

Highlighting Femicide and other crimes against women in the Mexican media: what to do and what not to do.

By Atziri Ávila.

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"She was asking for it," "She said yes," "She enjoyed it," "She is already grown-up". These are some of the responses that the authorities give to the families and victims who come to report a sexual violation. Following a disappearance, we hear: "After a while she will come back," "Maybe it is a family dispute," "She went with her boyfriend". These are excuses given to families looking for a missing young woman or a girl.

"She was unsuitably dressed," "That happened to her because she was out at that time of night," "She was depressed," "She committed suicide". These are standard responses when a woman is a victim of femicide.

These gender prejudices and stereotypes - that the authorities hold women responsible for their own death - is an opinion not only held by officials, but it is also shared and spread by the media into our collective consciousness.

Femicidal violence impacts women of all ages and refers to any act of physical and / or psychological violence against women that violates and threatens their life and integrity. Although femicide is the ultimate crime against women, there are other forms of violence that negatively impact women in the streets, in hospitals or in Government regulations which often restrict and hinder the guarantee of a woman's right to a life free of violence.

It is important to highlight that ten women a day are killed in Mexico. Other women are not being murdered, but many of them live in fear of their lives. Their environments are often violent and this violence is perpetrated by male family members and other aggressors.

In the case of femicide, not only do the families face the pain of irreparably losing a daughter, mother, or a sister, they face insensitive authorities and a bureaucratic apparatus that judges without gender perspective; that reproduces misogynistic stereotypes, objectifies victims and then stigmatizes them; issues value judgments, prejudices, re-victimizes the murdered women and blocks the path to justice.

As if the demand for the truth and the sanction of the person or people responsible was not enough, families and organizations have to spend time, money and energy to clear the names of the victims - the people who have been violated. For their families, the impact of this violation is devastating. Their daughter, mother, sister has become a statistic.

The families - particularly the grandmothers - take care of the children of these murdered women, victims of femicide, facing the aggressors of their daughters, having to fight for the custody and guardianship of those who often witnessed the murder of their mother.

This harrowing situation is never reported accurately in the media. After the murder, families are left to pick up the pieces of their own lives, to try and deal with their loss and pain with little or no help from the State. Families suffer, not always in a visible way. There are economic, emotional and health consequences, never acknowledged by the authorities.

All these negative impacts make femicide a social problem. This slows the development of a fairer and more egalitarian society in Mexico. It is necessary for authorities, citizens, academics, journalists, media and NGOs to take action that corresponds to the reducing and eradicating of femicide that is undoubtedly destroying and breaking the social fabric of the country.

Challenges to making femicide visible

The media have a fundamental role to play. They are the “megaphone”. They have the power to make this problem visible. Official figures from the Executive Secretariat of the National Public Security System (SESNSP) confirm that 70 women are killed every week.

Media and journalists know that the way they choose to use information may re-victimise and re-stigmatise the victims and their families. Opinion may be used to justify violence by men against women and sensational headlines may offer contradictory information from men against women who are no longer here to defend themselves.

From the beginning, it is essential that femicide be named as a serious violation of women's rights. It is the crime through which women, girls, and adolescents are murdered for gender reasons.

Femicide can be identified as such when one or more of these assumptions occurs:

I. The victim presents signs of sexual violence of any kind.

II. The body of the victim presents widespread and degrading injuries, specific wounds in vital areas, trauma, strangulation, cuts, stabs, bruises, fractures, dislocations, burns, excoriations or mutilations (occurring before or after the woman is killed).

III. There is a history of violence: threats, harassment, a previous occurrence of injuries to the victim by the aggressor/s.

IV. There exists or has existed between the aggressor and the victim a loving relationship, of kinship by consanguinity or affinity, of marriage, concubinage, society of coexistence, courtship, or any other relationship of fact or friendship.

V. There is or has been between the aggressor and the victim a work, professional or any other relationship that implies trust, subordination and / or superiority.

VI. The victim has been held incommunicado, whatever the time and form, prior to the deprivation of life.

VII. The victim's body has been shown, thrown, or deposited in a public place.

VIII. When the victim has found herself in a state of helplessness (through pregnancy, incapacitating drugs or alcohol).

In identifying one or more gender reasons, it is important to name and investigate the crime of femicide as such, and not as intentional homicide, wrongful death, much less suicide.

Findings, patterns and recommendations: towards the construction of communication with a gender perspective

1. Headlines

From the headlines - which indicate of the content of the report - we are influenced by the way that the article has been written. Then we generate our own opinion about the female victim and perhaps share this opinion with the people around us.

"We have to sell newspapers"; "I write the title, but the sub-editors change it". These are a couple of the responses we get when we ask journalists why they report the way that they do.

While we know how the treatment of information works - or should work today - we must emphasise that responsible reporting can contribute to eradicating discrimination, machismo, sexism and building new societies; therefore, it is important to incorporate the gender perspective in our texts, in our thinking and rethinking what and how we transmit information.

2. The invisible crime of femicide

The same headline may not say is that it is femicide. A woman has been murdered. The use of phrases such as "They have found a dead woman," "They have located a lifeless woman," "They have found a body," "They have found a corpse," make the crime of femicide invisible. There are many other examples.

In the text of the article, despite the fact that the information should focus on the victim of femicide, she is often not even named; Nor does the article refer to who she was, what she did. Her life was simply ended.

The information focuses on the way in which they found her body, reproducing gender stereotypes, more weight is given to the information about the aggressor, perhaps even trying to justify his actions.

This is worrying. There are processes to be followed and evidence that should be collected. Unfortunately the lack of due diligence by the authorities is a recurring feature of these investigations. This results in the loss of evidence, the invention of false hypotheses, speculation and the lack of application of the protocols of femicide. These, among other actions, prevent any credible investigation of the aggressor/s and so they are not charged or punished.

3. Use of information and the power of stigmatization

Another identified practice is the using of information in a specific, negative way, placing greater weight on questioning the victim's lifestyle, stigmatizing women as: "happy women of life," "alcoholics," "sex-servants," "bad mothers," "jealous," "destitute," "drug addicts," "depressed," "sick," "victims of stress," and so on. To this is added a criminal element linking women with organized crime, or a "crime of passion".

In 2018, the then Attorney-General of the State of Guerrero, Xavier Olea Peláez, argued "that some women are participating in organized crime in one way or another". This diverts attention from the facts. The most concerning thing is that these arguments are used to avoid investigating these cases as femicide. Instead, such cases are referred to as red note, generating speculation about organised crime, not femicide.

Instead of focusing on the events that have occurred to the victims, seeking justice for the family, providing information for the prevention of femicide or even examining the scale of femicide as a social problem, priority is given to unnecessary details, exaggerated data, and / or conjectures about unknown aspects, contributing little to the fact that violence against female victims and their families continues to be reproduced, explicitly or implicitly.

4. Identity and information disclosure

Although it is of utmost importance to refer to those who commit the crime so that it is explicit that women do not "die" - but that femicide was perpetrated by someone - it does not necessarily mean naming the aggressor, as according to Articles 15, 106 and 113 of the National Code of Criminal Procedures, these Articles should not disclose identifying information of the people involved in the judicial process, the accused must NOT be identified in the media and there must be the protection of personal data of the alleged perpetrator of the crime of femicide.

According to the then Attorney-General of the Republic of Mexico (PGR), in order to preserve the right to the non-disclosure of the identity of persons detained or subject to investigation, their personal information should not be published, in particular, their surnames should be omitted and, in all cases the family name replaced with an "N".

The personal and sensitive data of indirect victims must also be protected, to avoid risk and re-victimization, a further violation of their dignity and privacy.

5. A message of humiliation and the worthlessness of womens' bodies, photographs and images.

According to the National Citizens Observatory of Femicide in Mexico, (OCNF), "all expressions of extreme violence and cruelty linked to the ways in which womens' bodies are found, show the little value that is given to womens' lives, because more and more are dumped in bags, sacks, sewers, vacant lots, etc. This is evidence of symbolism that sends the message that womens' bodies have no value or worth".

Publishing images of victims of femicide is disrespectful, not only to them, but for their families. Such images reproduce a culture of violence against women, normalize and justify this type of violence.

6. Femicide within a family environment

Another recurring practice in some media is to reduce femicide to the family, as if it were a problem between the couple or someone known, a family member, negating the existence of other actors, including criminal groups, that also kill women.

According to the Diagnosis “Implementation of the criminal type of femicide in Mexico: Challenges to prove gender reasons (2014-2017)”, published by OCNF; within that period only 30% of the murdered women were found inside their homes, which suggests that 70% of femicide was committed by other perpetrators outside the home.

Another relevant fact is that victims of femicide in that same period were of reproductive age, that is, between 21 and 30 years of age, which indicates that the women were murdered while moving to their universities, work centers, etc. This also requires that the facts are not disseminated as “isolated incidences” but that criminal contexts are shown and that femicide is linked to other crimes such as: people-trafficking, forced-disappearances and, in some cases, illegal adoptions.

7. The invisibility of the omissions and actions of the authorities

By diverting their focus of interest, the media often provide insufficient data and do not use their voice or space to question the authorities; their omissions and actions which would guarantee justice. The jurisprudence is not used - neither national nor international judgments (ie: judgment of the case of Mariana Lima Buendía, a young victim of femicide in 2010 in the State of Mexico, at the hands of her husband, who at that time served as a Ministerial Police Officer of the State).

In 2015, the Supreme Court of Justice of the Nation (SCJN), passed a set of legal criteria called ‘Mariana Lima’s sentence’. This defined that: “all violent deaths of women must be investigated at the outset as femicide”. The proportion of this information would allow understanding of the scope of the problem, arguing the importance of why they have to be investigated as such, and calling for reflection and action by society in general.

This can be strengthened with the voice of relatives of the victims, and NGOs that accompany and follow the cases, academics, experts in the field, official data, among other sources.

8. Lack of follow-up on cases

Although most of the focus is given when the events happen, it is also important to follow up on cases not only by organizations; the media could also play a fundamental role, especially when there is a high level of impunity.

In 2018, within the framework of the ninth evaluation of Mexico before the Committee of the Convention for the Elimination of All Forms of Discrimination against Women (CEDAW), the Mexican State said that between 2013 and 2016, only 335 sentences of femicide were issued.

In that same period, 2,157 investigation folders or prior inquiries for femicide were opened. The number of people prosecuted for these crimes was reduced to 1,207, that is to say around 56% but only 335 sentences were reported, a minimum percentage.

National and international legislation and standards to eradicate violence against women in the media

Article 38, section VIII of the General Law on Womens' Access to a Life Free of Violence establishes that the Comprehensive Program to Prevent, Address, Punish and Eradicate Violence against Women is responsible for:

"Ensuring that the media does not promote violence against women and that they favor the eradication of all types of violence, to strengthen respect for human rights and the dignity of women."

The same law, in Article 41, fraction XVIII, establishes that the powers and obligations of the Federation are to:

"Ensure that the media does not promote stereotypical images of women and men, and eliminate patterns of behavior that generate violence."

And article 42, section X, establishes its obligation to:

"Monitor and promote guidelines so that the media favor the eradication of all types of violence and strengthen the dignity and respect for women."

At international level, after the Fourth World Conference on Women held in Beijing in September 1995, the topic of "Women and the media" was of concern, incorporating the reflections and recommendations in section J of the Platform for Beijing. Since then, nothing much has changed in gender-based stereotypes, and it was therefore recommended:

- Refrain from presenting women as inferior beings and exploiting them as sexual objects or consumer goods.
- Promote training for media professionals, including owners and managers of all media outlets, in order to promote the creation and use of non-stereotypical and balanced images of women.
- Establish codes of conduct regarding materials with violent or degrading content about women, among other measures.

End point to the naturalization of violence in the media

Living with fear is not normal, nor is normalizing violence in the media or making it visible, without putting the victims of this violence at its center and without questioning its exacerbation. Given the context we face, it is urgent to incorporate the gender, intercultural and human rights perspective, and put a stop to the reproduction of sexist, machista and misogynistic information or opinion, especially when women continue to be murdered in the most brutal ways. Undoubtedly, the contribution of the media in both form and content will make a difference not only in making the problem visible, but also in the reconstruction of a social fabric whose fracture is increasingly widening.

* Atziri Ávila (@AtzirieAvila) is a Social Communicologist and a Defender of Human Rights. Member of the National Citizen Observatory of Femicide (@OCNF) and the Advisory Council of the Mechanism for the Protection of Human Rights Defenders and Journalists of the Ministry of the Interior, Mexico.