to the enormous differences and the inequality characteristic of Mexico, regional geographic criteria were used with the categories center, north, or south; capital city and province, city, and town; southern

or northern border; and regions with a presence of indigenous peoples, as well as regions with high, medium, and low levels of human development. A feminist analysis was done of gender and human rights. We also relied on the human-development paradigm and methodology. The human-development indicators used by the United Nations Development Program were used as guidance for research, including the Human Development Index, the Gender Development Index, and the Gender Empowerment Index.<sup>4</sup> The Human Security Index had yet to be published (Lagarde y de los Ríos 1996).

I am certain that no one knew, until then, that Nayarit should be a matter of concern for us, as it was the leading state for femicide in Mexico, with a rate of homicides for girls and women estimated at 4.485 per 100,000 people.<sup>5</sup>

Working with these results, we made progress in theorizing about femicide, which had been limited to homicides, and the category of feminicidal violence, which implies the violent deaths of girls and women such as those that result from accidents, suicides, neglect of health, and violence. Of course, the whole set of determining factors that cause them came to have an empirical grounding. This definition takes as the point of departure the assumption that such deaths are caused in the framework of gender oppression and other forms of oppression and therefore are avoidable. Because of this, they are violent deaths.

## A Few Findings

The results of the diagnostic research make it possible to verify several theoretical theses, including that violence against women is serious and complex and results from multiple factors. It results from the synergistic articulation of a set of determinations based on domination and sex.

Gender-based violence articulated with the violence inherent in classism, racism, and age and ethnic discrimination, as well as any sectarianism, is a constant reality for women of all ages, social classes, socioeconomic groups, regions, and parts of Mexico.

The prevailing violence is worse where there is less social development of women; it affects mostly women with little or no schooling, but women with higher education have not been exempt from it. Violence is aggravated under permanent or temporary conditions of social exclusion and situations of dependence or of minimal or nonexistent citizenship for women. Under patriarchal normality, the existence of any woman placed in isolation or under total domination is at risk, for she may be subjected to harm, independent of her wishes and conscience.

Femicidal violence is the extreme, the culmination of many forms of gender violence against women that represent an attack on their human rights and that lead them to various forms of violent death. In many cases, these forms of gender violence are tolerated by society and the state; at other times, citizens live femicidal violence with powerlessness, for there are few channels available for the enforcement of rights.

Femicidal violence is produced by the patriarchal, hierarchical, and social organization of gender, based on supremacy and inferiority, that creates gender inequality between women and men. It is also due to the women's exclusion from power structures or their exposure to oppressive powers, be they personal, social, or institutional. And it results from the acceptance and tolerance that are demonstrated by the multiple complicities among supremacist, macho, and misogynist men—indeed, from the social silences that prevail about those who commit crimes and are not punished.

The impunity that stems from the inaction, insufficiency, or complicity of state institutions with gender inequality contributes to femicidal violence—and, therefore, to violence against girls and women. This constitutes institutional gender violence by omission, negligence, or complicity of the authorities with the assailants when it is a question of violence inflicted on women by persons or groups. Institutional violence also results from the acceptance of inequalities, discrimination, and violence as normal, which reinforces the permanence of state structures that perpetuate gender inequality and do not recognize or guarantee the rights of women. To the contrary, they act in defense of patriarchalism in both society and the state.

Femicidal violence flourishes under the hegemony of a patriarchal culture that legitimates despotism, authoritarianism, and the cruel, sexist—macho, misogynist, homophobic, and lesbophobic—treatment reinforced by classism, racism, xenophobia, and other forms of discrimination.

The failure to consider what crime is constituted by the whole set of harmful acts that put women's lives at risk helps reproduce femicidal violence. Even though many forms of violence against women are criminal offenses, to violate women is not considered a crime. That is the opinion of even those whose duty it is to prosecute and sit in judgment of the perpetrators of such violence and who should provide protection and ensure women's right to live in safety and free from violence. Violent men therefore enjoy an ideological and political complicity between authorities and assailants.<sup>6</sup> In such a climate, there is a clear absence of democratic rule of law in relation to women.

The structural conditions of the social organization of genders are the foundation for femicidal violence. Even though there has been prog-

ress, the state continues to foster the conditions in which gender oppression finds expression.

To varying degrees, the failure or omission on the part of the state, in terms of not promoting or advancing equality between women and men or gender equity, contributes actively to feminecidal violence. Women are not considered people with rights; nor are they treated as citizens. Therefore, the authorities who should be seeking justice in many cases act as accomplices of the assailants in attacking women's security, dignity, and interests. It is also apparent that women are not deemed to have full rights in the areas of education, health, the economy, and politics. Women's advancement should be a priority for the state.

In summary, in Mexico there are two levels at which the rule of law has broken down in relation to women: first, in the concept of legality, which does not apply to women; and second, in the everyday gender violence perpetrated by men in social life, further violating the human rights of persons and legality. The institutions are overtaken because they are obsolete or because the law and the procedures for its enforcement are obsolete. In social life, illegality prevails across multiple spheres and activities, and women, who are already disadvantaged by their gender, find themselves at even greater risk.

### **Addendum: Some Anthropological and Legal Categories**

After arduous processes of analysis, going back and forth between theory, empirical results, and the legislative possibilities, that is, what can be legislated, I gradually refined my own categories.<sup>7</sup> They are as follows:

#### **GENDER VIOLENCE**

Gender violence is misogynist violence against women for being women situated in relationships marked by gender inequality: oppression, exclusion, subordination, discrimination, exploitation, and marginalization. Women are victims of threats, assaults, mistreatment, injuries, and misogynist harm. The violence may be physical, psychological, sexual, economic, and property-related, and the modalities of gender violence may be in the family, workplace, or school; in the community; in institutions; and via femicide.

## FEMINICIDE

Femicide is one of the extreme forms of gender violence; it is constituted by the whole set of violent misogynist acts against women that involve a violation of their human rights, represent an attack on their safety, and endanger their lives. It culminates in the murder of girls and women. Femicide is able to occur because the authorities who are ommissive, negligent, or acting in collusion with the assailants perpetrate institutional violence against women by blocking their access to justice and thereby contributing to impunity. Femicide entails a partial breakdown of the rule of law because the state is incapable of guaranteeing respect for women's lives or human rights and because it is incapable of acting in keeping with the law and to uphold the law, to prosecute and administer justice, and to prevent and eradicate the violence that causes it. Femicide is a state crime.

## FEMINICIDE AS A LEGAL CATEGORY

The political construct defining femicide as a crime was approved by the Chamber of Deputies but was subsequently rejected by the Senate, where a report is to be issued.<sup>8</sup> A draft decree has been proposed that amends several definitions of the Federal Code of Criminal Procedure. For example, article 1 proposes that the third chapter on femicide is added to the second title of the second book, and Article 149 reads as follows:

One who, for the purpose of totally or partially destroying one or more groups of women on grounds of their gender status, perpetrates, by any means, crimes against the lives of the women belonging to the group or groups. This offense shall be punished by a prison term of 20 to 40 years, and a fine of 4,000 to 10,000 pesos. For the purposes of this article, gender status is understood to be the social construction that determines stereotyped sociocultural behaviors, in which women are at a disadvantage, face discrimination, and are at high risk as a result of an unequal power relationship. When the offense is committed by a public servant, the penalty shall be increased by up to one-half.

## THE LAW AND THE CATEGORIES

In the cause to eradicate violence against women and girls and to construct their human rights, legislating is part of an all-encompassing process that involves social movements, activism, study, and awareness-building, as

well as the possibility of theoretically naming, from a feminist gender perspective, those facts that are made invisible, irrelevant, or considered normal; of making them visible; of creating knowledge; and then of having the capacity to introduce into law guidelines, mechanisms, and policies configured as a binding legal framework. One will have to build the capacities that make it possible to go forward along the arduous path for the law to become a matter of state policy, and to become a way of life and of coexistence.

Therefore, having contributed to this law has been significant, as it contains a feminist perspective and is the only law in the Mexican legal framework in which women are recognized as juridical subjects and in which the legal interest protected is the life of women. It is also important to have placed in the body of the General Law of Women's Access to a Life Free from Violence concepts and categories that are fundamental to this philosophical, theoretical, and political approach.<sup>9</sup> As legal categories, their enunciation contains the hypotheses of their transformation. Let us conclude with some definitions that in Mexico are now law.

FEMINICIDAL VIOLENCE, GENDER VIOLENCE ALERT,  
AND GENDER VIOLENCE

Chapter V on feminicidal violence and the gender violence alert Article 21.

Femicidal violence is the extreme form of gender violence against women, the result of the violation of their human rights in the public and private spheres; it is made up of the whole set of misogynistic forms of conduct — mistreatment and physical, psychological, sexual, educational, economic, property-related, family, community, institutional violence — that entail social impunity and impunity by the state, and, on placing women at risk and in a defenseless position, may culminate in homicide or attempted homicide — that is, in femicide and in other forms of violent death of girls and women, specifically death due to accidents and suicide and preventable deaths stemming from lack of security, neglect, and exclusion from development and democracy.

Article 22 of Chapter V states: “Gender violence alert is the whole set of emergency government actions to confront and eradicate feminicidal violence in a given local or regional area, whether by individuals or the community itself.” And Article 23 of Chapter V states: “The gender violence alert on violence against women shall have as its fundamental objective to ensure women’s safety and the end of violence against them, and eliminate the inequalities produced by legislation that harms their human rights.”

## Notes

A preliminary version of this chapter was requested by the State Secretariat for International Cooperation to be published in the book *Nuevas líneas de investigación y mecanismos de conocimiento*, University, Gender, and Development Series (Universidad Autónoma de Madrid, in press).

1. Part of the research by Patricia Ravelo was used as the basis for the text “Violencia feminicida en Chihuahua” (Ravelo 2005b). Also relevant are Monárrez Fragoso 2000, 2001, 2005a; Monárrez Fragoso and Fuentes 2004.

2. This figure and the preceding one come from the Instituto Nacional de Estadística, Geografía e Informática (National Institute for Statistical and Geographic Information; INEGI) and Secretaría de Salud (Ministry of Health; SSA). See Cámara de Diputados del H. Congreso de la Unión 2006.

3. Ibid.

4. United Nations Development Program, “Human Development Report,” Centro de Comunicación Investigación y Documentación entre Europa, España y América Latina, Madrid, 1993; idem, “Human Development Report,” Fondo de Cultura Económica, Mexico City, 1994; idem, “Human Development Report,” Harla, Mexico City, 1995; idem, “Human Development Report,” Mundi-Prensa, Madrid, 1996.

5. This rate is four times greater than the lowest, which is for Yucatán, with .560 homicides per 100,000 people.

6. Celia Amorós (1990) analyzes the patriarchal politics stemming from identification among men and their serial patriarchal pacts—among others, the exclusion of women that it implies, which is itself a form of violence and which is the basis for other forms of violence against women.

7. The categories cited here were the basis for creating the legal categories found in the Ley General de Acceso de las Mujeres a una Vida Libre de Violencia (General Law of Women’s Access to a Life Free from Violence), which entered into force in Mexico on February 2, 2007.

8. This legislative definition of femicide as criminal conduct is found in the General Law of Women’s Access to a Life Free from Violence and definition of femicide as a crime against humanity, initiatives approved by the Honorable Chamber of Deputies (Comisión Especial para Conocer 2006c).

9. This law was a major step forward in taking on violence against women. The legislative report issued on its adoption notes that it is “the first law in the Ibero-American countries which develop[s] the different forms of violence from a gender and women’s human rights perspective: violence in the family, violence in the community, violence in the workplace, violence in schools, institutional violence, and feminicidal violence, in addition to establishing the mechanisms for eradicating each of these forms of violence” (Comisión Especial para Conocer 2006c).

