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Femicide Rooted in Patriarchal Culture

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The roots of femicide emerge from an extreme version of patriarchal culture, say Mexican activists. Despite the country’s seven-year-old Ley General de Acceso de las Mujeres a una Vida Libre de Violencia, women combating femicide say ingrained cultural factors make it difficult to ensure women the freedom from violence that the law purports to provide.

Yuriria Rodríguez, a lawyer with the Observatorio Ciudadano Nacional de Feminicidio (OCNF), cites an explicit example of the patriarchal view she said arose in the wake of a gender-violence alert rejection. "An attorney general said, 'We’ve found the causes explaining why women are being killed. Women are being killed because they are transgressing the roles society assigns them. Every time you turn around there are more female workers, more female taxi drivers. Since they are transgressing cultural roles, men get mad and kill them.'"

Reacting to that view, Rodríguez asks, "Then where are the cases, the investigations, the aggressors?"

Mexico’s unique mechanism, the Declaración de Alerta de Violencia de Género (gender-violence alert), sets in motion a series of actions to make an environment safer and prevent violence against women. (SourceMex, March 5, 2014).

Another aspect of gender inequality is how men and women are treated in court, says Edith López, an activist lawyer and legal advisor for Sen. Angélica de la Peña, president of the Senate’s Comisión de Derechos Humanos and secretary of the Comisión para la Igualdad de Género. "It’s easier to mount a legitimate defense for a man than for a woman," she explained. "We women aren’t supposed to be aggressive. We’re educated to not defend ourselves." On the other hand, she continued, "the so-called violent emotional state is often used as a defense in femicides. They’ll say, 'I was out of my mind. … She cheated on me, she made fun of me, she said she was leaving me.' That mitigates the sentences, and, instead of getting 60 years, he’ll get 30 or 25."

An Amnesty International memo addressed to Mexico’s president and delivered by AI secretary-general for Latin America Salil Shetty on his first visit to the country in February stated, "Despite government measures to support women's rights, gender equality remains a far-off goal. … Gender-based violence continues to blight the lives of women and girls across Mexico. Impunity for such violence, including rape and feminicide, remains widespread. … Executive authorities at the federal and state level have consistently blocked efforts by human rights organizations to trigger the gender-violence alert mechanism established in legislation to ensure federal intervention and coordination of measures to address widespread gender violence in specific regions."

Rape victim jailed on homicide charge

López and other feminist activists in Mexico City have rallied with family members to aid Yakiri Rubí Rubio, a 20-year-old jailed in December when she sought help from police as a rape victim.

Yakiri, according to press reports, was walking down the street when two suspects abducted her and took her to a hotel on Dec. 9, 2013. After being sexually assaulted, the young woman grabbed her
assailant’s knife and struck a lethal wound. She fled the hotel room where she had been held and sought help from the police. Instead of providing help, police jailed her.

Her rapist, who had run out of the hotel ahead of her, reached his home where he reportedly died in the presence of his brother who allegedly had taken part in the abduction. The Spanish newspaper El País reported that the victim’s family said both men—the late Miguel Ángel Ramírez Anaya, 37, and Luis Omar Ramírez Anaya, 33—have prior records.

Earlier this week as Yakiri’s time in jail neared three months, her lawyer, Ana Katiria Suárez, announced release on bail was imminent. On March 3, after accepting the argument of legitimate self-defense, a judge reduced the murder charge but said Yakiri would still face trial for using "excessive force." The reduced charge made bail possible, and Yakiri was released the evening of March 5.

"If Yaki hadn’t defended herself, she’d be one more femicide statistic," said López.

"For us," agreed Rodríguez, "Yakiri is a femicide survivor." Quoting a Chiapas woman who was jailed during her fight to keep her daughter from an abusive husband who began beating her during her pregnancy and later abducted the baby, Rodríguez said, "If a woman in Mexico decides to fight for her rights—or her life, or that of her children—they kill or incarcerate her. ... That’s what happened to Yakiri."

López, who several years ago was part of the legal team that argued on behalf of the femicide victims of Ciudad Juárez before the Inter-American Court of Human Rights (IACHR) in the case González y Otras vs. México, better known as Campo Algodonero, said she believes the Yakiri Rubio case is emblematic because it’s an example of how easily women can be assaulted in public spaces. It’s also an example of how a woman’s legitimate self-defense is criminalized.

Perla Gómez Gallardo, president of the Comisión de Derechos Humanos del Distrito Federal, added her voice of support to the case and has been quoted in Mexico City newspapers as saying that the case should be handled from the perspective of gender.

Media reports and activists close to the case say officials did not follow proper procedures appropriate to violence against women.

Yakiri, who had been kept in solitary confinement at Santa Martha Acatitla prison because a fellow prisoner who claimed to be the assailants’ sister had attacked her, has since been transferred to a rehabilitation center with a smaller population. López, who participates in ongoing demonstrations calling for the young woman’s release, says Yakiri has found a lot of support inside prison walls from women who understand the dynamics of violence against women.

Yakiri supporters have demonstrated on several occasions outside the closed-door hearings at the prison facility where she is being held. The YakiriLibre Facebook page has nearly 8,000 followers and her supporters also keep the case active via Twitter.

There may be other cases pending that are similar to Yakiri’s, according to La Jornada. On March 4 the Mexico City daily reported, "The authorities of the local prison system and the Instituto de las Mujeres del Distrito Federal agreed to review files of female prisoners in the capital to determine if their cases have followed due process and eliminate the possibility that their cases could be like that of Yakiri Rubí Rubio."
An already-resolved Mexico City case—that of the murder of 20-year-old Darcy Lozada—also benefitted from supporters calling for justice via social media as well as receiving an additional technological boost from the monitor cameras in public thoroughfare.

Evidence from monitor cameras that showed a pickup transporting Darcy Lozada’s body to the place it was dumped aided the prosecution’s case against the young woman’s former boyfriend, Omar Alejandro Dueñas, Rodríguez said. Dueñas, 22, was convicted of the March 2013 femicide and this January sentenced to 68 years in prison.

**Supreme Court reopens possible femicide case**

Unfortunately, many femicide cases in the state of México, which nearly surrounds Mexico City, are simply archived without resolution, Rodríguez said, noting that authorities claim there is insufficient evidence to pursue the case, or that family members have not come forward, or that the victims are not identified.

However, the OCNF lawyer said that in one instance the victim’s family refused to let their case be swept away. They hired a lawyer who took the case of the death of Mariana Lima Buendía, 29, to the Suprema Corte de Justicia de la Nación (SCJN).

Last June, the court ruled that the investigation of her death, originally seen as a suicide because of her husband’s testimony, did not follow proper protocol. The court ruled the three-year-old case be reopened and investigated as a possible femicide. The principal suspect is the victim’s husband who remains on duty as a judicial agent, according to Rodríguez and press reports.

**Culture nourishes misogyny**

In a congressional TV video, Deputy Margarita Elena Tapia Fonllem, a member of the special congressional femicide commission, spoke about femicide involving couples. "Deep down, the man hates women," she said. "He feels he has the right to hurt, violate, and even kill. That is what defines femicide. It is a hate crime against women."

Tapia, a member of the Partido de la Revolution Democrática (PRD), also noted the problem is rooted in the culture. "It’s everywhere, in our songs, in our refrains. They are extremely discriminatory," she said.

The sound of misogyny is heard in popular music such as Alejandro Fernández’s Matalas and the Sonora Matancera’s Mala Mujer, two of many songs that glorify killing and abusing women.

When asked about the impact of such lyrics, Lilia Martínez, head of Liefde, a nonprofit group that promotes equal rights for women, said, "If there’s a proposal to take all narcocorridos off the air, why isn’t there a proposal that calls for ridding radio play of all music that goes against the dignity of women?"

Martínez said her approach to the problem is prevention. Police agencies have hired her to sensitize police, most of whom, she said, have little education and were raised in patriarchal homes with macho values. In her workshops with officers, Martínez has also used music—but music with a totally different perspective than the misogynous popular songs. "I put on a song by [socially conscious singer-songwriter] Gabino Palomares called Historia Cotidiana and ask them to listen, to analyze."
Martínez recalled one officer reacting to the song about a happy marriage that deteriorated with neglect and eventually spouse abuse resulted. "When he said, "No cabrón is ever going to do that to my daughter," Martínez said she stopped the music and let the discussion begin. She also invites musician-poets who sing and teach improvised verse at workshops designed to educate communities about fairness, dignity, and human rights.

The Mexico City daily El Universal on March 2 reported that the capital’s prison system this week begins a four-month program to deal with sexual harassment and the prevention and eradication of femicide violence. The report said 970 prison officials and employees are to participate in the program, established to meet commitments made with the UN last November.

"Femicide is an extreme expression," said Martínez. The most important thing, the community organizer says, is to help rebuild the fabric of the community, to rebuild the family and to teach values that provide dignity for everyone. She cautioned that without that approach the patterns of abuse will be reproduced in each new generation.

"We need to begin with prevention—by creating stronger families. When you go to a community and try to speak of gender, no one is going to understand the word. You speak instead of friendship, fraternity, justice, solidarity, honesty. Then we can talk about gender equality," Martínez said.

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