CONCEPT OF FEMICIDE AND FEMICIDE IN THE MEDIA

Daniela TRAJKOVSKI

PhD Candidate, Faculty of Security Skopje, University of St. Kliment Ohridski Bitola e-mail: trajkovski daniela@hotmail.com

Abstract

Every day we witness a new murder of a woman or girl both in the region and in the world. There are also cases of femicide in the Republic of North Macedonia.

Violence against women and girls will never end. Women are the most frequent victims of violence and murder in the family and relationship.

Femicide is the most extreme manifestation of abuse and violence by men against women. It occurs as a result of any type of gender-based violence, such as physical assault, rape, forced motherhood or genital mutilation.

Femicide, as well as the consequences of its application in various research areas, have been explored from a historical, legal, international and activist point of view, so it is very important how femicide is conveyed through the media. The media play a very important role in prevention, the way in which the murder of a woman is transmitted plays a big role in the mentality of the population, which terms are used, etc. A sensationalist drama is often created from that crime drama, which abounds with ironic and primitive comments on the population, especially on the part of the male sex.

Keywords: Femicide, woman, murder, violence, media, victim

Introduction

Definition of the term Femicide and historical overview

Femicide is a universal problem. Like all forms of gender-based violence against women and girls, femicide is a problem that affects every country and territory across the globe. According to the new report, in 2022, Africa recorded the largest absolute number of female intimate partner and family related killings with an estimated 20,000 victims; followed by 18,400 in Asia; 7,900 in the Americas; 2,300 in Europe; and 200 in Oceania.

The term "femicide" refers to a specific type of homicide in which a man kills a woman, girl, or girl because she is female. Unlike other types of murder, femicides usually occur in the home as a result of gender-based violence. They are also categorized under hate crimes because they occur in a context in which the female has been stigmatized for years.

According to Diana Russell, who is credited with popularizing the word "feminicide" ("femicide" in English), some of the same motives for these murders are anger, hatred, jealousy, and happiness.

The first documented use of the term 'femicide' was in a book by John Corry (1801) called A Satirical View of London at the Commencement of the Nineteenth Century where it was used to refer to the killing of a woman. It was not until 1976, however, that the term was reintroduced publicly in the modern age by violence against women feminist pioneer, expert and activist, Diana Russell, at the International Tribunal of Crimes Against Women to bring attention to violence and discrimination against women.

The United Nations defines femicide/feminicide as "the gender-based killing of women", which can take many forms, such as: intimate partner murder, murder of women accused of witchcraft/sorcery, killing women in the name of "honour", killing women in armed conflicts, killing women due to dowry, killing as a result of sexual orientation or gender identity, etc.(Dimushovska, 2021)

Diana Russell used the term femicide for the first time at the first International Tribunal for Crimes Against Women held in 1976 in Brussels, whose purpose was to point out to the public the many types of crimes, both violently brutal and precise and complexly discriminatory, perpetrated against women of all cultures and in every social context (Russel & Van De Ven, 1976). Gender politics exist even in the murders of women, we could see that during the burning of women for witchcraft (cases of punishment for heresy, that is, teaching contrary to the church was connected with the confiscation of the property of the convicted), starting from 1484. (Stanojovska)

In its early iteration by Russell, femicide was defined as "the murder of women by men motivated by hatred, contempt, pleasure, or a sense of ownership of women" and "the misogynistic killings of women by men." Most recently, this definition evolved to its most commonly-used form as "the killing of one or more females by one or more males because they are female" as stated by Russell in her introductory speech presented to the United Nations Symposium on Femicide on November 26, 2012.

Becoming an essentially political term, femicide refers to the killing of women because of their inferior position in a patriarchal heteronormative society. Femicides occur as a result of inter-partner violence, honor killings, due to dowry, in the actions of organized criminal groups, during military conflicts, occur as infanticide (of female children), gender-based selective feticide, murders such as as a result of genital mutilation (cutting off, infabulation or any other mutilation in whole or in part of the labia majora and labia minora or the clitoris of a woman), murders of women accused of witchcraft or sorcery, murders as a result of misogyny, murders due to sexual orientation and gender identity. (Stanojovska, Meduza)

Professor Angelina Stanojoska explains for the web portal "Meduza" why femicide is a political term. She says, "The women who were 'chosen' to be referred to as witches were based on a pre-made profile, with characteristics that indicated that they were women who believed in natural laws and not in the teachings of the church, that they did not behave according to the social expectations of that time, that is, they try to live free from the then church and patriarchal state restrictions. Namely, those women lived alone, had pets (mostly a cat) which for the church were the demon in animal form, cultivated medicinal plants, had no children., (Stanojovska, Meduza)

The global health pandemic of covid-19 has increased the risk of gender-based violence. In the first three months since the beginning of the pandemic, several European countries, as well as the countries of the Western Balkans, have announced statistics for an increase in the number of reports of domestic violence by as much as 30-40%. The systems for protection of women victims were reorganized in order to provide emergency assistance and support to the victims. In The Republic of North Macedonia saw an increase in reports of domestic violence, especially after ending the state of emergency and reducing movement ban measures. (Dimushevska, 2021)

In the Republic of North Macedonia, in the period from 2008 to 2020, a total of 96 women were killed, of which at least 50 are femicides. In Macedonia, apart from civil society organizations, there is no other institution that keeps statistics on femicide.

Femicides can be called as result of different types of traditional understandings and practices, which and today they are widespread all over the world. So for example, in some societies still consider certain murders of women to be justified, such as the killing of a woman for cheating onthe partner. (Jovanovska, 2022)

Clinical psychologist Marija Šutulović says in an interview: Women are exposed to a high risk of femicide due to the secondary abuse they suffer. The consequences of torture suffered by female victims lead to a complete collapse of personality, freedom and integrity, the victim stops feeling and loses the experience of being a person. The horrors and threat of loss of identity experienced by the victims are referred to in professional literature as the experience of "mental death".

Society, community, environment can contribute to reduced violence, but they can also encourage it by spreading hatred towards women through social networks, tabloid reporting, and messages sent by prominent individuals in public space. At the root of violence against women is hatred against women. (Trajkovski, Sekulovska, 2024)

Hypothesis:

Femicide is worrisome and is a consequence of women not reporting violence due to distrust in institutions, economic dependence, shame, family non-acceptance, and the media using sensationalist headlines about femicide to gain more readership.

Main part
Regulation of femicide in national legislation
Commentary by Monika Sekulovska Master of Laws⁴⁰

First of all, I would like to emphasize that "Femicide" differs from other forms of murder, because it is a gender-based murder, the murder of a woman simply because she is a "woman". As a Master of Laws, I can boldly emphasize that the main causes of femicide differ from other types of murder and are most often related to the position of women in society, their discrimination, gender roles, the unequal distribution of power between men and women, prejudice and violence against women and girls. The murder of a woman by an intimate partner in our country, unfortunately, is not considered a "lurking danger" and the most severe form of gender-based violence. For this reason, insufficient and inadequate reporting by the media contributes to femicide not being perceived as a serious problem.

I believe that by including femicide in the Criminal Code, better protection of women would be achieved. There is definitely no strategy that tells women what to do, how to dress, how to live or how to behave in order not to become victims of violence. Among other things, the criminal offense of "Stalking" was introduced, which incriminated sexual harassment as a criminal offense. With the very fact that in Article 123 "Murder" of the Criminal Code a new item 2a is added, which regulates that whoever deprives a woman or girl under 18 of her life while committing gender-based violence constitutes a form of femicide. The final insertion of the definition of what gender-based violence is is a huge difference, where femicide is finally defined, but it is not explicitly stated as femicide, and in fact it is equated with defining the murder of a woman or girl under 18, while committing gender-based violence.

Specifically from my work experience in the legal field and the judiciary, I can say that we are witnesses to how difficult it is to implement laws in our country, there is no readiness of the system, there is not enough training. However, such amendments to the Criminal Code, the implementation of the Convention, the laws adopted in accordance with it, are a huge step for women, to finally achieve greater protection. They should not be afraid to publicly say what is happening to them and report it all, in order to avoid unwanted consequences in a timely manner. They should not suffer inside and live under the motto "What will others say"!

Regarding the legal regulations in the Republic of North Macedonia, Lawyer Natasa Sekulovska says in that paper (Trajkovski, Sekulovska, 2024)

Macedonian legislation does not recognize the term femicide, and therefore does not regulate it as a separate crime. In the Criminal Code of the Republic of North Macedonia, Chapter XIV provides for criminal offenses against life and body. More specifically, in Article 123 paragraph 1, the basic form of the crime of murder is prescribed: "he who deprives another of his life shall be punished with imprisonment for at least five years". In this part, the legislator provided for a minimum prison sentence of five years, and also set the basic definition for the crime of murder.

In paragraph 2 of the same Article 123 of the Criminal Code, the legislator provided for qualified murders, which are also called capital crimes. Qualified (aggravated) murder is the intentional deprivation of another's life, carried out under particularly aggravating circumstances, determined by law, which increase the degree of wrongdoing and the degree of guilt of the perpetrator and for which more severe punishments (life imprisonment) are prescribed. Qualified murder differs from basic murder by certain qualifying circumstances of an objective and subjective nature. This provision distinguishes several groups of circumstances, which give premeditated murder the character of serious murder contained in it (the character of qualified murder is otherwise also other acts outside this chapter,

⁴⁰ Monika Sekulovska , Master od Laws, sekulovska m@yahoo.com 10.07.2025

such as the acts contained in articles 237, 238, 309 of the Criminal Code of RSM) (Kambovski, 2011). The existence of several qualifying circumstances are of great importance for determining the punishment for the crime of murder.

In our Criminal Code, murders are specifically qualified according to several criteria:

According to the method of committing the crime of murder:

Murder in a brutal way, murder in an insidious way and murder in the course of domestic violence;

According to the motives of the perpetrator:

Manslaughter, murder for the purpose of committing or concealing another crime, murder for wanton revenge and murder for low motives: will deprive another of life for the purpose of extracting an organ, tissue or cells for transplantation:

According to the object of the attack or according to the characteristics of the victim:

Murder of a female person whom the perpetrator knows is pregnant or a child, murder of a judge, public prosecutor or lawyer, official or military person;

According to the circumstances of committing the crime of murder:

Murder in which the life of another person is intentionally endangered, murder by order, murder of two or more persons, for which he has not been tried before.

Criminal - legal aspects of the qualified murder during domestic violence

This type of murder exists when two conditions are met. The first has an objective nature and consists in the existence of a relationship between the perpetrator and the victim that meets the elements of domestic violence (according to the definition of "domestic violence" in Article 122 of the Criminal Code of the RSM): "harassment, gross insult, endangering safety, physical injury, sexual or other mental or physical violence that causes a feeling of insecurity, threat or fear towards a spouse, parents or children or other persons living in a marital or extramarital union or joint household, as well as towards a former spouse or persons with whom they have a common child or are in close personal relationships" (Criminal Code of Moldova)

According to this definition, the term domestic violence is a complex term, which includes a close relationship between the perpetrator and the victim, as well as acts of violation of the rights of the victim, which cause a feeling of insecurity, threat or fear. The subjective element of this crime is the awareness that it is being committed in conditions of domestic violence and that the will to take life is an expression of the violent attitude towards the victim. When it comes to the execution of the murder by the victim of domestic violence, it is considered a privileged murder (Article 125 of the Criminal Code).(Kambovski,2011)

Convention of the Council of Europe on preventing and combating violence against women and domestic violence - Istanbul Convention

Violence against women is considered a violation of human rights and constitutes one of the forms of discrimination against women and includes acts of gender-based violence that lead or are likely to lead to physical, psychological or economic injury or suffering to women, and includes threats of such acts, coercion or arbitrary deprivation of liberty, whether in public or private life. (Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence - Istanbul Convention, Article)

It is of vital importance to change attitudes and begin to eliminate stereotypes, not only at the individual level, but also at the institutional level, because only in this way will it be possible to act as a prevention against violence against women.

There is a large number of women in society who are afraid or ashamed to ask for help or talk about what is happening in their lives. Most of the time, fear prevails among them that no one will believe them, and then comes the mistrust they have towards the institutions, the fear that it could be worse if they ask for help from someone, and most of the time those who speak up are not always heard.

Acting within its leading role in the protection of human rights, the Council of Europe adopted the Convention on the prevention and control of violence against women and domestic violence (known as the Istanbul Convention).

The Istanbul Convention is generally accepted as the most far-reaching legal instrument in the prevention and fight against violence against women and domestic violence, as one of the forms of

human rights violations. Since its opening for signature in 2011, it has received significant support at all levels, state and regional, at the level of local self-government, among the public, parliaments, national and international human rights organizations, civil society organizations, media and the academic community.

The Convention entered into force in 2014, three years after its adoption, demonstrating the need for member states to have a legally binding international agreement on which to base their efforts to fully prevent gender-based violence, as well as their political commitment to the principles and values enshrined in the convention.

The Istanbul Convention required ratifying governments to adopt a comprehensive series of measures to address all forms of violence against women and domestic violence. Each provision of the Convention aims to prevent violence, to bring perpetrators of violence to justice and to provide support and assistance to victims. The Convention also requires that various forms of violence against women, such as domestic violence, sexual harassment, psychological harassment, be qualified as criminal acts and that sanctions be provided for by law.

Giving violence against women a legal term and the fact that it is a crime will help stop it.

The FRA study found that a quarter of victims do not report the most serious incidents from a partner or other person, often out of fear, anger and shame. Victim-blaming attitudes and discriminatory attitudes that pre-professionals may present to women also lead to mistrust of the legal system. Reporting may also be delayed as a result of any or all of the above reasons and often occurs later, including after the victim has already suffered numerous violent incidents.

An ideal form of victim empowerment is first of all to avoid such attitudes that lead the victim to minimize the facts and lose hope in the justice system.

A gendered understanding of violence and the application of a victim- and human rights-focused approach ensure that secondary victimization is avoided. At the same time, special attention should be paid to the needs of vulnerable people, including children.

In order to break down barriers to justice, the Istanbul Convention specifically confirms the following rights of victims:

The National Action Plan for the Implementation of the Istanbul Convention and the need to implement femicide as a crime

The national action plan for the implementation of the Istanbul Convention defines the activities, responsible institutions, indicators and the time frame for harmonizing the provisions of the Convention with the national legislation in the Republic of North Macedonia for the period 2018-2023. The adopted National Action Plan has three basic objectives: harmonizing the legal framework with the provisions of the Convention, establishing general and specialized services for the promotion of the protection of victims of gender-based violence and victims of family violence and implementation of activities for the prevention of gender-based violence based violence and domestic violence.

As part of the prevention, an increase in the role of the Ombudsman in monitoring femicides - murders of women, i.e. the establishment of a femicide watch mechanism - is foreseen.

From the aspect of civil-legal protection of victims of gender-based violence, the Republic of North Macedonia for the first time in January 2021 adopted a law that recognizes all forms of gender-

based violence and provides for specific protection for all female victims of the various forms of violence, through the establishment of specialized services for help and support. Its preparation and adoption was foreseen in the National Action Plan for the implementation of the Istanbul Convention, and its main goal is to improve the system for the protection of women victims of various forms of gender-based violence.

The glossary of the law in Article 3 specifically defines what it covers and what is meant by "violence against women" (paragraph 1), "gender-based violence" (paragraph 2), "family violence" (paragraph 3) and "intimate partner violence". (paragraph 5). The new law defines the reintegration of victims of violence (Article 99), for the first time in the system of protection against violence against women and domestic violence, where through a special program for the reintegration of victims of violence, the following services will be provided: temporary housing, psychological counseling with mentoring, various types of financial assistance specifically intended for women victims of violence, opportunities for education and training in various fields, as well as employment measures established by law. According to this article, competent institutions will be obliged to recognize victims of violence as a special vulnerable category and to develop programs and measures in accordance with the specific needs of women victims of violence.

One of the most significant improvements regulated by this law is the principle of due diligence, which obliges all participants in the protection system to take all appropriate legislative, administrative, judicial and other measures to prevent, protect, investigate, punish and ensure fair compensation for victims or restitution for acts of violence committed by natural or legal persons. Basic principles of this law are non-discrimination, prohibition of victimization, vulnerable women, adequate adaptation for women with disabilities, gender-responsive policy and empowerment of women victims of violence.

Communicating femicide through the media

Today, we live in a time of excessive consumption of internet content that significantly affects the perception and consciousness of individuals, where we undoubtedly include journalistic portals, ie reports or articles. The majority of the population is most often informed via internet portals, with a special emphasis on young people, therefore the media should focus on journalistic ethical codes, especially if it deals with sensitive topics, in this case femicide.

The media has a very important role in opening a debate in order to better the public inform and explain ways to overcome gender stereotypes. In this one process, journalistic and media associations also have an important role. (Yahjaova, 2017) Although this issue is often neglected, the media has a significant role in providing much of the resources we use in thinking about gender and gender-related topics: about what it means to be a woman or a man, about gender roles in the public and private spheres, sexuality, parenting and what we consider to be is (or is not) natural, normal, acceptable, desirable and possible in relation to these aspects from our lives. (Yahjaova, 2017)

The author Jahjaova Almira in her paper points out that contrary to the above, the media will contribute to strengthening stereotypes, prejudices and creating a wrong picture of the roots of gender-based violence, where dominant narratives in which the cause of violence is sought in the victim and not in the perpetrator or in the inaction of the institutions. The narrative in which justification is sought for the perpetrator, presenting him as a responsible, hardworking, peaceful man, who was respected by neighbors, directs the audience to demand guilt and responsibility from the victim.

The media generally has a significant role to play in the struggle against gender-based violence, where the power of the media is broad and multifaceted, starting from the creation, shaping and changing of social attitudes, all the way to the cultural normalization and strengthening of certain behaviors, stereotypes and prejudices. The power of the media is often underestimated, especially in terms of the damage that inadequate reporting can inflict on victims of gender-based violence (secondary victimization) and women in general, but also for the preventive role that the media should play in this sphere. The media should be the main promoters of gender equality and through their reporting to break gender stereotypes, a through reporting on gender-based violence to embody it its role as an ally in the fight against this phenomenon.

The inappropriate reporting, without respecting ethical standards, can very easily to have the opposite effect and contribute to greater discrimination and gender inequality in society. (Avramovska, Tuneva, 2022)

The Code of Journalists together with the Guidelines for Ethical Reporting in Online Media contain guidelines for ethical reporting on issues related to human rights and dignity. According to the Declaration of Principles of conduct of journalists of the International Federation of Journalists, the journalist should be aware of the danger of discrimination that can be supported by the media and should do everything to avoid yes substantiated such discrimination, inter alia, on the basis of race, gender, sexual orientation, language, religion, political or other opinion and national or social origin.

The Law on Audio and Audiovisual Media Services defines principles that broadcasters should respect when performing their activity, and which include the nurturing and development of humane and moral values of the person and protection of the privacy and dignity of the person, equality of freedoms and rights regardless of sex, race, national, ethnic and social origin, political and the religious conviction, property and social position of the person and the citizen, protection of the identity of the victims of violence, objective and impartial presentation of events with equal treatment of different viewpoints and opinions and enabling of free formation of the audience's opinion about individual events and questions.

One of the possible reasons for the lack of awareness in society about this problem is inadequate media coverage of femicide. In the sea of cases of unprofessional reporting, sensationalist reporting, completely neglecting the protection of personal integrity and dignity, the victims in our country awaken an avalanche of emotions, sadness and anger as well as a large dose of discomfort, so it is very difficult for us to imagine how they feel family and relatives of the victims are in this situation.

The media reporting in this way abuse femicide in order to attract the attention of public opinion and in this way provide themselves with more views, which results in a decrease in trust in the media and the veracity of their articles. Through this type of reporting, one gets the impression that the main driving force and goal of journalists is the acquisition of material income, while ethical codes required by their function are left aside.

Most of the time, the first press reports about the murders do not contain any a lot of information and refer to unofficial information or initial reports from the police. However, the further reporting on the murders mostly consists of texts that are brief and the sources they use are limited to the announcements of the relevant institutions, mostly the Ministry of Interior affairs and/or the Basic Public Prosecutor's Office.

The reports are generically, factually, and substantially similar or identical to each other and often they are transmitted with the same or changed forms titles, and almost identical content and order of reporting.

In press reports about Femicide, additional sources are very rarely used. Very often the text is followed by a video where short clips showing violence against women are broadcast.

Gender is not recognized in journalistic reports at all dimension of murders, nor does it take into account the phenomenology of femicides, especially that most of these murders are committed by by male partners or relatives, in the home where the victim lives. Additionally, the socio-political context in which it takes place the action is not analyzed at all and is not done at all correlation with the institutional aspect.

The language used in journalistic reports is gender insensitive, that is, it reduces the severity of the violence because it does not recognizes the death of women as a direct consequence of their gender identity. Despite the fact that in the press reports directly gender stereotypes are not promoted, however the voice of the victim is passive, which actually contributes to the survival of the gender stereotype of the inferior position of women in society.

In reporting, the media focuses on the one element of the event based on which they can create sensationalist titles, so they often use them words such as: drama, tragedy, horror, horror, crime, morbid, bizarre, which do not express the essence of the case itself.

Also, the photos used in the press reports are mostly generic and almost nowhere the source of the photos is mentioned. In a large number of reports, photos of an ambulance, a police vehicle, the building of the Public Prosecutor's Office, the police station, weapons, blood, etc. are placed, which may be disturbing for viewers and do not convey anything informative about the event.

On social networks, under the media reports, one can notice a variety of comments from users who sympathize with the victim and call the perpetrator derogatory names or mentally unstable, as well

as those who support the perpetrator and accuse the victim with the words that "you asked for it yourself, ,. There are even such comments that one does not go to prison for a woman. The worst thing is when a woman is a wolf, that is, when female users of social networks support femicide and call the victim the most derogatory terms.

Research

The Republic of North Macedonia does not keep official records of registered cases of femicide. According to data shared by the National Network against Violence against Women and Domestic Violence, 32 femicide cases were registered in the period 2001-2016, while in the period 2017-2020 - 22 femicide cases. These figures also coincide with the UNDP research, which states that in the period from 2008 to 2020, a total of 96 women were killed, of which at least 50 cases are considered to be femicide. During the state of emergency during the pandemic in 2020, two femicide cases occurred in Skopje in just two months. Of course, the statistics provided, given the lack of systematic methodological recording of femicide cases, may not correspond to the real occurrence of these cases, but they still represent an indicator of the situation in our country.

The 2017 research on femicide in Macedonia by the National Network against Violence against Women and Domestic Violence[95] concluded that: "In more than 60% of the analyzed cases of murder of women in Macedonia, the crime was committed by the current or former marital or extramarital partner with whom they lived in a community.(Jovanovska 2022)

In practice, the most common cases are cases of bodily harm, endangerment of safety and serious bodily harm committed in the context of domestic violence. In more than 80% of cases, the murder occurred in the common home or, if divorce proceedings were initiated, in the home of the victim's parents. This fact leads us to the conclusion that women in Macedonia are the most unsafe in their own home.

Conclusion

From the paper we can conclude that premature death is a consequence of murder. We have seen that in the past women were killed by society as witches, further for honor, for dowry, then because of financial situation, during wars, etc. but mostly women are killed by their intimate partners.

Macedonian legislation does not recognize femicide as a separate crime. Hence the need to incriminate it as a separate crime. It is the only way to protect women from murder. Further to prevent in various other ways.

Women's lives have always been very difficult and not appreciated. Media have an influence on creation social attitudes about gender-based violence. The media should share the positive creation of social opinion in the direction of getting to know the story of gender-based violence and femicide as its most severe form, its characteristics and negative consequences on women.

The media has a role to educate about the factors that are not clear enough, and are related to gender-based violence and femicides.

This problem requires training for journalists, but also for the prosecutor's office and the judiciary. It's not murder, it's femicide.

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