Transforming feminicidio: Framing, institutionalization and social change

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Abstract
This article analyses the transformation of femicide from an academic concept into a frame for political struggle, and into a crime in the context of Mexican feminist activism against the murders of women, or feminicidios, in Ciudad Juárez and Chihuahua City. Through analysis of interviews with Mexican activists, the author argues that the implications of the transformations of feminicidio for social change are tied to the interplay between the transnational and the local impacts of feminist human rights advocacy. Drawing on Myra Marx Ferree’s work on the ‘resonance’ and ‘radicalism’ of feminist frames, the article’s findings challenge the straightforward association of radical social change to transnational advocacy and its attendant framing of social problems in terms of international human rights norms. Contrary to existing scholarship on transnational human rights advocacy, the article shows that feminicidio constitutes a resonant frame transnationally, but operates as a radical frame domestically. The dissonance between the transnational and national framing of feminicidio has complicated the ways in which Mexican feminists can engage with the state after the institutionalization of feminicidio as a crime to produce radical social change for women’s everyday experiences of violence and their access to justice.

Keywords
Criminalization, femicide, feminicidio, feminist activism, frame resonance and radicalism, human rights, Mexico, social change, transnational advocacy

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Introduction

The radical feminist concept of femicide has found fertile ground in Latin America. Femicide is defined as ‘the misogynous killing of women by men’ (Radford, 1992: 3) or as ‘the killing of women by men because they are female’ (Russell, 2002: 3). Whether translated as femicidio or feminicidio, this concept has been central to the efforts of Latin American feminist activists to combat the killing of women as the ultimate expression of gender inequality (Fregoso and Bejarano, 2010). Over the last decade, feminist groups have launched campaigns against femicide across the region, which have resulted in the criminalization of this type of violence in various Latin American countries. Much of Latin American(ist) feminist scholarship has thus gone beyond using this concept to study violence against women in specific contexts. Rather, scholars have paid more attention to feminist activists’ mobilization of this ‘empowered term’ (Bueno-Hansen, 2010) or the development of policies on this crime. However, this scholarship has not explicitly considered how this concept travelled beyond the academia to become a frame for political struggle and an institutionalized legal category. It is this transformation and its implications for feminist politics that constitute the focus of this article.

To analyse this transformation, this article offers a case study of the mobilization of Mexican feminist activists against the murders and disappearances of women in Ciudad Juárez and Chihuahua City. Since 1993, hundreds of women and girls have been abducted and/or brutally killed in these industrial cities, located in the northern state of Chihuahua that borders the United States (Monárrez, 2013). Most crimes have remained in impunity. Therefore, the Mexican state became the object of the (ongoing) transnational feminist advocacy campaign Alto a la Impunidad: Ni Una Muerta Más! (Stop Impunity: Not One More Woman Murdered!) in 2001. The concept of feminicidio became the primary frame of this campaign (Aikin Araluce, 2011). Mexican feminists adapted the concept of femicide and used feminicidio to capture the brutality of the murders as gendered violence and the state-tolerated climate of impunity that envelops these crimes (Lagarde, 2004, 2010, 2012; Monárrez, 2002, 2013). Feminicidio was central to shaming the Mexican state, transnationally and domestically. The Mexican state responded by criminalizing feminicidio at the state and federal levels, although to this date not one case has been successfully prosecuted as feminicidio.

My work contributes to the scholarship on femicide by showing that the implications of the transformations of feminicidio for feminist politics and social change are tied to the interplay between the transnational and the local impacts of feminist human rights advocacy. Here, I draw on Myra Marx Ferree’s (2003, 2012) work on the ‘resonance’ and ‘radicalism’ of feminist frames. My analysis reveals that feminicidio operates simultaneously as a resonant frame at the transnational level and as a radical frame nationally: a finding that runs somewhat contrary to existing scholarship on transnational human rights advocacy. I argue that the dissonance between transnational and national levels complicates the ways in which Mexican feminists can engage with the state to produce meaningful social and legal change for women’s everyday experiences of violence and their access to justice. This finding raises important questions for future research on the diffusion of femicide either as a frame or a crime in other social, cultural and political contexts.
Between resonance and radicalism: Framing and shaming in the context of transnational human rights advocacy

Shaming is part of the ‘boomerang pattern’ of transnational human rights advocacy (Keck and Sikkink, 1998). Boomerangs are a strategy through which activists hope to bypass the state’s efforts to block their agenda by reaching out to other states and/or international organizations, which, in turn, are expected to exert pressure on that state in support of activists (Keck and Sikkink, 1998: 12). Framing is central to shaming practices. Frames constitute discursive strategies that produce shared interpretations of issues as problematic or unjust to motivate collective action (Snow and Benford, 1992). Frames have the ability to ‘attribute blame or responsibility for injustices’ (Benford and Snow, 2000: 616). Through framing, shaming practices allow activists to mobilize interpretations of a social problem that attribute responsibility to the state in the hope that international pressure will push forward their agenda at the domestic level.

Work on transnational human rights advocacy posits that shaming is successful to the extent that activists’ claims are framed to resonate with existing international human rights norms enshrined in international law (Aikin Araluce, 2011; Anaya Muñoz, 2011; Keck and Sikkink, 1998; Risse et al., 1999). If a situation cannot be framed unambiguously in these terms, ‘[i]t will not be easily presented as a violation of human rights in the first place and therefore the possibilities for the generation of international pressure will diminish considerably’ (Anaya Muñoz, 2011: 344). Resonance with international norms, however, is not equivalent to resonance in the local context; local ideas of justice rights might prove more significant for activists to frame their claims (Levitt and Merry, 2009: 457).

This is what Levitt and Merry (2009) identify as the ‘resonance dilemma’ in their work on the vernacularization of women’s rights. They define vernacularization as the ‘cultural circulation and appropriation’ of the shared ideas about women’s human rights that are codified in international human rights law (2009: 443). It involves a means of unpacking the discursive elements of law that represent ideas about gender equality and to repackage them to fit the local context. Framing is necessary to resolve this dilemma: ideas and practices about women’s human rights must resonate with local ideologies, symbols and narratives in order to challenge local forms of gender inequality. However, a frame that relies too heavily on these local ideologies may limit how far activists can go in transforming existing power structures (Levitt and Merry, 2009: 457). This relates to the second dilemma of vernacularization, the advocacy dilemma: ‘When organizations use human rights in ways that join readily existing issues and strategies, they are more readily accepted but represent less of a challenge to the status quo’ (Levitt and Merry, 2009: 457).

Thus, frames must be resonant while maintaining their core as universal norms (Merry, 2006: 220). This is necessary since it is the ‘claim to universality’ that lends legitimacy to activists’ claims (Levitt and Merry, 2009: 457). This is what makes frames that draw on the language of human rights different enough from existing ideologies of justice to ‘challenge local inequalities and appeal to the imagining of the “new” ’ (2009: 447). In sum, the resolution of these dilemmas of vernacularization relies on activists’ ability to develop a frame that can be resonant in the transnational and domestic arenas.
simultaneously in order to *radically* challenge local forms of gender inequality (Merry, 2006: 137, 221; emphasis added).

The underlying assumption in this literature is that resonance at the transnational level paves the way for social change locally. But is the relationship between transnational advocacy and local social change as straightforward? Do local interpretations of the framing and shaming practices of transnational advocacy play a distinctive role? Analysis of the transformations of *feminicidio* offers an opportunity to engage with these questions.

As a conceptual guide to carry out this analysis, I borrow from Ferree’s (2003, 2012) work on feminist framing and the politics of resonance. Ferree (2012) defines ‘framing as an interaction in which actors with agendas meet discursive opportunities as structured in institutionally authoritative texts’ (p. 13; original emphasis). Through this definition, Ferree draws attention to the fact that not only political, but also discursive opportunity structures shape how actors frame issues (see also Giugni et al., 2005; McCammon et al., 2007). Discursive opportunities are embedded in institutionally authoritative texts, like laws and court decisions, and represent ‘gradients of relative political acceptability to specific packages of ideas’, or frames (Ferree, 2003: 309). Put differently, frames are the *product* of framing processes, since they result from the interaction of the active framing efforts of specific actors with the institutionalized discourses available to them. It is in this sense that frames become discursive strategies (Snow and Benford, 1988).

Ferree (2003) distinguishes between the resonance and radicalism of frames, arguing that resonance does not necessarily lead to radical social change. According to Ferree (2003: 339), ‘analysis of framing in general and of resonance in particular needs to be more explicitly connected with the analysis of power relations’. The relationship between power and discourse becomes visible when resonance is not taken as a given, but as a product of an interaction that mutually affirms the frame and a discursive opportunity structure (2003: 310). Conversely, radicalism is an interaction that lacks this mutual affirmation, resulting in mutual contradiction (2003: 310). As such, Ferree argues that the ‘institutional anchoring [of discourses] is the concrete manifestation of the symbolic power that makes certain ideas hegemonic and others not’ (2003: 310). Through her comparative analysis of abortion frames in Germany and the United States, Ferree illustrates that resonance comes at a price for feminist politics, since it necessarily marginalizes some discourses that may have the potential to challenge hegemonic ideas and lead to alternative, more radical ways of thinking about social change. In short, the institutionalization of discourses signifies their symbolic dominance over alternative discourses. Yet what is radical or resonant is contingent on local cultural and historical contexts (Ferree, 2003).

Building on this framework, I illustrate that transnational and local settings provide different discursive opportunities for *feminicidio* as a frame to be resonant or radical in the context of efforts of Mexican activists to combat the murder of women in Chihuahua. This raises questions for the existing literature on transnational human rights advocacy and vernacularization and the conceptualizations of framing, resonance and social change that dominate it. How did the interplay between resonance and radicalism, the local and the transnational affect the ways in which Mexican feminists were able to mobilize *feminicidio* as a frame? How is the subsequent criminalization of *feminicidio* to
be understood here? Does it represent a radical challenge to gender inequality, or has it reproduced existing power structures?

**Method**

This research is part of a larger project on the social construction of state responsibility for the violations of women’s human rights. The fieldwork took place during two visits to Mexico in May 2013 and March 2014 to carry out interviews and participant observation with feminist activists involved in the *Ni Una Más* campaign. I interviewed Guadalupe (Lupita) Ramos Ponce, the coordinator of the Latin American and Caribbean Committee for the Defence of Women’s Rights (CLADEM) in the state of Jalisco, and this organization’s national coordinator, Julia Escalante. I also talked with representatives of the National Citizen *Feminicidio* Observatory (OCNF), including Rodolfo Domínguez Márquez, the head of litigation. In 2006, a network of 47 civil society organizations from the Federal District (Mexico City) and 17 Mexican states that were involved in the campaign formed the Citizen Observatory to Monitor the Delivery of Justice in Cases of *Feminicidio* in Ciudad Juárez and Chihuahua, which later became the OCNF. The Mexican chapter of Catholics for Choice coordinates the OCNF and it often works in collaboration with Dr Julia Monárrez. The OCNF monitors women’s murders and disappearances in Mexico, and it has become the main producer of knowledge and expertise on *feminicidio* (Aikin Araluce, 2011: 216). The CLADEM Jalisco is part of the OCNF.

Other interviewees were grassroots activists from Chihuahua City like Norma Ledesma, who founded the NGO *Justicia Para Nuestras Hijas* (JPNH, Justice for Our Daughters) after the murder of her daughter Paloma in 2002; Alma Gómez, founder of the Centre for Women’s Human Rights (CEDEHM), as well as Graciela Ramos of Women for Mexico in Chihuahua (MXM). These organizations are part of the OCNF. In addition, I interviewed the Coordinator of Juridical Affairs of the Mexican National Women’s Institute INMUJERES, Pablo Navarrete, a former human rights activist. My analysis further incorporates campaign materials, reports by the CLADEM, the OCNF and other human rights organizations, and debates of the Mexican Chamber of Deputies and the Senate from 1997 to 2014 on *feminicidios* in Chihuahua.

In coding my data, I paid attention to the interaction between activists’ framing efforts and transnational and domestic discursive opportunity structures to determine when *feminicidio* operates as a resonant or radical frame. I also focused on the discursive significance that my interviewees attributed to *feminicidio* as a frame, and the benefits or limitations that they saw in its criminalization. In the presentation of my findings, I point to the duality of *feminicidio* as a resonant, yet radical frame in the transnational and domestic arenas to highlight how it may simultaneously sustain or challenge conditions that foster gender inequality in Mexico.

**Transforming *feminicidio***

As an academic concept, *feminicidio* was an analytical tool for feminist scholars trying to understand the sharp increase in the murder of young, poor women in Ciudad Juárez in the early 1990s (Lagarde, 2004, 2010; Monárrez, 2002, 2009, 2010, 2013; Segato,
Feminicidio allowed these scholars to link the extreme violence to which young women were subjected to patriarchal cultural and symbolic processes through which men’s sense of ownership over women’s bodies and the devaluation of femininity were legitimated. They situated their analyses in the context of a neoliberal regime that spurred the feminization of cheap labour to sustain the rapidly growing maquiladora industry along the Mexico–US border, arguing that conditions of material inequality rendered young women more vulnerable to being victimized. This work illustrated that Mexican state institutions were complicit in producing and sustaining the conditions of material and symbolic inequality that authorized the systematic killing of women and its impunity.

As a frame, feminicidio condensed these ideas into the notion that the killing of women in Chihuahua and the Mexican state’s failure to respond to it resulted from viewing women as disposable. Feminicidio as a frame also tied this notion to the language of human rights. Thus, the transformation of feminicidio from an academic concept into a frame is embedded in a discursive context made possible by the creation of the category of violence against women as a human rights violation in the early 1990s (Bunch and Reilly, 1994; Friedman, 2003; Keck and Sikkink, 1998). The language of violence against women as a form of gender discrimination became the discursive opportunity structure that feminist Ni Una Más activists drew on to claim that the lack of an effective response on the part of Mexican authorities to the murders and disappearances of women in the state of Chihuahua constituted violations to women’s human rights. This language is enshrined in the 1992 General Recommendation No. 19 to the United Nations (UN) Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the 1994 Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women (Belém Do Pará Convention).

The Ni Una Más campaign emerged locally in the late 1990s, when groups of the victims’ relatives joined forces with local feminist activists to denounce that agents of the Chihuahua State Prosecutor’s Office had committed serious irregularities in the murder investigations of 104 women between 1993 and 1998 (Bejarano, 2002; Monárrez, 2013). These irregularities were officially documented by the Mexican National Human Rights Commission (CNDH) in 1998 in the Recommendation #44/98. The CNDH found that these irregularities were the outcome of sexist and discriminatory attitudes of public officials towards women, including the State Prosecutor. The CNDH argued that these actions violated the Mexican Constitution, laws of the state of Chihuahua governing the conduct of public officials, the CEDAW and the Belém Do Pará Convention.

The campaign became transnational at the end of December 2001, after the discovery of the bodies of eight women bearing the traces of extreme physical and sexual violence in a cotton field in Ciudad Juárez on 6 and 7 November of the same year (Aikin Araluce, 2011). Three of these bodies were identified as Claudia Ivette González, Laura Berenice Ramos Monárrez and Esmeralda Herrera Monreal, whose murders became the basis of the complaint before the Inter-American Court of Human Rights (IACtHR) in the case of González and Others ‘Cotton Field’ v. Mexico, decided in 2009. The IACtHR declared that the Mexican state had failed to prevent, investigate and punish the violations to the young women’s human rights, given the state’s knowledge of the systematic pattern of violence against women in this city.
The campaign brought together over 300 local, national and transnational feminist and human rights organizations that formed a transnational advocacy network (TAN) to defend the human rights of women in Ciudad Juárez and later Chihuahua City, which presented similar patterns of gendered violence (Aikin Araluce, 2011: 163). With the aim of shaming the Mexican state, this TAN also created alliances with several national and international governmental actors and institutions. These included the Inter-American Rapporteur for the Rights of Women, Amnesty International, the CEDAW Committee, the UN Special Rapporteur on Violence against Women and other Rapporteurs and official representatives of the United States, Spain, the European Union and the Council of Europe (Aikin Araluce, 2011). Between 1998 and 2007, more than 24 reports and a total of 200 recommendations were issued; these identified gender discrimination and gender inequality as root causes of violence against women in Chihuahua and the failure of Mexican state institutions to prevent and punish it (Aikin Araluce, 2011). This failure was construed as Mexico’s lack of compliance with the CEDAW and the Belém Do Pará Convention. The success of the Ni Una Más campaign cannot be underestimated, since it ‘generated more critical international reactions than any other situation of violation of human rights in Mexico after [its] 2000 political transition [to democracy]’ (Anaya Muñoz, 2011: 340).

Feminicidio emerged as a frame in this context. Previously, the term las muertas (the dead women) had been used to characterize the crimes, although ‘it did not allow establishing the root cause of the problem, the causal links between the murders and those responsible’ (Aikin Araluce, 2011: 154). As part of V-Day International, the Ni Una Más campaign organized the First Awareness Tribunal on the Violation of Women’s Human Rights in Ciudad Juárez and Chihuahua in February 2004 (Lagarde, 2004). Both Marcela Lagarde and Julia Monárrez presented their work. Lagarde (2004) put forth a conceptualization of feminicidio as a state crime because ‘the state does not provide women with guarantees and it does not create conditions for their safety [in the public or private spheres]. This is even more so the case when the state does not carry out its duty [to uphold the law] efficiently.’ As part of this conceptualization, Lagarde incorporated elements of the CEDAW, the Belém Do Pará Convention and of international criminal law, arguing that feminicidio could also be understood as ‘genocide against women’ or a ‘crime against humanity’ (see Lagarde, 2010, 2012). Thus framed, feminicidio became widely mobilized to identify the state as a perpetrator of violations of women’s human rights through its inaction and/or negligence.

Feminicidio, transnational shaming and resonance

Ni Una Más activists mobilized feminicidio as a frame through the knowledge that they produced in reports to shame the Mexican state. In these reports, legal instruments related to women’s human rights became discursive gradients of opportunity that anchored their framing efforts to produce an interpretation of the murders of women in Ciudad Juárez and Chihuahua City, and their impunity, as feminicidio. These framing efforts simultaneously affirmed the arguments of these discursive opportunities.

For example, the OCNF issued reports in 2005 and 2006 disproving the claims of Mexican state institutions that they had taken actions to address the murders and
disappearances of women in Chihuahua and exposing Mexico’s lack of compliance with the CEDAW and the Belém Do Pará Convention. In the 2006 report, the OCNF argues, ‘feminicidio in Mexico is the result of misogynist violent acts against women that violate their human rights that culminate in the death of hundreds of women’ (2006: 11). Moreover, the OCNF posits that feminicidio is an outcome of the negligence and omissions of Mexican authorities that ‘exert over women institutional violence by preventing their access to justice and thus contributing to impunity’ (2006: 11). This is in direct contravention of Mexico’s international legal obligations (2006: 13). Likewise, the CLADEM began to use the case of feminicidio in Mexico and the state’s lack of compliance with its international obligations as a paradigm to examine the murder of women in other Latin American contexts (CLADEM, 2007; CLADEM, FIDH and CMDPDH, 2006). By making Mexico the paradigm of feminicidio, these reports intended to shame the Mexican state.

But it was not only activists that mobilized this frame. Feminicidio was even adopted by European supranational institutions, like the Council of Europe (CoE) and the European Parliament. On 21 July 2005, the Parliamentary Assembly of the CoE approved Recommendation 1709 on feminicidios in Mexico as well as Resolution 1454 on the same matter. The European Parliament produced the Resolution of 11 October 2007 ‘The murder of women in Central America and Mexico and the European Union’s role in preventing this’ (2007/2025(INI)). In this resolution, the European Parliament linked the definition of ‘feminicidio’ to the understanding of violence against women enshrined in the Belém Do Pará Convention’ and considered that ‘the punishment and eradication of feminicidio is an obligation and a priority for any state that observes the rule of law’. Through these resolutions, these European institutions exerted significant pressure on the Mexican state to address this issue, so much so that Senators and Deputies discussed them in several debates (e.g. Senate 25 November 2003, 7 October 2003, 25 November 2008; Deputies 26 November 2009, 8 December 2009, 9 April 2014). Mexican legislators consistently referred to these murders as a matter of ‘national shame’.

To summarize, the mobilization of feminicidio as a frame to shame the Mexican state resonated transnationally with international human rights norms. It was used as part of the boomerang pattern of advocacy of the Ni Una Más campaign to exert pressure on the Mexican state to respond to the situation of violence against women in the state of Chihuahua and to demand that public officials who had acted with negligence be sanctioned. As I discuss below, these efforts partially led to the criminalization of feminicidio. However, local interpretations of the framing and shaming practices of transnational advocacy were an important part in this process, especially since feminicidio operated as a radical frame domestically.

**Feminicidio’s radicalism and local shaming**

Although Mexican feminist activists achieved resonance by articulating feminicidio through the language of human rights to shame Mexico transnationally, they arguably did not mean to choose resonance domestically. Feminicidio constituted a radical challenge to the sexist and discriminatory ways of understanding violence against women that were still prevalent in Mexican law and that permeated the practices of public officials in charge
of the administration of justice. According to Pablo Navarrete (INMUJERES), ‘Mexico’s patriarchal, macho, and misogynous culture is reinforced through an understanding of law that comes from the Roman tradition in which women were nothing and simply had no rights’ (interview, March 2014). This culture was clearly reproduced in Mexican rape laws that existed prior to 1997. Until 1987 the criminal code of various Mexican states, including Chihuahua, stipulated that ‘chastity’ and ‘honesty’ were preconditions for the crime of rape; also reflecting Catholic notions of femininity prevalent in the Mexican cultural imaginary (Lang, 2003: 75). Likewise, sexual assault was conceptualized as an ‘attempt against honour’ (De Barbieri and Cano, 1990: 350).

It took intense feminist organizing at the level of civil society and among women legislators to produce the first reforms to the criminal code in 1988 and 1991 with the support of then President Carlos Salinas de Gortari, who used this issue to gain political legitimacy in the aftermath of the electoral fraud that won him the presidency (De Barbieri and Cano, 1990; Lang, 2003). Although the reforms contributed to turning Mexican women into subjects of rights, Lang (2003) argues that Mexican law continued to legitimate patriarchal understandings of women, as opposed to autonomous individuals with a right to self-determination. These provisions institutionalized the notion that violence against women was not an outcome of gender inequality, but of ‘crimes of passion’ or a ‘private matter’ (Pablo Navarrete, interview, March 2014).

In this context, feminist activists mobilized feminicidio to challenge the discursive opportunities embedded in Mexican law, not to affirm them. This was more so the case given the prevalence of a pervasive discourse of a bloodthirsty psychopath that preyed on ‘immoral jovencitas’ (immoral young women) in the media coverage of the murders and disappearances of women in Chihuahua (García-Del Moral, 2007, 2011). This discourse contributed to victim blaming, while negating that these murders constituted a social problem.

My interviews show that activists used feminicidio as a radical frame to make visible a reality that existed before, but had not been named. According to Lupita Ramos Ponce (CLADEM Jalisco/OCNF), ‘feminicidio, as the theoretical construction of extreme forms of violence against women, in which key components are mutilation and extreme forms of sexual abuse, contributed to making visible the killings in Ciudad Juárez as a form of patriarchal social control over women’ (interview, May 2013). For her, it allowed activists to ‘deconstruct understandings of the murders based on discrimination against women that contributed to their impunity, that is, understandings of the murders as the result of victims’ own fault or attributable to crazy individuals or serial murderers’. Pablo Navarrete (INMUJERES) supported Lupita’s assessment. He characterized the emergence of feminicidio in a context of efforts

… to make violence against women visible. Here, feminicidio surges as an agglutinating concept that grouped the claims for justice of many families and became the banner of a very strong feminist movement. Like a loudspeaker, it called attention to the fact that women were being murdered simply because they were women in a context of social permissibility and state-tolerated impunity. (interview, March 2014)

The words of my interviewees build on the academic work on feminicidio, further showing the radical way in which activists used it as a frame to render visible the conditions
of gender inequality and discrimination underlying the murders and the indifference of the Mexican state towards them.

Referring to the murder of 19-year-old Esperanza Chaparro a few days before my arrival in Chihuahua City in March 2014, grassroots activist Norma Ledesma (JPNH/OCNF) made the following argument about feminicidio:

I didn’t use to think that the concept was as relevant … but, really, we can’t talk about women’s homicides, which is what we did before. It is not a word that you hear a lot outside of the women’s movement … [The movement] uses it as a suppository with the authorities because that’s the only way it would fit … It’s a word that makes a lot of noise for them. Maybe it encapsulates in its totality many things, perhaps more than any expert could have found or described, regarding what people [like me] who have lived through it experience day to day … I mean, it may sound crass to say that [Esperanza] was murdered because she was poor and because she was a woman, but that’s a characteristic of feminicidio, if there was a checklist for them. When a man is killed, he is not subjected to same violence as when a woman is murdered. A woman’s [murder] encapsulates so much pain, so much discrimination …

This poignant quote reveals how far-reaching feminicidio can be as a radical frame. On the one hand, it encapsulates the pain of the lived experience and consequences of gender inequality: feminicidio captures the notion that women were killed because they were seen as disposable. On the other, as Norma’s reference to feminicidio as a ‘suppository’ and ‘noise’ for the authorities suggests, this frame is unsettling for those in power precisely because it brings their inaction under the spotlight.

Therefore, for my interviewees feminicidio represents a radical challenge to the power inequalities that organize gender relations in Ciudad Juárez and Chihuahua City. Undoubtedly, the vernacularization of women’s human rights was central to this process – the notion that violence against women is a form or product of gender discrimination enshrined in the CEDAW and the Belém Do Pará Convention, structures how they talk about feminicidio, how they make sense of the violence to which murder victims were subjected, and their feelings about it. Nevertheless, it is necessary to go beyond vernacularization and its dilemmas to capture the ways in which frames that are articulated in the language of human rights can effect social change by being radical.

Another example of feminicidio’s radicalism are the pink crosses, the symbol of feminicidio, that activists used to shame the Chihuahua state and federal authorities domestically. Countless pink crosses can be found in the desert of Chihuahua, where many of the women’s bodies have been found. These pink crosses became ubiquitous in the slogans and symbolic actions of the Ni Una Más campaign. For example, two large crosses with numerous nails and pink ribbons representing the murdered women of Ciudad Juárez and Chihuahua City stand at the Santa Fe bridge (at the border with the United States) and in the Plaza Hidalgo in front of the Chihuahua state government palace (Figure 1).

According to Alma Gómez (CEDEHM/OCNF), these crosses were erected as an uncomfortable reminder for the Mexican state, local and federal, that it had failed to protect women’s rights by tolerating impunity (interview, March 2014). As a shaming strategy, Alma argued, these crosses succeeded in their aim: she later told me that these symbols of feminicidio were so uncomfortable for the authorities of Chihuahua that they ‘stole’ the cross by the Plaza Hidalgo. After the activists replaced it, the public officials
who serve there, including the governor, started exiting through the back door to avoid
the cross. The cross has a mirror that reflects the entrance to the building. Alma saw this
as a sign of their extreme cowardice.

It is against this background of the interplay between the transnational and the local
that activists, in particular Marcela Lagarde and the OCNF, succeeded in their demand
that the state criminalize feminicidio. But did the institutionalization of feminicidio come
at the expense of its radicalism? What have been the implications of the transformations
of feminicidio for feminist politics and social change?

Criminalizing feminicidio

The criminalization of feminicidio was one of the demands of the Ni Una Más campaign.
In fact, it was through the involvement of Marcela Lagarde in federal politics that the
‘translation’ of feminicidio into state and federal law took place (cf. Jenness and Grattet,
2001). Lagarde became a member of the Chamber of Deputies through her affiliation
with the left-wing Revolutionary Democratic Party (PRD) during the LIX Legislature
(2003–2006). As a Deputy, Lagarde created the Special Commission to Make Known
and Monitor Feminicidios in Mexico and Efforts to Secure Justice in Such Cases in 2006.
Previous Special Commissions referred to these murders as ‘homicides of women’.

Drawing on the CEDAW and the Belém Do Pará Convention, this new Commission
drafted the General Law for Women’s Access to a Life without Violence (LGAMVLV)
that entered into force in February 2007. This law recognizes femicidal violence, but
does not criminalize feminicidio as such. The incorporation of feminicidio into the

Figure 1. La cruz de clavos (the cross of nails) bearing the name of the Ni Una Más campaign at
the Plaza Hidalgo in Chihuahua City, March 2014.
criminal codes of Mexican states happened after the ‘Cotton Field’ judgement of 2009. The state of Guerrero was the first to do so in December 2010 (Pablo Navarrete, interview, March 2014). According to the OCNF (2014), by the end of 2012, 22 other federal entities had followed suit, including the Federal District. The crime of feminicidio was incorporated into the Federal Criminal Code on 13 June 2012 through the reform of Article 325. With the exception of Chihuahua, the remaining seven federal states amended their criminal codes by the end of 2013.

It is interesting that Chihuahua, the cradle of this frame, is the only state that has not yet recognized feminicidio as a crime, and that feminist activists like Alma Gómez (CEDEHM/OCNF) actually support this decision. According to Alma, feminicidio is useful as a frame to challenge the Mexican state, but not as a legal category (interview, March 2014). For her, the fact that not a single case of feminicidio has been prosecuted under these new laws in any Mexican state is a case in point. I argue that Alma’s position highlights the unintended consequences of the institutionalization of feminicidio, and that institutionalization in this case does not amount to its resonance. Currently, the institutionalization of feminicidio is rather weak; it may in fact be too recent to displace more entrenched provisions that legitimate gender inequality in Mexican law, despite the constitutional reform of 2011 in the matter of human rights. Thus, I suggest that feminicidio’s duality as a resonant frame transnationally and as a radical frame nationally is still in place, complicating the ways in which Mexican feminists can engage with the state to combat gendered violence and facilitate victims’ access to justice.

Examples of the weak institutionalization of feminicidio abound. In a shadow report prepared for the CEDAW Committee in 2012, the OCNF illustrated the prevalence of discriminatory provisions that work to undermine the criminalization of feminicidio. It identified that concepts like ‘honour’, ‘infidelity’ and ‘justifiable emotions’ remain as extenuating circumstances that judges can take into consideration in their decisions. If a woman is killed under these circumstances, ‘the criminal penalties for feminicidio cases vary between three months to five years of imprisonment in Baja California Sur, Chiapas, Jalisco, Michoacán, Yucatán and Zacatecas. Paradoxically, in some of these states stealing a cow can merit longer imprisonment than killing a woman’ (OCNF, 2012: 29). Equally scandalous is the fact that Guerrero, the first state to criminalize feminicidio, did not add a penalty for committing the crime (Pablo Navarrete, interview, March 2014).

For Pablo Navarrete (INMUJERES), the criminalization of feminicidio has been a means to seek political legitimacy internationally more than a genuine effort to combat gendered violence in Mexico (interview, March 2014). This is evident in the account of Julia Escalante (CLADEM Mexico), who witnessed how Mexican state representatives are using feminicidio in relation to the ‘Cotton Field’ judgement at the UN (interview, March 2014). For Julia,

… it is as if the Mexican government was proud of ‘Cotton Field’. They use it to, like, show off at the UN. They use it muchísimo, muchísimo [a lot] discursively. I think that the government feels like an international referent on the topic of feminicidio. It’s like marketing. I feel that feminicidio is like a fad. Right? And the government can appropriate it, and benefit from it, and it is terrible.
The notion that there can be such a thing as a feminicidio ‘fad’ highlights the frame’s transnational resonance. But it also reveals the potential costs of resonance for feminist politics (Ferree, 2003), since it has allowed Mexico to portray the criminalization of feminicidio as a sign that it is a state that does in fact comply with its international legal obligation to protect women’s rights when this has not been the case.

Yet, the radicalism of feminicidio continues to make those in charge of the administration of justice uncomfortable. There is a lot at stake in legally treating the murder of women as feminicidio. It involves recognizing that the state has not only failed in effectively preventing and responding to these murders, but that it is complicit in reproducing gender inequality. It is important to emphasize that, according to Alma Gómez (CEDEHM/OCNF), the only reason that feminicidio was not criminalized in Chihuahua was that ‘[the authorities] were afraid of this word and as such they arranged things so that the word would not appear in the law, and that’s what happened’ (interview, March 2010).

For Lupita Ramos (CLADEM/OCNF) and Rodolfo Domínguez Márquez (OCNF), this is precisely what represents feminicidio’s radical capacity for social transformation. Lupita said that the CLADEM ‘has pushed for criminalization and the creation of feminicidio investigation protocols because it sets the stage for creating public policies of prevention and that can make visible this patriarchal system that oppresses, dominates, and discriminates against women’ (interview, May 2013). The CLADEM in Jalisco is fighting to have a case of domestic violence prosecuted as feminicidio. On his part, Rodolfo argued, ‘it is essential to criminalize feminicidio. Why? Criminal law is a legal mechanism to punish behaviours that hurt society. Feminicidio is a behaviour that really hurts society!’ (interview, April 2014). He added that the impact of criminalization has been important: ‘Do you remember “crimes of passion”? A crime as the outcome of “passion”? You know what? Now there are no “crimes of passion” anymore. There are feminicidios.’ Rodolfo recently brought a murder case as the result of domestic violence to the Mexican Supreme Court. At stake in the case was that the murder of Mariana Lima Buendía had not been investigated as a potential feminicidio. Instead, the authorities had allowed the perpetrator of the crime, a police agent, to claim that the victim had committed suicide. Ruling in his favour, the Court declared in its judgement of 25 March 2015 that the investigation of a woman’s violent death should be carried out with a gender perspective in order to establish whether it constitutes feminicidio. In this context, the state of Chihuahua is facing increased pressure to criminalize feminicidio from the federal government.

Conclusion

Ferree (2012: 14) argues, ‘one of the most radical actions a movement can make is to transform the language of politics’. The transformation of feminicidio from an academic concept into a frame and a crime captures such radical action on the part of Mexican feminist activists, who have mobilized to combat the disappearances and murders of women in Ciudad Juárez and Chihuahua City. This is evident in the assertions of my interviewees that feminicidio ‘makes visible’ violence against women as the product of
gender inequality as well as the state’s complicity in reproducing the symbolic and material conditions that foster it.

Contrary to the literature on transnational human rights advocacy and vernacularization, I have shown that the radical character of this transformation is not the exclusive product of *feminicidio*’s resonance with international human rights norms. Undoubtedly, the mobilization of *feminicidio* as a frame to shame the Mexican state transnationally played an important part in legitimating the claims of Mexican feminist activists, putting them squarely in the Mexican political agenda. However, it is *feminicidio*’s local radicalism that further allowed activists to shame the state domestically by revealing the pervasive normalization of violence against women in Mexican law and in the practices of public officials. As such, I argue that the implications of this transformation for feminist activists’ ability to challenge gender inequality are imbricated in the interplay between the transnational and the local, resonance and radicalism. On the one hand, the institutionalization of *feminicidio* as a crime has provided activists with new tools to hold the state accountable for not acting to prevent and punish the murder of women. On the other, it has allowed the state to partly co-opt this development to redeem its international image, without truly facilitating women’s access to justice.

Put differently, in pointing out the dissonance between the resonance and radicalism of *feminicidio* as a frame at the transnational and local levels, I do not intend to undermine resonance as a discursive strategy that involved adopting the language of human rights. On the contrary, this strategy was part and parcel of the transformation of the academic concept of *feminicidio* into a frame, and it contributed to creating conditions for social and legal change by changing the attitudes of actors involved in governance domestically and transnationally. Nevertheless, this is only part of the story. At the local level, *feminicidio* was a radical frame in the absence of discursive opportunities in Mexican law, making visible the institutional dimension of violence. This should not be read as a contradiction between *feminicidio* as an academic concept and as a frame, but rather as the outcome of the opportunity structures embedded in transnational and local contexts. In this light, analysis of the intersection of the transnational and the local that shaped the institutionalization of *feminicidio* reveals the complex processes involving radical social change. It may also shed light on how something radical may eventually become mainstream and hence be no longer perceived as radical (Ferree, 2012: 4). Further research should thus examine Mexican activists’ investment in the criminalization of *feminicidio*, despite its unintended consequences, and the struggles that they will have to wage to have cases prosecuted as such, especially as *feminicidio* becomes recognized as a national problem by civil society and by the Mexican state itself.

My findings also raise questions for the implications of the diffusion of femicide as a frame or a crime in other social, cultural and political contexts, within and beyond Latin America. Arguably, the discursive opportunity structures in a European context may provide actors with different resources to frame their claims vis-à-vis European states, the European Union, or the Council of Europe to develop policies on femicide. Will actors, whether human rights activists or academics, draw on the newly developed Council of Europe Convention for the Combating and Preventing Violence against Women and Domestic Violence to make claims about states’ duty to prevent, investigate and punish
femicide? Alternatively, could they mobilize the IACtHR ‘Cotton Field’ judgement or the resolutions that European institutions have produced on feminicidio? Or will UN treaties remain primary transnational discursive opportunities? What will constitute a resonant and radical mobilization of femicide in Europe’s multicultural context? How might this context, in turn, shape actors’ efforts and their outcomes, especially given existing attempts to combat manifestations of gendered violence, such as honour-related violence? Research on femicide has many promising and relevant research avenues to be pursued.

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Notes

1. In some Latin American contexts, like Mexico, femicide was translated into feminicidio because ‘femicidio is homologous to homicidio [homicide] and solely means the homicide of women’ (Lagarde, 2010: xvi). Only feminicidio would be able to capture the politics of gendered violence that the concept of femicide sought to reveal and challenge.
2. Ferree (2003: 307) is critical of the work of Snow and colleagues in which resonance is conceptualized as a ‘responsive chord’ that represents an objective congruence between a frame and society’s values and principles.
3. The concept of femicide embodies an intersection of a feminist preoccupation with theory and practice. By referring to it as an academic concept, I do not mean to obscure its inherent political dimension. In her work, Russell (2002; Radford and Russell, 1992) makes clear that femicide is a tool for political struggle, but she is also concerned with the production of academic knowledge that recognizes the gendered politics of killing (Russell, 2002: 4–8). My rationale for calling it an academic concept is to draw attention to its use in the production of academic knowledge before it was mobilized as a tool for political struggle.
4. V-Day International is a global activist movement to end violence against women and girls, founded by feminist activist and playwright Eve Ensler in 1998.
5. I thank Myra Marx Ferree for this insight.
6. The Mexican legal landscape is not necessarily mirrored in other Catholic countries in Latin America and the world, some of which had stronger provisions against rape and had legalized abortion at the time.
7. I do not intend to claim that there were no discursive opportunities embedded in Mexican law that would allow activists to frame their claims. The juridical equality between women and men was enshrined in Article 4 of the Mexican Constitution in 1974. However, these opportunities were scant.
References


**Author biography** 

Paulina García-Del Moral recently completed her doctoral studies in Sociology at the University of Toronto, Canada. Her dissertation is titled ‘Feminicidio, Transnational Legal Activism, and State Responsibility in Mexico’. With an emphasis on violence against women, her research investigates the extent to which transnational or supranational legal-political arenas offer political, institutional and discursive opportunities to differently positioned actors in order to challenge gender inequality and its intersection with racial and material inequalities. At the core of her research is a concern for the paradoxical role of law as a tool of women’s oppression and empowerment.

**Résumé** 

Cet article analyse la transformation du concept universitaire de fémicide en un délit criminel et un enjeu de la lutte politique des militantes féministes contre les meurtres de femmes, ou féminicides, dans les villes de Ciudad Juárez et Chihuahua au Mexique. À partir de l’analyse des entretiens menés auprès de militantes mexicaines, je suggère que l’action de la transformation du concept de féminicide sur le processus de changement social est liée à l’interaction entre les conséquences à l’échelle transnationale et nationale de la défense des droits des femmes. En m’appuyant sur le travail de Ferree sur la résonance et le radicalisme des cadres d’interprétations féministes, je conteste l’association communément admise entre le changement social radical et la défense des droits à l’échelle transnationale et son cadre d’interprétation des problèmes sociaux en termes de droits humains internationaux. Contrairement aux recherches existantes sur la défense des droits humains à l’échelle transnationale, je montre que le féminicide constitue un cadre d’interprétation résonant à l’échelle transnationale, mais un cadre radical à l’échelle nationale. La dissonance entre les cadres d’interprétation transnational et national après l’instauration du crime de féminicidio complique le combat des féministes mexicaines contre l’État en vue d’un changement social radical des expériences quotidiennes des femmes en matière de violences et d’accès à la justice.

**Mots-clés** 

Féminicide, feminicidio, Mexique, militantisme féministe, résonance et radicalisme du cadre d’interprétation, défense des droits à l’échelle internationale, droits de l’homme, criminalisation, changement social
Resumen
Este artículo analiza la transformación del femicidio de un concepto académico a un encuadramiento para la lucha política, y en un delito en el contexto del activismo feminista mexicano contra los asesinatos de mujeres o feminicidios, en Ciudad Juárez y en la ciudad de Chihuahua. A través del análisis de entrevistas con activistas mexicanos, sostengo que las implicaciones de las transformaciones de feminicidio para el cambio social están vinculadas a la interacción entre lo transnacional y los impactos locales de defensa feminista de los derechos humanos. En base al trabajo de Ferree sobre la “resonancia” y el “radicalismo” de los encuadramientos feministas, mis resultados desafían la asociación directa de un cambio social radical y la defensa transnacional y su encuadre de asistir a los problemas sociales en términos de las normas internacionales de derechos humanos. Al contrario de los estudios existentes sobre la promoción transnacional de derechos humanos, muestro que el feminicidio constituye un marco que resuena transnacionalmente, pero que funciona como un marco radical en el nivel doméstico. La disonancia entre el encuadre transnacional y nacional del feminicidio ha complicado las formas en que las feministas mexicanas pueden comprometerse con el estado después de la institucionalización de feminicidio como un delito, para producir un cambio social radical de las experiencias de violencia cotidiana de las mujeres y su acceso a la justicia.

Palabras clave
Femicidio, feminicidio, México, activismo feminista, encuadramiento, resonancia y radicalismo, defensa transnacional, Derechos Humanos, criminalización, cambio social