Moving Towards More Inclusive Definitions of Femicide: Intersectionality and Marginalised Identities

*Martina Caterini**

Abstract

Femicide violence has long been invisible. Drawing on feminist scholarship, this article will discuss existing definitions of femicide that have been key to its recognition as a distinct phenomenon. However, the notion of patriarchy these definitions build upon is not enough to explain the occurrence of such crime causing these definitions to fall into the trap of essentialism. Femicide is the result of multiple intersecting systems of oppression, including race, class, sexuality, disability, and so forth which shape women's' experiences in a wide variety of ways. Considering this, the theoretical framework of intersectionality is fundamental to expand definitions of femicide as it recognises that women's experiences cannot be categorised under the same umbrella, as there exist differences between them. Moreover, because there is a need to move towards more inclusive definitions, such an approach may successfully go beyond the traditional biological sex-based man/woman heteronormative binary. This binary contributes to the marginalisation of identities that are less visible, such as those of transgender women.

Introduction

Femicide, as a distinct phenomenon, has gained attention in relatively recent times and has emerged from being labelled as a crime of homicide. Several academics and activists advocated for its recognition not only as a feminist political issue but as a universal problem.[1] This has helped to make it significantly more visible and aided the

---

* Martina Caterini, BA (Hons) Politics and International Relations Graduate, University of Kent, and MSc Criminology and Criminal Justice Graduate, The University of Edinburgh.

1 Chaime Marcuello-Servós et al., "Femicide: A Social Challenge", *Current Sociology* 64, no. 7 (November 2016): 967–74, https://doi.org/10.1177/0011392116639358; Marylène Lapalus and Mariana R. Mora, 'Fémicide/féminicide. Les enjeux politiques d'une catégorie juridique et

identification of potential solutions. Drawing on feminist theory, this article will suggest that although important contributions have been made to shaping femicide as a distinct crime, the notion of patriarchy it builds upon is not enough to explain it as a phenomenon. Patriarchy, which refers to a male-dominated system which oppresses women by controlling governmental, social, economic, religious, and cultural institutions,[2] is problematic as it views masculine power and privilege as the sole root cause of all social relations, including femicide. It places other social structures, such as class and race, in a secondary position and interprets them simply as male-female relations derivatives.[3] Relying solely on patriarchal oppression as a driving factor of femicide fails to recognise that there exist differences in how women experience violence. This therefore universalises their experiences under the same umbrella. This article will adopt an intersectional approach and will thus argue that femicide is not only a product of patriarchy but results from a wider set of power relations, such as race, class, disability, sexuality, age, and religion.

Coined by Kimberlé Crenshaw,[4] intersectionality was initially designed to highlight that Black women's experiences could not be assumed to be shaped only by gender as this interacts with other structural inequalities, such as race, class and so forth.[5] Such a framework called attention to so-called intersectional identities. As concerns femicide, this framework would help overcome the limitations of prior patriarchy-based research, such as false universalism, the simplification of power relations, and the failure to consider women as also agents of patriarchy.[6] Using patriarchy as a fixed and static factor obscures its multiple patterns and how gender interacts with other

---

militante', *Travail, genre et sociétés* 43, no. 1 (2020): 155–60, https://doi.org/10.3917/tgs.043.0155.

[2]   Suhad Daher-Nashif, "Intersectionality and Femicide: Palestinian Women's Experiences With the Murders of Their Beloved Female Relatives", *Violence Against Women* (25 June 2021): 1079, https://doi.org/10.1177/10778012211014561; Carol Cohn, *Women and Wars: Contested Histories, Uncertain Futures*, 1st ed. (Cambridge: Polity Press; Blackwell Pub, 2013).

[3]   James W. Messerschmidt, "Masculinities and Femicide", *Qualitative Sociology Review* 13, no. 3 (31 July 2017): 71.

[4]   Kimberle Crenshaw, "Mapping the Margins: Intersectionality, Identity Politics, and Violence against Women of Colour", *Stanford Law Review* 43, no. 6 (1991): 1241–1300.

[5]   Daher-Nashif, "Intersectionality and Femicide", 3; Crenshaw, 'Mapping the Margins: Intersectionality, Identity Politics, and Violence against Women of Colour', 1242; Sumi Cho, Kimberlé Williams Crenshaw, and Leslie McCall, "Toward a Field of Intersectionality Studies: Theory, Applications, and Praxis", *Signs: Journal of Women in Culture and Society* 38, no. 4 (1 June 2013): 785–810, https://doi.org/10.1086/669608.

[6]   Gwen Hunnicutt, "Varieties of Patriarchy and Violence Against Women: Resurrecting "Patriarchy" as a Theoretical Tool", *Violence Against Women* 15, no. 5 (May 2009): 554. https://doi.org/10.1177/1077801208331246.

social structures.[7] This means that even if existing conceptualisations of femicide made the phenomenon visible, there is a need to go further and develop more inclusive definitions to account for other power dynamics.

First, I will discuss the issue of invisibility, namely the fact that some crimes or harms are more hidden than others, as in the case of femicide. Here, I will also address the practice of naming as a way to draw attention to a given phenomenon. Defining a problem and constructing a legal framework is key to raising public awareness and provoking collective reactions.[8] Secondly, the definitions of femicide which have been provided so far will be analysed to illustrate how this term has evolved. More precisely, I will begin with Diana Russell's initial definition of such phenomenon, namely "the murder of women by men motivated by hatred, contempt, pleasure, or a sense of ownership of women",[9] and I will analyse how it has evolved, by looking at its strengths and limitations. Then, I will explore the concept of intersectionality to highlight that women's experiences of femicide are determined by multiple structures of power, and therefore the importance of shaping definitions which include them all. In particular, this will be discussed with reference to transgender women's invisibility as victims of femicide. This will also serve to emphasise the need to go beyond the usual heteronormative binary which solely considers biological men and women. Lastly, evidence of transgender women's experiences will be presented and discussed.

The Issue of Invisibility

To date, there exists thousands of articles and papers which address and question femicide as a distinct phenomenon. See, for example, Russell's, Kelly's, and Radford's

[7]   Hunnicutt, "Varieties of Patriarchy and Violence Against Women", 559.

[8]   Anna Costanza Baldry and Magalhães José, "Prevention of Femicide", in *Femicide across Europe: Theory, Research and Prevention*, ed. Shalva Weil, Consuelo Corradi, and Marceline Naudi, Policy Press Shorts Policy & Practice (Bristol: Policy Press, 2018): 81.

[9]   Myrna Dawson and Michelle Carrigan, "Identifying Femicide Locally and Globally: Understanding the Utility and Accessibility of Sex/Gender-Related Motives and Indicators", *Current Sociology* 69, no. 5 (September 2021): 686, https://doi.org/10.1177/0011392120946359; Jill Radford and Diana E. H. Russell, eds., *Femicide: The Politics of Woman Killing*, 1. publ (Buckingham: Open Univ. Press, 1992), xi; Jane Caputi and Diana Russell, "Femicide: Speaking the Unspeakable", *Ms.: The World of Women* 1, no. 2 (1990): 34.

works in the following footnote.[10] However, this has not always been the case, as women's voices have long been underrepresented, silenced, and under-studied. According to muted group theory, the marginalisation of women's perspectives results from an asymmetry in power relations, which impacts communication between those with power and marginalised, muted groups.[11] Such linguistic practices were shaped by men who used these categories as a means to voice their own experiences.[12] To be more precise, society is dominated by men's power over women. Consequently, men exert increasing dominance over language, which, therefore, is extremely male-biased. Men shape culture using their own words, while women are left out of this process. As a consequence of this, women are turned into a muted group.[13] This implies that individuals from disempowered groups, such as women, may want to express their voices and make their experiences visible but do not have enough agency to do so. Their stories tend to be undervalued and are not considered to be sufficiently important to change or enact policies.[14] This system has contributed to silencing female victims of violence for centuries and treating femicide as an invisible crime.

According to Pamela Davies, Peter Francis and Tanya Wyatt's writing on social harm and invisible crime, certain crimes or harms may remain invisible as a consequence of several different factors. These include their absence from the political agenda, which prevent them from being tackled publicly,[15] the failure to place such phenomena at the centre of social research and develop theories which might explain them and their regulation[16], the lack of adequate or efficient systems of control aimed to regulate such crime[17], and lastly, the depiction of such crimes as non-real threats.[18] Regarding

10   Radford and Russell, 5; Liz Kelly and Jill Radford, "Rethinking Violence Against Women", (Thousand Oaks: SAGE Publications, Inc., 2023): 53–76, https://doi.org/10.4135/9781452243306.
11   Cheris Kramarae, "Muted Group Theory and Communication: Asking Dangerous Questions: WL", *Women and Language* 28, no. 2 (Fall 2005): 55-61,72; Shalva Weil, "Making Femicide Visible", *Current Sociology* 64, no. 7 (November 2016): 1125, https://doi.org/10.1177/0011392115623602.
12   Kramarae, "Muted Group Communication: Asking Dangerous Questions: WL", 55.
13   aspire2beublog, "Theory Logs: Muted Groups Theory", *WordPress* (blog), n.d.
14   Kramarae,"'Muted Group Communication: Asking Dangerous Questions", 55.
15   Pamela Davies, Peter Francis, and Tanya Wyatt, "Taking Invisible Crimes and Social Harms Seriously", in *Invisible Crimes and Social Harms*, ed. Pamela Davies, Peter Francis, and Tanya Wyatt (London: Palgrave Macmillan UK, 2014), 4, https://doi.org/10.1057/9781137347824_1.
16   Davies, Francis, and Wyatt, "Taking Invisible Crimes and Social Harms Seriously", 4.
17   Davies, Francis, and Wyatt, "Taking Invisible Crimes and Social Harms Seriously", 4.
18   Davies, Francis, and Wyatt, "Taking Insivible Crimes and Social Harms Seriously", 4.

femicide, the lack of criminological research and theorising on the relationship between women and crime may have contributed to its invisibility. In fact, the discipline of criminology has long disregarded women's experiences, and its studies have been considerably androcentric.[19] Such a framework has hidden gender-based cultural and structural inequalities and has failed to provide an accurate understanding of women's experiences.[20]

Nevertheless, radical feminist scholarship of the 1960s set the stage for the recognition of femicide as a distinct phenomenon and called attention to the realities that had thus far been ignored, such as men's wider violence against women and domestic abuse. The radical feminist wave brought to the fore how men's violence against women, including femicide, "is both a cause and consequence of sex inequality in patriarchal societies, serving to control women as a sex class".[21] In so doing, this wave of feminism shed light on gendered patterns of victimisation and potential ways to address problems.[22]

Making Femicide Visible: The Evolution of Definitions

Language represents a powerful tool for people to make sense of the world and give voice to their perceptions and beliefs.[23] When a phenomenon is named, the extent to which it becomes notable might contribute to moving it from the margins to the centre of research and motivating action to tackle it. Definitions are necessary as they help explain the nature of the environment in which individuals live, the difficulties they face, the role of the state and identify potential solutions.[24] As concerns femicide, definitions have evolved over time and have been vital to its recognition as a real issue. However,

---

[19]   Allison Morris and Loraine Gelsthorpe, "Feminist Perspectives in Criminology: Transforming and Transgressing", *Women & Criminal Justice* 2, no. 2 (7 May 1991): 6, https://doi.org/10.1300/J012v02n02_02.

[20]   Rae Taylor and Jana L. Jasinski, "Femicide and the Feminist Perspective", *Homicide Studies* 15, no. 4 (1 November 2011): 342-343, https://doi.org/10.1177/1088767911424541.

[21]   Ingala Karen Smith, "Femicide", in *The Routledge Handbook of Gender and Violence*, ed. Nancy Lombard, 1st ed. (London: Routledge, 2018).

[22]   Davies, Francis, and Wyatt, "Taking Invisible Crimes and Social Harms Seriously", 2.

[23]   Magdalena Grzyb, Marceline Naudi, and Chaime Marcuello-Servós, "Femicide Definitions", in *Femicide across Europe: Theory, Research and Prevention*, ed. Shalva Weil, Consuelo Corradi, and Marceline Naudi, Policy Press Shorts Policy & Practice (Bristol: Policy Press, 2018):17.

[24]   Michael V. Bhatia, "Fighting Words: Naming Terrorists, Bandits, Rebels and Other Violent Actors", *Third World Quarterly* 26, no. 1 (2005): 9.

a universally accepted definition of this concept does not exist.[25] The shared goal of all femicide definitions is to emphasise the need to distinguish femicide from the crime of "'homicide", behind which it had been hidden.[26] Homicide, in its original sense (derived from Latin) literally means man (*homo*) slaying (*caedere*).[27] In this context, men represent the standard against which violence is measured. However, its meaning is different in English where it is a gender-neutral expression aimed at indicating the intentional killing of an individual by another person.[28] Therefore, the initial main objective of defining the concept of femicide was to highlight the gender-based dimension of femicide and demonstrate that it should be considered separately to the killing of men.[29]

In light of this, it is worth analysing how definitions of femicide have evolved. Diana Russell, an American radical feminist scholar, first coined the term "femicide" in 1976, and defined it as "the murder of women by men motivated by hatred, contempt, pleasure, or a sense of ownership of women".[30] This definition began to shed light on the relationship between patriarchy, women's subordination, and violence, and aimed to bring misogynistic killings to the fore. This idea was taken further when a new edited definition was propounded, that is femicide as "the killing of females by males because they are females".[31] By including sexism-, patriarchy-, and misogyny-based killings, this definition made a ground-breaking contribution to both femicide scholarship and the wider field of criminology itself. In fact, it made visible the gendered structures of power shaping women's experiences within society and set the scene for fighting

---

[25]   Myrna Dawson and Michelle Carrigan, "Identifying Femicide Locally and Globally: Understanding the Utility and Accessibility of Sex/Gender-Related Motives and Indicators", *Current Sociology* 69, no. 5 (September 2021): 684, https://doi.org/10.1177/0011392120946359.

[26]   Consuelo Corradi et al., "Theories of Femicide and Their Significance for Social Research", *Current Sociology* 64, no. 7 (November 2016): 976, https://doi.org/10.1177/0011392115622256.

[27]   Corradi et al., "Theories of Femicide and Their Significance for Social Research", 977.

[28]   Corradi et al, "Theories of Femicide and Their Significance for Social Research", 977.

[29]   Diana Russell, "My Years Campaigning for the Term "Femicide"" 6, no. 5 (2021), 1.

[30]   Daher-Nashif, "Intersectionality and Femicide", 686; Jill Radford and Diana E. H. Russell, eds., *Femicide: The Politics of Woman Killing*, 1. publ (Buckingham: Open Univ. Press, 1992), xi; Jane Caputi and Diana Russell, "Femicide: Speaking the Unspeakable", *Ms.: The World of Women* 1, no. 2 (1990): 34.

[31]   Grzyb, Naudi, and Marcuello-Servós, "Femicide Definitions", 20; Russell, "My Years Campaigning for the Term "Femicide"", 1.

violence and crimes against them. Moreover, it contributed to raising public awareness.[32]

However, despite its contributions, this definition is not without criticism. In fact, it fell into the trap of essentialism, as it failed to recognise that there exist multiple intersecting inequalities and systems of oppression which shape people's lives, such as race or sexuality.[33] This implies that women's experiences, including of violence, cannot be categorised under the same umbrella. Furthermore, this definition excludes instances in which femicide is committed by other women, who "act as agents of patriarchy or simply on their own behalf".[34]

There have been attempts to include systems of power in femicide studies, such as race, class, sexuality and so forth. For instance, Jill Radford and Diana Russell introduce and differentiate between distinct forms of femicide violence. These include racist femicide (the killing of a woman of colour by a white man), homophobic femicide (deaths of non-heterosexual women at the hands of straight men), marital femicide (when women's partners commit the abuse), and lastly, femicide carried out by strangers.[35] At first glance, this definition seems more inclusive than Russell's initial definition as it takes power relations into account. However, it does not define how such structures intersect with gender, but rather it views them as additional layers which can just be added to women's gender-based subjugation. In so doing, it does not explicate how intersecting inequalities generate harm.[36]

Moving forward, Marcela Lagarde and Julia Monárrez shaped a new definition and coined the term '*feminicidio*', or feminicide, which was intended to provide a framework to address the increase of violence against and deaths of women in Mexico and

---

[32]   Grzyb, Naudi, and Marcuello-Servós, "Femicide Definitions", 20.

[33]   Hunnicutt, "Varieties of Patriarchy and Violence Against Women", 1983

[34]   Paulina García-Del Moral, "The Murders of Indigenous Women in Canada as Feminicides: Toward a Decolonial Intersectional Reconceptualization of Femicide", *Signs: Journal of Women in Culture and Society* 43, no. 4 (June 2018): 934, https://doi.org/10.1086/696692.

[35]   Jill Radford and Diana E. H. Russell, eds., *Femicide: The Politics of Woman Killing*, 7; Corradi et al., "Theories of Femicide and Their Significance for Social Research", 978; García-Del Moral, "The Murders of Indigenous Women in Canada as Feminicides", 935.

[36]   García-Del Moral, "The Murders of Indigenous Women in Canada as Feminicides", 935.

Ciudad Juarez.[37] This term refers to any form of violence against women and the killings of women which constitute a breach of their human rights.[38] Following this definition, "feminicide 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".[39]

This conceptualisation of feminicide violence differs from existing others, such as Russell's and Radford's, in one substantial way. It touches upon the notion of impunity,[40] namely the negligent role played by the state in perpetuating patriarchy and violence, as it covertly accepts the commission of such crime and fails to condemn it.[41] As a result of this, feminicide is viewed as a state crime.[42] In this context, feminicide is assumed to be the product of the patriarchal social organisation of gender which produces inequities between men and women, and the marginalisation of the latter from structures of power, which contributes to their oppression.[43] One criticism of this definition is that it portrays the state in terms of male power without taking into consideration how the standards of masculinity and femininity have been constructed in parallel with other structures of power.[44] In so doing, it does not draw enough attention to the intersectional perspective on violence or a conceptualisation of the state as bourgeois, conservative, and masculinised.[45] Despite this, it has made significant contributions as it led to the criminalisation of femicide in Mexico.[46] In fact, through Lagarde and Monárrez's definition of *feminicidio* and an efficient naming and

---

[37]   Marcela Lagarde Y De Los Ríos and Charlie Roberts, "Preface: Feminist Keys for Understanding Feminicide: Theoretical, Political, and Legal Construction", in *Terrorizing Women: Feminicide in the Americas*, ed. Rosa-Linda Fregoso and Cynthia Bejarano (Duke University Press, 2010), xv; Grzyb, Naudi, and Marcuello-Servós, "Femicide Definitions", 20.

[38]   De Los Ríos and Roberts, "Preface: Feminist Keys for Understanding Feminicide: Theoretical, Political, and Legal Construction", XV.

[39]   De Los Ríos and Roberts, "Preface: Feminist Keys for Understanding Feminicide: Theoretical, Political, and Legal Construction", xv-xvi.

[40]   Grzyb, Naudi, and Marcuello-Servós, "Femicide Definitions", 20.

[41]   De Los Ríos and Roberts, "Preface: Feminist Keys for Understanding Feminicide: Theoretical, Political, and Legal Construction", xxi; Paulina García-Del Moral and Pamela Neumann, "The Making and Unmaking of *Feminicidio/Femicidio* Laws in Mexico and Nicaragua", *Law & Society Review* 53, no. 2 (June 2019): 456, https://doi.org/10.1111/lasr.12380.

[42]   García-Del Moral, "The Murders of Indigenous Women in Canada as Feminicides", 936.

[43]   De Los Ríos and Roberts, "Preface: Feminist Keys for Understanding Feminicide: Theoretical, Political, and Legal Construction", xxi.

[44]   García-Del Moral, "The Murders of Indigenous Women in Canada as Feminicides", 938.

[45]   García-Del Moral, "The Murders of Indigenous Women in Canada as Feminicides", 938.

[46]   García-Del Moral and Neumann, "The Making and Unmaking of *Feminicidio/Femicidio* Laws in Mexico and Nicaragua", 453, 467.

shaping campaign conducted by regional feminist activists and feminist federal lawmakers, such crime has been brought to the fore and has been codified into law in all 32 Mexican states.[47] For clarification, naming and shaping refers to the process of defining and constructing femicide as a distinctive crime.

Lastly, it is worth drawing attention to another conceptualisation of femicide which has been helpful for its recognition of colonial power, and has been developed following a feminist anti-colonial approach. More precisely, it presents femicide as the result of historical colonial practices and the cultural dynamics colonialism produced.[48] Nadera Shalhoub-Kervorkian and Suhad Daher-Nashif employ this concept of femicide to explore the murders of women in Palestinian society at the hands of their relatives and challenge common romanticised understandings of honour killings,[49] which occur when girls' and women's behaviour is perceived to be immoral and to dishonour their family's values and reputation.[50]

Using the term femicide, Nadera Shalhoub-Kervorkian and Suhad Daher-Nashif refused to view the murders of women as honourable when carried out by a member of the family.[51] In this context, femicide is defined as "all violent acts that instil a perpetual fear in women or girls of being killed under the justification of 'honour'".[52] By looking at the interrelationship between Israeli colonial "politics of exclusion", and "localised culture of control",[53] the anti-colonial framework sheds light on the material and structural processes perpetuated by such colonial mechanisms.[54] As a consequence, such an approach generates the conditions for maintaining a cultural system which legitimises femicide violence.[55] In light of this, an intersectional

---

[47]   García-Del Moral and Neumann, "The Making and Unmaking of *Feminicidio/Femicidio* Laws in Mexico and Nicaragua", 453, 467.

[48]   García-Del Moral, "The Murders of Indigenous Women in Canada as Feminicides", 941.

[49]   Nadera Shalhoub-Kevorkian, "Femicide and the Palestinian Criminal Justice System: Seeds of Change in the Context of State Building?", *Law & Society Review* 36, no. 3 (2002): 577, https://doi.org/10.2307/1512163; García-Del Moral, "The Murders of Indigenous Women in Canada as Feminicides", 940.

[50]   Shalhoub-Kevorkian, "Femicide and the Palestinian Criminal Justice System", 578.

[51]   Nadera Shalhoub-Kervorkian and Suhad Daher-Nashif, "Femicide and Colonization: Between the Politics of Exclusion and the Culture of Control", *Violence Against Women* 19, no. 3 (March 2013): 297, https://doi.org/10.1177/1077801213485548.

[52]   Shalhoub-Kervorkian and Daher-Nashif, "Femicide and Colonization", 296.

[53]   Shalhoub-Kervorkian and Daher-Nashif, "Femicide and Colonization", 296.

[54]   García-Del Moral, "The Murders of Indigenous Women in Canada as Feminicides", 941.

[55]   Shalhoub-Kervorkian and Daher-Nashif, "Femicide and Colonization", 298.

approach is necessary to define femicide in a way that takes into account the interaction between distinct social inequalities, systems of power, and different forms of discrimination. It analyses the disempowerment of subordinated people and tries to capture the consequences of the interrelatedness of different forms of marginalisation.[56]

An Intersectional Framework

The definitions discussed so far all made ground-breaking contributions to the recognition of femicide as a unique crime and moved it from the margins to the centre of academic research.[57] However, there is still a need to develop more inclusive definitions which consider the impact of multiple intersecting inequities that result from systems of domination on people's experiences, in order to avoid falling into the trap of essentialism. Moreover, it is necessary to go beyond the binary sex-based men/women framework as it marginalises identities who remain hidden, such as those of transgender women.[58] To clarify, sex refers to a person's biological characteristics which define their maleness and femaleness.[59] As noted above, this article advocates for the adoption of an intersectional approach as it provides an accurate framework for overcoming such shortcomings.

An intersectional approach sheds light on how structures such as gender, race, class, or sexuality function as structuring agents which influence individual or group choices and actions, how their behaviour is perceived, the opportunities they have, and the treatment they receive.[60] Patriarchy exists at both the macro-level (meaning that it is embedded within institutions), and micro-level (meaning that it is perpetuated through

---

[56] Janice Joseph, "Transphobic Femicide: An Intersectional Perspective", in *An International Perspective on Contemporary Developments in Victimology*, ed. Janice Joseph and Stacie Jergenson (Cham: Springer International Publishing, 2020): 105–19, https://doi.org/10.1007/978-3-030-41622-5_8.

[57] Caputi and Russell, "Femicide: Speaking the Unspeakable"; Russel, "My Years Campaigning for the Term "Femicide""; Diana Russel and Jill Radford, *The Politics of Woman Killing*, 3; Daher-Nashif, "Intersectionality and Femicide", 1080; Grzyb, Naudi, and Marcuello-Servós, "Femicide Definitions", 20-21; De Los Ríos and Roberts, "Preface: Feminist Keys for Understanding Feminicide: Theoretical, Political, and Legal Construction", XV; Shalhoub-Kevorkian, "Femicide and the Palestinian Criminal Justice System",578.

[58] Joseph, "Transphobic Femicide", 107.

[59] H.M. Lips, *Sex and Gender: An Introduction, Seventh Edition* (Waveland Press, 2020): 8.

[60] Amanda Burgess-Proctor, "Intersections of Race, Class, Gender, and Crime: Future Directions for Feminist Criminology", *Feminist Criminology* 1, no. 1 (2006): 39.

interpersonal relationships). Although gender is the main organising feature of patriarchal structures, power and identity markers such as race, age, class, religion, nationality, and sexuality converge with it and determine the amount of privilege or power individuals hold.[61]

There are several ways in which an intersectional approach could help us understand other factors which contribute to femicide. For instance, the intersectional framework could help us comprehend the experiences of women of colour as victims of abuse and violence, who are very likely to suffer from a social structure which is organised around race.[62] In other instances, further socioeconomic factors may impact women's killings. Some studies have found that when women have a lower social or educational status than their abusers, abusers are more likely to be violent towards them.[63] This may also apply to women acting as perpetrators. Women who hold privilege have more power than disadvantaged women,[64] which could make them feel more empowered to exert control and resort to violence. Therefore, there exist several systems of oppression, other than gender, which determine the "worthiness" of a woman and affects how she is treated by both men and women.[65] This provides a framework to understand femicide within same-sex relationships, which remain under-researched.

Going Beyond the Binary: The Experiences of Transgender Women

In addition to the above factors, the theoretical lens of intersectionality would allow for going beyond the usual binary and heteronormative framework to include invisible identities, such as transgender women. Following muted-group theory, it can be stated that even if more voice has been given to women as regards their experiences of violence, silencing still exists. However, it has shifted to other individuals affected by femicide rather than women as a biological category, as it is the case for transgender women. By focusing on the experiences of transgender women as a muted group, this

---

[61]   Hunnicutt, "Varieties of Patriarchy and Violence Against Women", 558.
[62]   Hunnicutt, "Varieties of Patriarchy and Violence Against Women", 564.
[63]   Taylor and Jasinski, "Femicide and the Feminist Perspective", 347.
[64]   Hunnicutt, "Varieties of Patriarchy and Violence Against Women", 565.
[65]   Hunnicutt, "Varieties of Patriarchy and Violence Against Women", 565.

article aims to fill a gap in the literature and raise the voices of those categories which remain hidden in the closet.

It is also worth bring up the experiences of gender non-conforming people, as it is often the case that they remain viewed as "feminine" or "masculine" by society, despite their transition and fluidity. Transgender identities are often stereotyped as deserving of suffering, even when violence against them has been particularly ferocious.[66] Several studies focusing on the United States demonstrated that the convergence of gender and race places transgender women of colour at increased risk, as they are victims of racist, sexist, and transphobic attacks.[67]

The term 'trans' is an umbrella term which refers to a "collective community of individuals whose gender identities, expression and/or lived experiences differ from what is typically associated with the sex they were assigned at birth".[68] Therefore, transgender women are "individuals who were assigned male at birth but do not identify as men, and identify as women, transgender, or other gender identity".[69] On the contrary, the term cisgender refers to individuals whose gender conform with the sex they were assigned at birth.[70] Transgender women, like cis-women, suffer from heteronormative and patriarchal systems which expose them to violence and abusive behaviours, such as social marginalisation, discrimination and stigmatisation.[71] However, their experiences are not assumed to be the same. Violence against transgender women is viewed as a different form of abuse which results from a culture which conceives gender in a static and binary sense.[72]

---

[66] Daniela Jauk, "Gender Violence Revisited: Lessons from Violent Victimization of Transgender Identified Individuals", *Sexualities* 16, no. 7 (October 2013): 809, https://doi.org/10.1177/1363460713497215.

[67] Joseph, "Transphobic Femicide"; Seely, "Reporting on Transgender Victims of Homicide", 76.

[68] Joseph, "Transphobic Femicide: An Intersectional Perspective",106.

[69] Jae M. Sevelius, "Gender Affirmation: A Framework for Conceptualizing Risk Behavior Among Transgender Women of Colour", *Sex Roles* 68, no. 11–12 (June 2013): 675, https://doi.org/10.1007/s11199-012-0216-5.

[70] Cynthia Lee and Peter Kwan, "The Trans Panic Defense: Masculinity, Heteronormativity, and the Murder of Transgender Women", *Hastings Law Journal* 66, no. 1 (2014): 90.

[71] Aslı Zengin, "Mortal Life of Trans/Feminism: Notes on "Gender Killings" in Turkey", *TSQ: Transgender Studies Quarterly* 3, no. 1–2 (May 2016): 270, https://doi.org/10.1215/23289252-3334487.

[72] Michaela Rogers, "Transphobic 'Honour'-Based Abuse", *Sociology* 51, no. 2 (2017): 226.

Transgender women's experiences are shaped by cissexism or transphobia (hatred towards trans people), as well as misogyny (hostile, negative attitudes towards women).[73] Compared to cisgender women who present more masculine traits, mainstream society tends to be harsher towards transgender women with the same characteristics, as these can be used against them to "prove" that they are not "real women".[74] This leads to discrimination and alienation from the social realm.[75] More precisely, transphobia is key to understanding transgender women's experiences of violence and murder, as it refers to the hatred they are subjected to because they do not conform to traditional gender norms, as well as "norms regarding cisgender, heterosexual male sexual behaviour, and so on".[76] Therefore, transphobic violence, sometimes also known as 'gendercide' or 'trans-cide', refers to violence towards transgender people as a punishment for their deviance from the cisgender standard.[77]

Transgender women are often stigmatised and portrayed as confused, imposters, abnormal, or mentally ill.[78] Stigmatisation makes them worthless to their abusers, who feel more empowered to use physical or psychological violence against them, which could also result in fatality.[79] As a consequence of this, transgender women have greater rates of victimisation.[80] Stigma may cause shame. Both increased victimisation and shame affect transgender identities and marginalised communities' willingness to report violence to the police.[81] This may be linked to their fear of being exposed and 'outed', or the fact that their reports may not be seriously considered as they are viewed as "abnormal".[82]

---

[73]   Rogers, "Transphobic 'Honour-Based Abuse", .232; Joseph, 'Transphobic Femicide', 112
[74]   Kae Greenberg, "Still Hidden in the Closet: Trans Women and Domestic Violence", *Berkeley Journal of Gender, Law & Justice* 27, no. 2 (2012): 211.
[75]   Lee and Kwan, "The Trans Panic Defense: Masculinity, Heteronormativity, and the Murder of Transgender Women", 90.
[76]   Marie Hailey Brown, "The Forgotten Murders: Gendercide in the Twenty-First Century and the Destruction of the Transgender Body", in *Denial: The Final Stage of Genocide*, ed. John Cox, Amal Khoury, and Sarah Minslow, first (London: Routledge, 2021), 184.
[77]   Brown, "The Forgotten Murders", 185.
[78]   Greenberg, "Still Hidden in the Closet: Trans Women and Domestic Violence", 213; Valo Vähäpassi, "User-Generated Reality Enforcement: Framing Violence against Black Trans Feminine People on a Video Sharing Site", *European Journal of Women's Studies* 26, no. 1 (February 2019): 87, https://doi.org/10.1177/1350506818762971.
[79]   Greenberg, "Still Hidden in the Closet: Trans Women and Domestic Violence", 211.
[80]   Greenberg, "Still Hidden in the Closet: Trans Women and Domestic Violence", 213.
[81]   Jauk, "Gender Violence Revisited", 813.
[82]   Jauk, "Gender Violence Revisited", 814.

Stigma and shame are key to understanding the ideology of honour-based violence, which expects individuals to conform with their identity and its related gender norms.[83] As regards transgender people, this type of violence results from the intersection of gender with status, social stigma, and heteronormativity.[84] In familial contexts, women's trans identity may represent a source of shame and a threat to the family's social reputation and status. The latter could become a priority over the well-being of the victim.[85] Discrimination, rejection, and violence in this context constitute a response to transgender women's refusal to adhere to heteronormative and gender expectations, which are strictly tied to cultural beliefs.[86]

Generally, transgender people have been confined to one single category, and their lives have been explored using essentialist lenses.[87] However, their experiences are not the same, as noted above, and are rather shaped by different existing and intersecting inequalities.[88] Considering them as belonging to a uniform category fails to address such structures and fuels a system based on the experiences of white, cisgender, and middle-class people.[89] When gender intersects with other systems of oppression such as race and class, transgender women are more exposed to stereotyping, marginalisation and stigmatisation, which can culminate in serious violence.

Since 2013, the Human Rights Campaign (HRC) has been monitoring the killings of transgender people in the United States, revealing that transphobic, sexist violence disproportionately impacts transgender women of colour.[90] For instance, in 2015, the HRC, together with the Trans People of Colour Coalition, reported that the likelihood of encountering discrimination, violent behaviours, and harassment increases dramatically for transgender women of colour, as compared to white transgender

---

[83]   Rogers, "Transphobic 'Honour'-Based Abuse", 230.
[84]   Rogers, "Transphobic 'Honour'-Based Abuse", 231.
[85]   Rogers, "Transphobic 'Honour'-Based Abuse", 237.
[86]   Rogers, "Transphobic 'Honour'-Based Abuse", 237
[87]   Human Rights Campaign, "Understanding the Transgender Community", n.d.
[88]   Rayna E. Momen and Lisa M. Dilks, "Examining Case Outcomes in US Transgender Homicides: An Exploratory Investigation of the Intersectionality of Victim Characteristics", *Sociological Spectrum* 41, no. 1 (2 January 2021): 53–79, https://doi.org/10.1080/02732173.2020.1850379.
[89]   Momen and Dilks, "Examining Case Outcomes in US Transgender Homicides", 60.
[90]   Joseph, "Transphobic Femicide", 110; Human Rights Campaign, "Report: Fatal Anti-Transgender Violence in the U.S. in 2018", n.d.

women.[91] Between 2010 and 2016, 111 transgender people were killed because of their gender identity, and 72 per cent were Black transgender women.[92]

However, there exists limited evidence about transgender women victims of femicide violence. Recall, transphobic femicide or trans-cide as the killing of transgender or transsexual identities.[93] In most instances, their deaths are not counted as femicides but rather as homicides.[94] This is the result of a cultural system that still struggles to recognise transgender women, and as such, prioritises an exclusionary, binary, and sex-based framework. In order to understand intersectional identities, such as those of transgender women of colour mentioned above, there is a need to adopt a multidimensional approach to femicide which sheds light on the different forms of discrimination they face[95] and reflects the various existing structures of power, such as race, disability, gender identity, class, and so forth.

Conclusion

To conclude, this article has argued that existing definitions of femicide have been essential for recognising such crime as a distinct phenomenon and distinguish it from the gender-neutral term, "homicide". Nevertheless, there is a need to go further and develop more inclusive definitions, which shed light on marginalised or unspoken identities, such as those of transgender women, and go beyond the binary, heteronormative sex-based men/women framework which has been used so far. Future research should take this into account in order to shape new definitions which are both more inclusive and less biased. Research should focus on how multiple existing systems of power such as gender, race, sex, class, and age intersect and lead to differing forms and severity of discrimination. This would help to avoid falling into the trap of essentialism and universalism.

---

[91]   Human Rights Campaign, "Addressing Anti-Transgender Violence: Exploring Realities, Challenges, and Solutions for Policymakers and Community Advocates", 2015; Momen and Dilks, "Examining Case Outcomes in US Transgender Homicides".

[92]   Meredith Talusan, "Unerased: Counting Transgender Lives", *New York, NY: Mic, National Coalition of Anti-Violence Programs, GLAAD. Https://Mic. Com/Unerased*, 2016.

[93]   Sonia M. Frías, "Femicide and Feminicide in Mexico: Patterns and Trends in Indigenous and Non-Indigenous Regions", *Feminist Criminology* 18, no. 1 (January 2023): 7.

[94]   Joseph, "Transphobic Femicide", 109.

[95]   Joseph, "Transphobic Femicide", 112.

By adopting an intersectional approach, this paper has discussed that although gender and patriarchy are key to understanding femicide violence, femicide also results from multiple intersecting structural inequalities, such as race, class, identity, disability, sexuality, and cultural beliefs. Considering patriarchal oppression as the sole driving factor of gender-based violence fails to recognise that there exist differences among women's experiences of harm, and therefore they cannot be essentialised. The analysis of transgender women's experiences in this article has aimed to highlight the importance of including them in conceptualisations of femicide and considering how intersectional experiences differ from each other. This will help make definitions of femicide more inclusive and overcome a culture which still conceives gender as fixed and binary.

Bibliography

aspire2beublog. "Theory Logs: Muted Groups Theory". *WordPress* (blog). Published November 30 2016. https://aspire2beublog.wordpress.com/2016/11/30/theory-logs-muted-group-theory/

Baldry, Anna Costanza, and Magalhāes José. "Prevention of Femicide". In *Femicide across Europe: Theory, Research and Prevention*, edited by Shalva Weil, Consuelo Corradi, and Marceline Naudi. Policy Press Shorts Policy & Practice. Bristol: Policy Press, 2018

Bhatia, Michael V. "Fighting Words: Naming Terrorists, Bandits, Rebels and Other Violent Actors". *Third World Quarterly* 26, no. 1 (2005): 5–22

Brown, Marie Hailey. "The Forgotten Murders: Gendercide in the Twenty-First Century and the Destruction of the Transgender Body". In *Denial: The Final Stage of Genocide*, edited by John Cox, Amal Khoury, and Sarah Minslow, First. London: Routledge, 2021

Burgess-Proctor, Amanda. "Intersections of Race, Class, Gender, and Crime: Future Directions for Feminist Criminology". *Feminist Criminology* 1, no. 1 (2006): 27–47

Caputi, Jane, and Diana Russell. "Femicide: Speaking the Unspeakable". *Ms.: The World of Women* 1, no. 2 (1990): 34–37

Cho, Sumi, Kimberlé Williams Crenshaw, and Leslie McCall. "Toward a Field of Intersectionality Studies: Theory, Applications, and Praxis". *Signs: Journal of Women in Culture and Society* 38, no. 4 (1 June 2013): 785–810. https://doi.org/10.1086/669608

Cohn, Carol. *Women and Wars: Contested Histories, Uncertain Futures*. 1st ed. Cambridge: Polity Press ; Blackwell Pub, 2013

Corradi, Consuelo, Chaime Marcuello-Servós, Santiago Boira, and Shalva Weil. 'Theories of Femicide and Their Significance for Social Research'. *Current Sociology*

64, no. 7 (November 2016): 975–95. https://doi.org/10.1177/0011392115622256

Crenshaw, Kimberle. "Mapping the Margins: Intersectionality, Identity Politics, and Violence against Women of Color". *Stanford Law Review* 43, no. 6 (1991 1990): 1241–1300. https://doi.org/10.2307/1229039

Daher-Nashif, Suhad. "Intersectionality and Femicide: Palestinian Women's Experiences With the Murders of Their Beloved Female Relatives". *Violence Against Women*, 25 June 2021, 107780122110145. https://doi.org/10.1177/10778012211014561

Davies, Pamela, Peter Francis, and Tanya Wyatt. "Taking Invisible Crimes and Social Harms Seriously". In *Invisible Crimes and Social Harms*, edited by Pamela Davies, Peter Francis, and Tanya Wyatt, 1–25. London: Palgrave Macmillan UK, 2014. https://doi.org/10.1057/9781137347824_1

Dawson, Myrna, and Michelle Carrigan. "Identifying Femicide Locally and Globally: Understanding the Utility and Accessibility of Sex/Gender-Related Motives and Indicators". *Current Sociology* 69, no. 5 (September 2021): 682–704. https://doi.org/10.1177/0011392120946359

De Los Ríos, Marcela Lagarde Y, and Charlie Roberts. "Preface: Feminist Keys for Understanding Feminicide: Theoretical, Political, and Legal Construction". In *Terrorizing Women: Feminicide in the Americas*, edited by Rosa-Linda Fregoso and Cynthia Bejarano, 0. Duke University Press, 2010

Frías, Sonia M. "Femicide and Feminicide in Mexico: Patterns and Trends in Indigenous and Non-Indigenous Regions". *Feminist Criminology* 18, no. 1 (January 2023): 3–23. https://doi.org/10.1177/15570851211029377

García-Del Moral, Paulina. "The Murders of Indigenous Women in Canada as Feminicides: Toward a Decolonial Intersectional Reconceptualization of Femicide". *Signs: Journal of Women in Culture and Society* 43, no. 4 (June 2018): 929–54. https://doi.org/10.1086/696692

García-Del Moral, Paulina, and Pamela Neumann. "The Making and Unmaking of *Feminicidio/Femicidio* Laws in Mexico and Nicaragua". *Law & Society Review* 53, no. 2 (June 2019): 452–86. https://doi.org/10.1111/lasr.12380

Greenberg, Kae. "Still Hidden in the Closet: Trans Women and Domestic Violence". *Berkeley Journal of Gender, Law & Justice* 27, no. 2 (2012): 198–251. https://doi.org/10.15779/Z38J678W3D

Grzyb, Magdalena, Marceline Naudi, and Chaime Marcuello-Servós. "Femicide Definitions". In *Femicide across Europe: Theory, Research and Prevention*, edited by Shalva Weil, Consuelo Corradi, and Marceline Naudi. Policy Press Shorts Policy & Practice. Bristol: Policy Press, 2018

Human Rights Campaign. "Addressing Anti-Transgender Violence: Exploring Realities, Challenges, and Solutions for Policymakers and Community Advocates", 2015

Human Rights Campaign. "Report: Fatal Anti-Transgender Violence in the U.S. in 2018", n.d

Human Rights Campaign. "Understanding the Transgender Community", n.d

Hunnicutt, Gwen. "Varieties of Patriarchy and Violence Against Women: Resurrecting "Patriarchy" as a Theoretical Tool". *Violence Against Women* 15, no. 5 (May 2009): 553–73. https://doi.org/10.1177/1077801208331246

Jauk, Daniela. "Gender Violence Revisited: Lessons from Violent Victimization of Transgender Identified Individuals". *Sexualities* 16, no. 7 (October 2013): 807–25. https://doi.org/10.1177/1363460713497215

Joseph, Janice. "Transphobic Femicide: An Intersectional Perspective. In *An International Perspective on Contemporary Developments in Victimology*, edited by Janice Joseph and Stacie Jergenson, 105–19. Cham: Springer International

Publishing, 2020. https://doi.org/10.1007/978-3-030-41622-5_8

Kelly, Liz, and Jill Radford. "Rethinking Violence Against Women". Thousand Oaks: SAGE Publications, Inc., 2023. https://doi.org/10.4135/9781452243306

Kramarae, Cheris. "Muted Group Theory1 and Communication: Asking Dangerous Questions: WL". *Women and Language* 28, no. 2 (Fall 2005): 55-61,72

Lapalus, Marylène, and Mariana R. Mora. "Fémicide/féminicide. Les enjeux politiques d'une catégorie juridique et militante". *Travail, genre et sociétés* 43, no. 1 (2020): 155–60. https://doi.org/10.3917/tgs.043.0155

Lee, Cynthia, and Peter Kwan. "The Trans Panic Defense: Masculinity, Heteronormativity, and the Murder of Transgender Women". *Hastings Law Journal* 66, no. 1 (2014): 77–132

Lips, H.M. *Sex and Gender: An Introduction, Seventh Edition*. Waveland Press, 2020. https://books.google.it/books?id=xgjaDwAAQBAJ

Marcuello-Servós, Chaime, Consuelo Corradi, Shalva Weil, and Santiago Boira. "Femicide: A Social Challenge". *Current Sociology* 64, no. 7 (November 2016): 967–74. https://doi.org/10.1177/0011392116639358

Messerschmidt, James W. "Masculinities and Femicide". *Qualitative Sociology Review* 13, no. 3 (31 July 2017): 70–79. https://doi.org10.18778/1733-8077.13.3.05

Momen, Rayna E., and Lisa M. Dilks. "Examining Case Outcomes in US Transgender Homicides: An Exploratory Investigation of the Intersectionality of Victim Characteristics". *Sociological Spectrum* 41, no. 1 (2 January 2021): 53–79. https://doi.org/10.1080/02732173.2020.1850379

Morris, Allison, and Loraine Gelsthorpe. "Feminist Perspectives in Criminology: Transforming and Transgressing". *Women & Criminal Justice* 2, no. 2 (7 May 1991): 3–26. https://doi.org/10.1300/J012v02n02_02

Radford, Jill, and Diana E. H. Russell, eds. *Femicide: The Politics of Woman Killing*. 1. publ. Buckingham: Open Univ. Press, 1992

Rogers, Michaela. "Transphobic 'Honour'-Based Abuse". *Sociology* 51, no. 2 (2017): 225–40. https://doi.org/10.1177/0038038515622907

Russel, Diana. "My Years Campaigning for the Term "Femicide"" 6, no. 5 (2021)

Russel, Diana, and Jill Radford. *The Politics of Woman Killing*. New York: Twayne Publisher, 1992

Seely, Natalee. "Reporting on Transgender Victims of Homicide: Practices of Misgendering, Sourcing and Transparency". *Newspaper Research Journal* 42, no. 1 (March 2021): 74–94. https://doi.org/10.1177/0739532921989872

Sevelius, Jae M. "Gender Affirmation: A Framework for Conceptualizing Risk Behavior Among Transgender Women of Color". *Sex Roles* 68, no. 11–12 (June 2013): 675–89. https://doi.org/10.1007/s11199-012-0216-5

Shalhoub-Kervorkian, Nadera, and Suhad Daher-Nashif. "Femicide and Colonization: Between the Politics of Exclusion and the Culture of Control". *Violence Against Women* 19, no. 3 (March 2013): 295–315. https://doi.org/10.1177/1077801213485548

Shalhoub-Kevorkian, Nadera. "Femicide and the Palestinian Criminal Justice System: Seeds of Change in the Context of State Building?" *Law & Society Review* 36, no. 3 (2002): 577. https://doi.org/10.2307/1512163

Smith, Ingala Karen. "Femicide". In *The Routledge Handbook of Gender and Violence*, edited by Nancy Lombard, 1st ed. London: Routledge, 2018

Talusan, Meredith. "Unerased: Counting Transgender Lives". *New York, NY: Mic, National Coalition of Anti-Violence Programs, GLAAD. Https://Mic. Com/Unerased*, 2016

Taylor, Rae, and Jana L. Jasinski. "Femicide and the Feminist Perspective". *Homicide Studies* 15, no. 4 (1 November 2011): 341–62. https://doi.org/10.1177/1088767911424541

Vähäpassi, Valo. "User-Generated Reality Enforcement: Framing Violence against Black Trans Feminine People on a Video Sharing Site". *European Journal of Women's Studies* 26, no. 1 (February 2019): 85–98. https://doi.org/10.1177/1350506818762971

Weil, Shalva. "Making Femicide Visible". *Current Sociology* 64, no. 7 (November 2016): 1124–37. https://doi.org/10.1177/0011392115623602

Zengin, Aslı. "Mortal Life of Trans/Feminism: Notes on "Gender Killings" in Turkey". *TSQ: Transgender Studies Quarterly* 3, no. 1–2 (May 2016): 266–71. https://doi.org/10.1215/23289252-3334487