

**WAKE FOREST UNIVERSITY**

**FINAL PAPER LL.M. MASTER IN  
AMERICAN LAW**

**VIOLENCE AGAINST WOMEN:  
FEMICIDE IN PERU: NEW PERUVIAN  
LEGAL SYSTEM**

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## **I. Introduction**

Femicide by partners or former partners is not a recent event. It is not an isolated death, but dozens of women die every day in the hands of their intimate partners or former partners. Jealousy, infidelity, abandonment, and refusal to restart the loving relationship by women as the principal causes. However, not much is known about this type of problem. There are not many information or data that can give us a clear idea about it.

This type of femicide has become a social problem that involves everybody in our society. However, the authorities and the media refer to them as "crimes of passion" made by men with diverse of psychological problems.

In many men's minds, the ideal of patriarchy as the male breadwinner and therefore with power and control still remains in place.

The intention of this paper is to analyze the femicide as a social problem and focalize in couples , how women and men relate in the process of power struggle, resistance and change of the patriarchal structure and how can public policy can improve in order to help the victims or minimize the numbers of femicide.

## **II. Violence Against Women**

Violence against women is one of the greatest atrocities committed against human rights in our time. From birth to death, both in peacetime and in war, women face discrimination and violence of the state, community and family. Each year millions of girls and women suffer rape and sexual abuse by family members, men outside the family, security officers or armed combatants. Some forms of violence, such as forced pregnancies and abortions, the 'bride burning' and dowry related abuse, are specific to women. Others such as violence in the family sphere - also known as domestic violence - have among its victims to a disproportionate number of women. During armed conflict, violence against women is often used as a weapon of war to dehumanize or to persecute the community to which they belong.<sup>1</sup>

Violence against women is "severe and pervasive throughout the world<sup>2</sup>". At least one in three women experience physical or sexual violence at the hands of an intimate partner, and half of all murdered women are killed by a current or former partner.

Violence against women is not confined to any political or economic system but is prevalent in all societies of the

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<sup>1</sup> Amnesty International, "This is in our hands. No more violence against women", Editorial Amnesty International - EDAI, 2004, pp 18 & 19.

<sup>2</sup> U.N. Dep't of Public. Info February 2008.

world without distinction of economic status, race or culture. Worldwide, violence or threats of violence prevent women from exercising their human rights and enjoying life<sup>3</sup>.

Therefore, this type of violence is a historical, structural and worldwide problem. Throughout history, it has been shown that women play a social role, based on the idea that feminine reality is less than the male. Therefore, this problem can not be taken in isolation as situations that are triggered only by certain people, cultures or communities. Unfortunately, this problem constitutes a violation of human rights to the point that crosses borders, socio-economic levels, religious beliefs.

The statistics on violence against women expose the existence of global tragedy from the human rights point of view. The following datum show the magnitude of the problem.

- At least one in three women has been beaten, coerced into sex or subjected to some other kind of abuse in their lives, according to a study based on 50 surveys from around the world. Usually, the abuser is a family member or acquaintance<sup>4</sup>.

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<sup>3</sup> Amnesty International, *"This is in our hands. No more violence against women"*, Amnesty International - EDAI, 2004, pp. 18, 19.

<sup>4</sup> Heise, L., Ellsberg, M. y Gottemoeller, M., *Ending Violence Against Women*, Population Reports, Serie L, # 11, Baltimore: John Hopkins University School of Public Health, December 1999, p. 1.

- As reported by the World Health Organization (WHO), 70% of women victims of murder are killed by their partner<sup>5</sup>.
- Over 60 million women are "missing" in the world today as a result of selective abortion practices as a function of sex and female infanticide, according to calculations of the Economy Nobel Prize winner Amartya Sen 1998<sup>6</sup>.

### **1.1. Violence Against Women - Gender Reasons**

Gender is a social, historical and cultural construction that dictates the role of any person according to their sex. Therefore, it is not possible that men and women are the product of a natural reality, on the contrary, we are consequence of a historical and cultural interpretation.

*In this sense Pierre Bourdieu points out that "...the social order is so deeply rooted that requires no justification, imposes itself as self-evident and is taken as "natural". Along these enrolled in the structures of the organization social and cognitive structures of the mind<sup>7</sup>".*

Violence against women follows a logical hierarchy between the genders, which is instituted within culture and

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<sup>5</sup> World Health Organization (WHO), World report on Violence and Health, edited by Etienne G. Krug, Linda L. Dahlberg, James A. Mercy, Anthony B. Zwi and Rafael Lozano, Geneve, 2002, p. 118. Spanish version: <http://www.paho.org/Spanish/AM/PUB/Contenido.pdf>

<sup>6</sup> See United Nations Population Fund, "Violence against girls and women." Public Health Priority, 1999 , p. 6.

<sup>7</sup> Bourdieu Pierre, "The practical way", Madrid: Taurus (1991)

society and is transmitted through speeches and performances. All of those behaviors and actions violate damage or impair the integrity of women.

The Universal Human Rights Protection System through the Article 1 of the Declaration on the Elimination of Violence Against Women defines violence against women as: *"...any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life"*<sup>8</sup>

Also, Article 1 of the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW)<sup>9</sup> states "the term 'discrimination against women' shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the

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<sup>8</sup> United Nations, U.N. Declaration on the Elimination of Violence Against Women, New York: U.N. February 1994. See <http://www.un.org/womenwatch/daw/cedaw/recommendations.htm>.

<sup>9</sup> CEDAW was established as the International Bill of women, being an instrument to promote the defense of their rights, to define in an explicit discrimination in all spheres of life and analyze the discrimination of women as a historical problem.

political, economic, social, cultural, civil or any other field”.

Meanwhile, the Inter-American Human Rights System Article 1 of the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence Against Women (Convention of Belém do Pará) points out: *“...violence against women shall be understood as any act or conduct, based on gender, which causes death or physical, sexual or psychological harm or suffering to women, whether in the public or the private sphere<sup>10</sup>”*.

Additionally, the CEDAW Committee in its recommendation N 19, declares: *“...Gender - based violence, which impairs or nullifies the enjoyment by women of human rights and fundamental freedoms under general international law or under human rights conventions, constitute discrimination within the meaning of article 1 of the Convention<sup>11</sup>”*

Violence against women because of gender can be of various types<sup>12</sup> and in the beginning can be divided up into

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<sup>10</sup> Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against women, (Convention of Belem do Para) Article 1 <http://www.oas.org/en/mesecvi/docs/Convention-Text-EN.pdf>

<sup>11</sup> CEDAW Convention on the Elimination of All forms of Discrimination against women Recommendation No. 19 (7) <http://www.un.org/womenwatch/daw/cedaw/recommendations/recomm.htm>

<sup>12</sup> Amnesty International, “Women, Violence and health” pp. 4 & 5(2005) <http://web.amnesty.org/library/Index/ESLACT770012005>

four major categories: physical violence, sexual, psychological and economic deprivation or other reasons.

### **Types of Violence Against Women**

The types of gender physical violence of whom women are victims ranging from slaps, punches, kicks up strangulation and blows with batons, truncheons and whips, use of fire or acid to cause pain and long lasting damage and even homicide.

Regarding sexual violence, initially this may focus on rapes.

However, during the last years there has been a significant development in the international law concerning the definition and understanding of the violation.

Women also suffer psychological or emotional violence, consisting of threats, degrading comments sexist language and humiliating behavior. These are common components of violent behavior towards women that can have consequences for psychological or emotional wellbeing. Any psychological or sexual violence also impact on the emotional state of the victim.

Finally, women are often subjected to economic hardship or other. Millions of women around the world depend on men, giving them economic support and security. Therefore, men can have a direct impact on the welfare of women, providing or



retaining means for obtaining food, clothing and other basic necessities.

### **1.3. Violence Against Women in Peru**

Violence against women is a social problem that responds to the permanence of hierarchical structures and patriarchal culture, where women are seen as a disposable and maltratable. The World Report on Violence and Health (WHO)<sup>13</sup> points out that violence is a public health problem as it leads to serious physical, psychological, deprivation and deficiencies in the development of people.

The numbers in the studies do not reflect true reality, however violence usually is hidden by the victim. Studies show that six in ten are victims of domestic violence, while one in five is a victim of sexual abuse<sup>14</sup> Of all the people who have been battered or beaten, only one in three seeks help from a close person, and only one in four ask for help to the police<sup>15</sup>

In Peru it is estimated that eight out of ten cases of sexual abuse the perpetrator is a member of the victim's household and six out of 10 pregnancies in girls of 11-14

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<sup>13</sup> World Health Organization, op. cit, 2002. World Report on Violence and Health, 2002., In: <http://www.paho.org>

<sup>14</sup> Guezmen Ana, Palomino Nancy and Ramos Miguel, "Sexual and Physical Violence against Women in Peru", WHO, 2002.

<sup>15</sup> Id.

years old are the result of incest or rape<sup>16</sup> Also, 41% of women were assaulted at least once by their husbands, 28% by another person. Regarding the frequency of violence, 83% indicated that violence occurred sometimes and 16% often<sup>17</sup>.

According to reported data, 94% of complaints were made by women. Of the people who reported family violence in the year 2008; 8,329 of them said that the main reason is the marital problem. Meanwhile, who attributes it to 5167 to economic problems. With the last statement is evidence that people who report provide the motive to external factors, however, argue that 4,245 did not identify any reason against violence of which they were victims<sup>18</sup>

On the other hand, according to the Final Report of the Commission of Reconciliation and Truth (2003) the number of dead and missing women ascended to 13856 during the internal armed conflict (1980-2000). 98% of sexual rape victims were women, with the highest incidence in those who were between 10 and 29 years<sup>19</sup>.

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<sup>16</sup> UNICEF, "The Social Exclusion in Peru", Lima, June 2001.

<sup>17</sup> National Institute of Statistics and Information (INEI), Demographic and family health Survey - ENDES, Lima : INEI, 2010

<sup>18</sup> Office of Planning and Statistics DIRTEPOL VII of the Peruvian National Police.

<sup>19</sup> Final Report of Commission of Reconciliation and Truth, at <http://www.cverdad.org.pe/ifinal/index.php>

Sexual rape is not the only act of violence against women. Women are also victims of unwanted pregnancies or forced abortions and sexual slavery.

These figures reveal that women's body became an object. The 83% of cases of rape were perpetrated by agents of the state and about 11% corresponded to subversive groups, both had the same purpose: to punish, intimidate, humiliate, express power through the use of women's bodies.

Most disappearances occur in poor rural or peripheral areas of cities. Only in Lima (Peruvian Capital) the number of disappearances ascended to 2372 in 2012, meaning 60% women. It is assumed that the disappearance of these women might respond to increased trafficking and the trafficking of women in Peru<sup>20</sup>

### **1.2. FEMICIDE (The most extreme form of Violence against Women)**

The etymology of the term femicide is the female homicide counterpart. The concept of femicide was popularized in 1992 in the book by Diana Russell and co-edited by Jill Radford, "Femicide: The Politics of women killing", based on the used concept in 1974 by Carol Orlock. Later the term was used in

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<sup>20</sup> Mallqui Kathy, Melendez Liz, Ruiz Carolina: Diagnosis on Trafficking in Women, Boys & Girls in eight cities in Peru, Lima, 2004.

femicide to name more than three hundred murders systematic of maquila workers in Ciudad Juarez. Then, this same concept has been used to name the hundreds of cases that occur each year worldwide.

Femicide is homicide against women and occurs when the historical conditions generate social practices than allow attacks on the integrity, health, freedom and life of women. Femicide concur in time and space, damages against women made by known and unknown, violent rapists and murderers by individuals and groups, occasional or profesionales, leading to the cruel death of some of the victims, not all crimes are entered into or made by serial murderers: there are serial and individual, some are committed by acquaintances: couples, relatives, boyfriends, husbands, companions, family members, visitors, colleagues and co-workers, they are also perpetrated by unknown and anonymous, and criminal mafia groups lifestyles linked to violent and criminal<sup>21</sup>"

The problem is multidimensional, so we make an approach to identifying it as crime femicide exerted directly on the lives of women for their womanhood.

Femicide is a category that needs to be addressed as the most extreme and irreparable violence towards women and as an

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<sup>21</sup> Legarde y de los Rios Marcela, "For life and liberty of women. End to femicide. V Day - Juarez".

alternative to the neutrality of the term homicide, making visible a background unrecognized misogyny in women are killed each day. It is a social, economic, political and cultural, is a problem of state and society as a whole.

It follows that femicide is the crime against women because of gender. It is an act that does not respond to a situation or specific actors, as it takes place in times of peace as in times of armed conflict and women do not have a profile victims range only age or socioeconomic status. However, there is a greater incidence of violence in women of reproductive age. The authors of the crimes do not respond to a specificity as these acts can be performed by people with whom the victim keeps amical or social emotional bond, such as relatives, partners, lovers, boyfriends, former partners, spouses, former spouses or friends. It is also done by people known as neighbors, co-workers and study, and likewise that unknown to the victim. It can be carried individually or collectively, and even organized gangs.

However, these crimes serve a specific social and cultural climate where machismo prevails even understood as collective sustained behavior in an unevenly organized system where the power is exercised by man. This is the reason why its normalize and condone violence against women.

The Femicides respond to collective rationalities where the role of women in society is still attached to the domestic sphere, the feminine has been devalued and sexuality of women is space domain and place the exercise of 'male' power.

Use the term femicide to point women crimes because of gender allows us to demonstrate the extent of violence against women and present it as a serious and growing social problem that urgently needs to be resolve.

### **1.3. The femicide in Peru**

Femicide is a term that attempts to enroll in the crime discourse to demonstrate human actions whose motives respond to discriminate collective rationality and valueswomen as the object of 'use' and 'abuse', and not as a subject and worthy of exercising such their rights.

The problem is charcaterized by a history of family violence or intimate partner violence. Many women ask for support to different institutions, but they don't receive a fast and effective response. Unfortunately the Governmente still is not able to protect women, because the Judiciary System does not respond to their demands effectively. This exposes women to reprisams from their attackers who them cause her death. This also shows that the home - which many women

identify as safe- in fact it is not, since is one of the main areas where women are victimized by their attackers.

Although the Peruvian government has developed policies and strategies to ensure the care and protection to the victims, these in turn have serious deficiencies and gaps. In this regard, the government is required to complete due diligence to deal with cases of femicide as a specific field, to make it visible and, achieve effective sanctions for offenders.

In the Peruvian Criminal Law there are a number of types of crimes in which characterizes the attempts on the people lives, in this sense, cases of femicide could enroll in the following types:

- Simple Homicide
- Parricide
- Murder
- Homicide by violent emotions
- Manslaughter

Peru face struggle in the correct penalty and sanction of crimes against women: homicide by violent emotions. in practice this criminal type is used by attackers as a defense, being constituted a mitigating their action and reducing - this way and considerably - the criminal sanction. The 'violent emotion' is an excuse, which is argued by the

temporal occurrence of a psychic fact that momentarily upsets psychophysical balance of an individual. According to this notion, the main consequence is the relaxation of social internalized boundaries by people during his life, therefore, the universal and ethical principle value that recognizes the prohibition to kill is clouded by the disorder in the structure of the individual psychic. In this way this argued and excuse a destructive behavior.

The circumstances that are considered excused<sup>22</sup> are outraged honor, tort and unjustified offense.

The circumstances are risky to get a severe sanction in femicide cases, they maintain a culture of male superiority and reaffirms gender stereotypes underlying the idea of authority and dominance over women, subordinating and exposing it to a violence climate, with the denial of freedoms and female self-assertion.

The role of women has been settled through several social institutions which established mechanisms of coercion and discipline pretending to maintain social order and a hierarchy of power. To break female behavior stereotypes also involves a process of social hierarchies breakdown, as well as face a problematic change in the imagination of the people.

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<sup>22</sup> These external circumstances determine that the aggressor internal concussion hampers control his own actions.



The roles of women and laws that protect their rights protection have changed; however, there is difficulty in accepting their own decisions and changes to the roles assigned within the household, voluntary motherhood, free choice of sexual partners and sentimental as well as difficulties in establishing democratic communication strategies.

The 'male honor' is still affected by female behavior, which shows that women continue to be taken not as an independent person, but as an extension of the male desire and when they trigger behaviors that can affect this 'honor' can excuse it as a situation of disorder in psychophysical integrity of a person at the time of the crime. The commonly called "Crime of passion directed towards women" points out an action that is intended to be supported and justified under a situation of "offense, tort or outraged or besmirched honor".

### **Analyzing the Femicide**

Femicide is a crime of specific characteristics. It does not have specific actors or circumstances, there is no single profile of the victim. All women, regardless of age or socioeconomic status, are exposed to this violence, which is part of a cultural context of discrimination and violence against women.

However, the data point out an increased risk in women of reproductive age. 58% of victims were between 17 and 34 years of age. While 17% are between 35 and 52 years, while 10% is between 53 and 70 years of age.

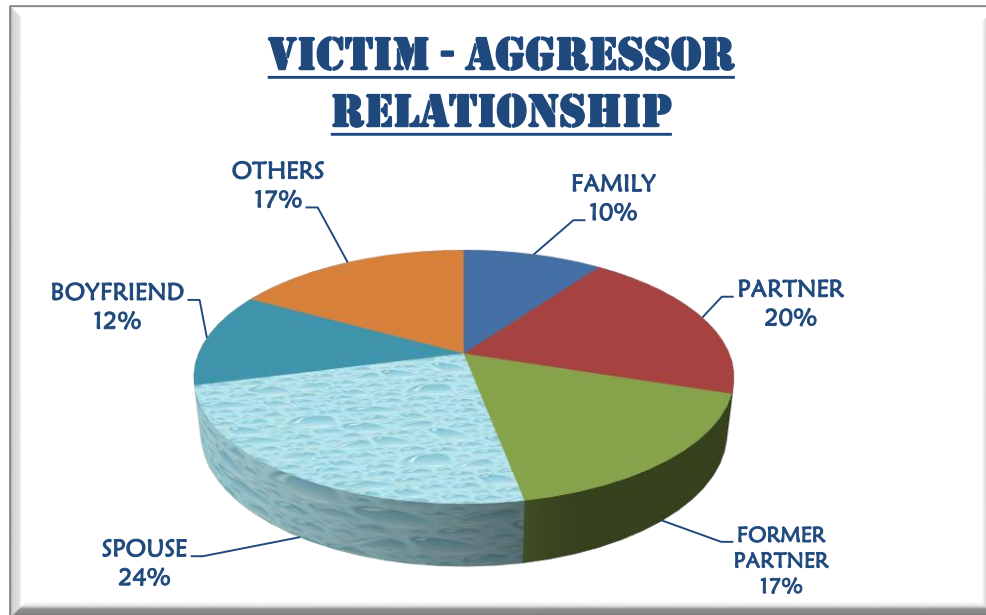
**i. Relationship of the perpetrator to the victim**

It is important to note that these figures may increase because many cases do not come to know by the public or are reported to the authorities. Social gaps in Peru have found that in many places - especially in the rural sphere - no coverage of the media and access to justice, so that many cases might not be being reported and, therefore, never be clarified.

On average, only 12% of cases the perpetrator was a stranger to the victim environment. This means that most of the perpetrators were known to the victim and indeed sentimental maintained relations with her.

In all cases, the average women who knew his attacker is high. Within this number are the spouses, romantic partners, former partners and family. Therefore, the crimes majority were carried out by people close to the social, emotional and family of the victim.

Finally, according to the data found, only about 20% is arrested.



#### **ii Features of aggression**

At this point we refer to the area where the assault occurred, how to disable the victim and the means used to commit the crime.

On average, 52% of women suffered the aggression in their own homes and 23% in the home of her attacker. They show us that the murders were committed in fiscios and social spaces where security was guaranteed the person. However, these scopes where the woman is not only unsafe, but, on the contrary, 52% of them is a situation where violence happened.

On the other hand, 25% of the average was perpetrated crimes at hotels, suggesting the previous existence of situations of sexual nature - consensual or forced - between the victim and the aggressor.

The other physical places respond to cases where women were found in remote locations, abandoned after having committed the crime and, therefore, do not know the scope of the attack. It should be emphasized that women found in these places mostly signs of violence, such as beatings, rape, torture, mutilation and even burns.

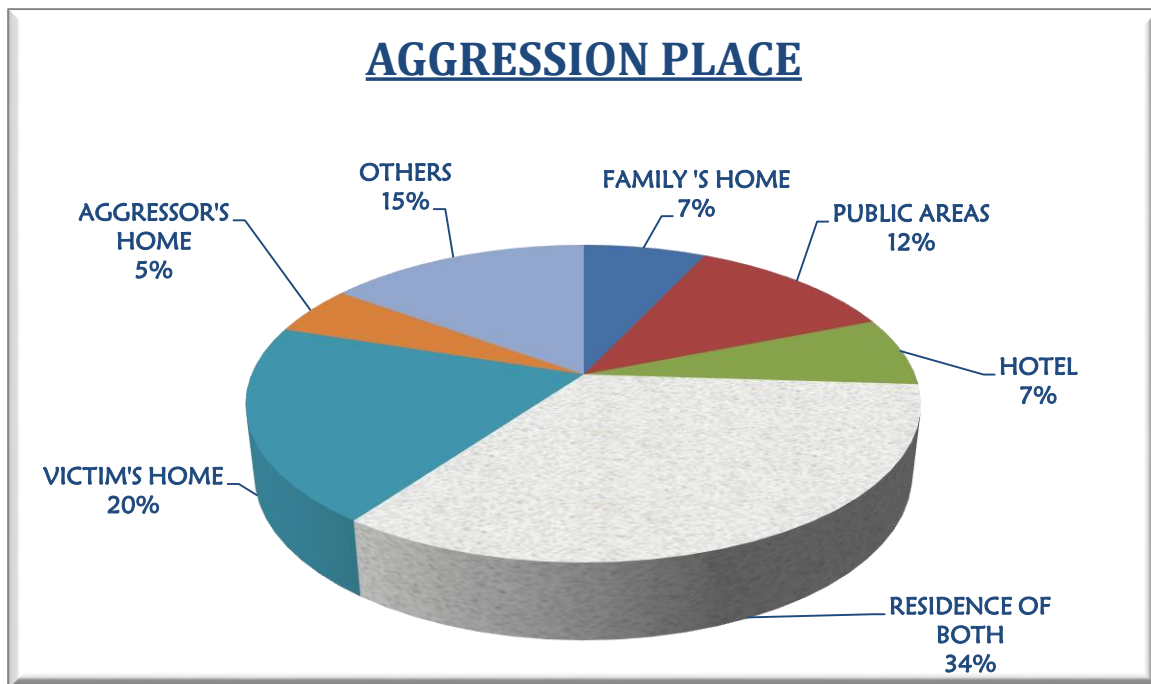
The highest number of murders happened in the couple's home and aggressors were husbands or partners. Some cases of femicide were witnessed by young children, leaving irreparable disorders.

Of the total cases, 30% of women murdered were previously victims of domestic violence reported to the police, where they found a quick response, adequate and effective to the problem. This is evidence that the state has difficulty providing protection to women.

The laws protecting women are viable to the extent that they are applied correctly, however, there are gaps that directly harm the victim. It is unfortunate that the judicial system does not adequately meet the demands, so that victims exposed against their attackers, who in many cases will cause death.

There is a dramatic lack of protection to many women subjected to domestic violence. It is an obligation of the Government to meet attention to this problem, ie, to promote,

protect and ensure the exercise of the rights and freedoms of women.

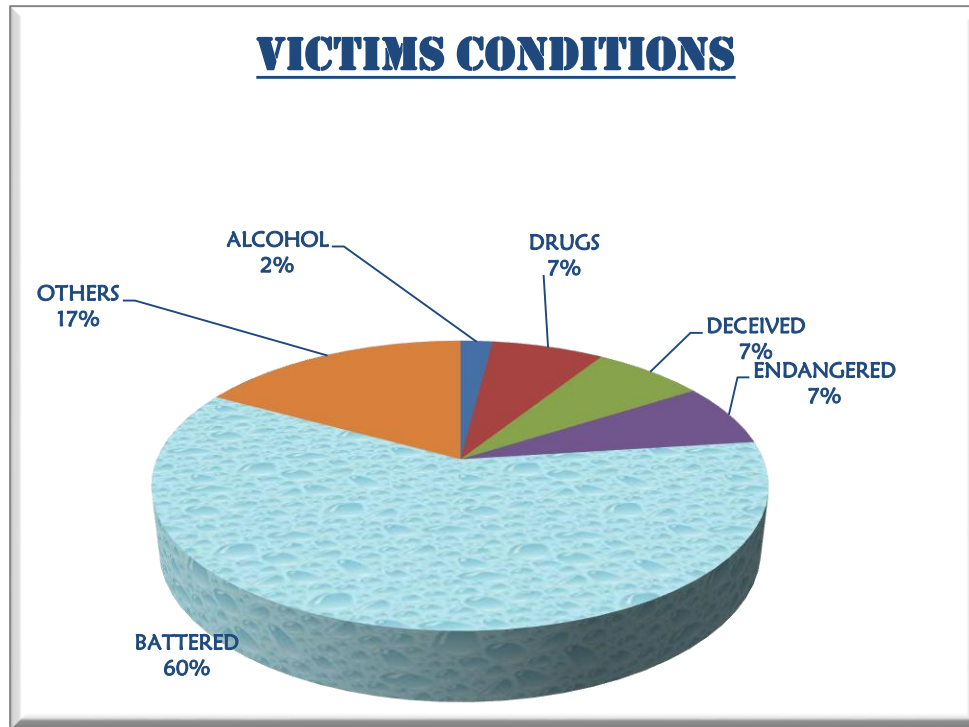


According to information, more than 57% of total femicide victims suffered extreme physical violence prior to his death and thus was disabled.

In the same way, the data show that prior to the death, there is an intention to demonstrate mastery over the body and the will of the woman through physical force, use of drugs, deception, coercion and threat.

Femicide crimes not only develop in a climate of violence and discrimination, but also of misogyny, which is expressed with extreme cruelty femicide.

Methods used by the perpetrators to commit their crimes.



Attackers often planned the murders in complicity with others. According to some testimonies of perpetrators, they used a method that gives them security to end the life of their victims. Having a gun gives them added value of power.

It has also identified that over 48% of the aggressors use any weapon to commit his crime.

In Peru, we can identify that 21% of women died from the use of firearms, in the same way it is pointed out that the presence of guns in the home exposes women to a high risk of death. In this regard two studies point out that there are several factors that affect the chances of a woman being

killed by her husband or companion, but the accessor to a gun increases risk by five times<sup>23</sup>.

Also, having a gun increases the risk that any member of the family is killed in a 41% but for women in particular, this risk increases to 272%<sup>24</sup>.

Consequently, these studies demonstrate that the intervention of firearms in the home increases the risk that an assault has deadly consequences. That for three reasons<sup>25</sup>.

a) The damage of injuries are too hard for the body, b) The presence of a weapon reduces the resilience of women, the trauma of being threatened by a spouse or partner is greater and there is a real danger of losing their lives, c) Weapons reduce the possibility of escape from the victim and another person to help.

### **iii. Alleged reasons for the aggression**

There is no justification for ending the life of a person, but the aggressors justify the death of the victim.

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<sup>23</sup> Campbell Jacquelyn C., Webster Daniel, Kosiol-McLain Jane, Block Carolyn, Campbell Doris, Curry Mary Ann, Gary Faye, Glass Nancy, McFarlane Judith, Sachs Carolyn, Sharps Phyllis, Ulrich Yvonne, Wilt Susan A, Manganello Jennifer, XU Xiao, Schollenberger Janet, Frye Victoria y Laughon Kathryn, "Risk Factors for Femicide in Abusive Relationships: Results from a Multisite Case Control Study", in American Journal of Public Health 93, July 2003, pp 1089-1097

<sup>24</sup> Wiebe D.J., "Homicide and Suicide Risks Associate with Firearms in The Home; A National Case - Control Study", en American College of Emergency Physicians, Annals of Emergency Medicine, 41 January - June 2003

<sup>25</sup> International Amnesty, International Action Network on Small Weapons, "The Effect of Guns on Women's Lives", London p. 21 (2005) [http://www.controlarms.org/es/assets/mujer\\_armas\\_sin%20fotos.pdf](http://www.controlarms.org/es/assets/mujer_armas_sin%20fotos.pdf)



On average 41% of offenders who committed these acts manifested in an attitude of jealousy, while 18% of attacking affirm that committed the crime by the victim's alleged infidelity. To all this is added the revenge or resentment on the part of the aggressor, previously reported by the victim in cases of domestic violence, sexual harassment or for winning a lawsuit against the aggressor.

Of the cases, more than 24% of the victims refused to start, restart or continue an emotional, sentimental or intimate relationship, or satisfy sexually the aggressor. These statements shows that the attackers in attempt to assert their authority and control, they don't accept the free decision of women about how they manage their lives.



The female decision is seen as threatening to the male sovereignty and generates a crisis in male and female stereotypes. The femicide are part of a climate of violence and discrimination; social contexts than deny space of decision and power to women.

This problem is characterized by a family history violence or intimate partner violence. Many women asked for support at different institutions, but they did not receive the proper response, fast and effective. The government still is not able to properly protect women, because the judicial system does not respond to their demands effectively, exposing women to reprisals from their attackers who then caused his death. This also shows that the home - many women identified as safe - in fact it is not, since this is one of the main areas where women are victimized by their attackers.

Although the Peruvian government has developed policies and strategies to ensure the care and protection to the victims, these in turn have serious deficiencies and gaps. In this regard, the government is required due diligence to deal with cases of femicide as specified field, to make it visible and effective to achieve sanctions for offenders.

## **2. Why this problem exist**

Now in this economic reality many women need to work in order to support the household. This economic independence with cultural changes and other factors produces a structural imbalance that can cause conflict between both parties, materializing into violence against women.

When male condition is not secured, and when man can not support his masculinity except for the fact of 'owning' the woman, resulting a great impact from infidelity or abandonment, increasing the odds of femicide.

Patriarchy is an ideal that still remains in some peoples minds. However, socioeconomic conditions generate this patriarchy in an embalance, since men are in crisis against their failure. Femicide is an example of males struggling and resistance to change.

## Conclusions

Femicide involves both agents and institutions. The agents would be the people themselves, men as perpetrators or potential perpetrators, and women in general. The family is also present as the center of primary socialization and transmission of culture, of norms, and behavior standards, is the place where you take the first models of masculinity and femininity that will be decisive in the people construction. They are also involved the church institutions and schools, and peer groups that fulfill the same function in the person secondary socialization, the media how they address these issues and how they treat them; the judiciary and the police in general, which are responsible for overseeing and bring order to society, the government as representative of a type of society, and within this the legislature that is responsible for rules and laws that govern our country.

The primary socialization and secondary socialization, social networks, peer groups, the socio-cultural and economic context, personal stories, determine the type of masculinities and femininities to be formed in people. Thus, men and women create their own system of social representations than influence their perceptions and expectations of themselves, their partners and society.

The emotional bond of rights and obligations, becomes abusive when you use violence against women. Domestic violence is a medium that has the purpose of 're-education' and 're-socialization' of women, and is also the result of the tension in negotiating power shares in the home with the intention of making the woman a mother and model wife according to the masculine imaginary. Similarly, the domestic violence order could function as to satisfy man bad feelings through demonstration and imposition of its power.

Women who suffer from domestic violence are generally found in two situations: 'cycle of violence' and 'the tragic trap', which would cause many times, that women do not dig out of a relationship, as they have no support economic, or psychological, or social support networks that help them to escape. Then mostly end it surviving and staying in these violent relationships because the lack of opportunities and fear, which can be mixed together with feelings of compassion, shame, guilt and even some kind of emotional attachment to the aggressor. Even, many times would result easier for women to excuse domestic violence from their partners, because it seems easier just to forgive and forget that face the reality of their abusive partner and the consequences that everything would bring to their lives.

It is common to find domestic violence stories in relationships where there has been the problem of femicide, we must make the distinction of both problematic. Femicide in the home has the intention to annihilate the woman for the outrage generated man's masculinity. So femicide at home ends up being a form of relationship between men and women, as the result of a failed negotiation between them, in a process of power struggle and resistance to change patriarchal social structure.

In the cases of partner's femicide or former partners the violence against women still remains despite the advances that happen on womens rights and despite the development that is routed our society. That is, the advances in the search for equality of men and women do not go hand in hand with the changes that should be giving itself in the minds of all people, as it is a long term process.

To those commit these types of crimes are often treated as individuals emotionally unstable, intolerant to strong emotions, mentally sick, passive-aggressive, bypolar, etc. That is why is commonly known as "pathologizing the violence". While we believe that there may be some form of psychological affection, what prevails and what is important here is the social imaginary which provides that a woman is a male possession. This situation is one that should be

subject to criticism and social judgment, and that the strength of this belief is what allows the use of mitigation of violent emotion.

These crimes hide the real magnitude of the missing complaints by women either by fear, shame or guilt. Also hide under the treatment of judicial officers, the media and society, which conceal and excuse these murders. They are commonly known by parricide, simple homicide, violent emotion killings, passion crimes, serious or minor injuries, etc.. It is important to name the femicide as such as it is. Make use of its name highlights the implications and helps people internalize the serious consequences of this phenomenon.

It is also important to remember that while these events belong to the private sphere, because of its magnitude and implications in the lives of women should be a matter of public interest.