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Feminism

Anatomy of a feminist debate: the ambivalences of the notion of femicide

- Features - Feminism -

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In December 2025, the Italian Parliament unanimously passed a law creating the specific crime of femicide, now punishable by life imprisonment. This vote came a few weeks after Filippo Turetta was sentenced to life imprisonment for the November 2023 femicide of Giulia Cecchettin.

The major innovation lies in the addition of Article 577 bis to the Penal Code:

> Anyone who causes the death of a woman because of her sex—through hatred, discrimination, abuse of power, or through conduct aimed at controlling, possessing, or dominating her—is liable to life imprisonment.

Until now, the Penal Code only provided for aggravating circumstances in certain limited cases. The government of Giorgia Meloni presents this text as an additional tool to combat violence against women and protect their freedom and dignity.

In Italy, a woman dies every four days at the hands of her partner or ex-partner; the country only legalized divorce in 1970 and abortion in 1978, a law that is nonetheless flouted daily by the refusal of entire gynaecology departments across the peninsula to implement it; “honour killings,” or legalized femicide, were only outlawed in 1981, and the classification of rape as a “crime against public morality” was only abolished in 1996. Italy was recently condemned by the European Court of Human Rights for gender stereotypes and sexual violence; a country governed by political forces now in government who refused to ratify the Istanbul Convention [on preventing and combating violence against women and domestic violence] in the European Parliament.

Violence against women is a structural phenomenon that demands a comprehensive response that cannot be dictated by “fragmentary interventions driven by fleeting media sensationalism or purely formal laws.” Sociologist Caterina Peroni discusses the relevance of this penal response here. (SP)

In recent weeks, a heated debate has raged on one of the most complex issues in Italian feminism since the 1970s: the relationship between gender-based violence, criminal law, and its symbolic function. Two events have reignited this debate: the adoption of the bill on femicide, presented with great fanfare on March 8th by the signatory ministers, and the publication of the reasons for Filippo Turetta's life sentence for the femicide of Giulia Cecchettin.

These two events revive the unresolved question of whether and how feminism should or can make use of criminal law, including strategically. They also raise the question of whether and how criminal law, with its power of symbolic and material criminalization, can be useful to feminism, to women, and to society as a whole—because we understand feminism as a political and cultural movement whose objective is, if not revolution, at least a radical transformation of patriarchal and heterosexual society.

Feminism: a complex movement

Indeed, it is important to make an initial distinction here: feminism is a multifaceted movement, capable of

condensing and converging in the waves and tides that constantly surge across the global public sphere. At the same time, it is composed of diverse genealogies, lexicons, objectives, and political practices. This is one of the reasons why I did not add the adjectives “capitalist, colonial, racist, supremacist” to “patriarchal and heterosexual society”: because not everyone perceives the indissoluble and constitutive link between these terms in the same way, and this is the source of various misunderstandings that sometimes create deep divides.

One of these concerns specifically the relationship with criminal law and the prison system of the contemporary capitalist state; another concerns the possible and diverse definitions of freedom, self-determination, and solidarity that fall within the framework of intersectionality, if we take this concept seriously. There are many others, but the core remains the same, and we have come to understand it thanks to decolonial, Indigenous, and Black feminist movements, which have dismantled the very idea of the existence of an essentialized feminine subjectivity, multiplying the perspectives and positions from which we recognize ourselves and name a problem.

In the case of violence against women (or gender-based violence, which has essentially become the same thing), these movements have taught us that defining and combating it requires taking into account context, background, skin colour, and community affiliation. For example, it was Black American women who taught us that prison and the penal system are not a solution for everyone. On the contrary, they solve nothing, because in their extreme forms, they represent and embody racism and state-sanctioned sexism. They destroy communities and criminalize already marginalized people.

What I would like to do here, without any claim to being exhaustive, is to try to make sense of the internal conflict within our feminisms that has arisen around the question of femicide, its relationship to criminal law, and its relationship to the extreme form of incarceration that is life imprisonment. I would therefore like to trace the genealogy of the debate and its ambivalences, and draw attention back to an aspect that I consider fundamental from a methodological, epistemological, and political point of view: that our words are the product of processes of subjectivation, conflict, and liberation; that when they are captured and repeated by the state and its apparatuses, they can only be betrayed in their intentions, their meanings, and their results; and that, to freely paraphrase Our Lady, bell books and a slogan often repeated lately, the houses of oppressors are sealed by fire — you can imagine the rest.

I will attempt to dissect the current debate from the words that have been used, reconstructing their meaning and genealogy in order to relate them to each other and to identify the knots, entanglements, ambivalences and misunderstandings in which we are still caught .

Male violence and security apparatus: a genealogy

Those who study the phenomenon of violence against women know how fundamental the media dimension, representations, and public discourse in general are to how it is perceived. And they know, we know, how, once decades of attempts to minimize, trivialize, pathologize, and externalize male violence against women were defeated, it became a central theme on political agendas as a security mechanism for social alert and moral panic, a very useful tool for appropriating and redefining a political and social conflict triggered by feminism in the 1960s and 1970s.

We all know that while male violence towards women has always existed, at least since the birth of patriarchy, it has become a social, public and political problem since, instead of being described as "excessive correction", "honour killing", "traditional family", "reparative marriage", "defence of the race", it has been described as violence by

women's political movements, as part of a social revolution that has denaturalized the separation between public and private space, between production and reproduction, and with them the patriarchal gender social order.

In Italy, there were "episodes" such as Franca Viola's refusal to accept marriage as compensation for her abduction and rape in 1966 [Article 530 of the Penal Code at the time provided: "The marriage that the perpetrator of the crime contracts with the offended person extinguishes the crime, and if there has been a conviction, its execution and its penal effects cease:" the Circeo crime in 1975 (name given to the abduction, torture, rape and murder inflicted on two young women, Donatella Colasanti and Rosaria Lopez, by three young neo-fascist bourgeois, Andrea Ghira, Gianni Guido, and Angelo Izzo, on the night of September 29-30, 1975 in San Felice Circeo, a seaside town in Lazio): and the broadcast of the programme *Processo per stupor* (Trial for Rape) in 1979 which burst into the public sphere by revealing the reality that feminists had been denouncing for at least a decade: the existence of a gender conflict, in which violence and rape were legitimate weapons of annihilation and male revenge against the struggle for women's freedom.

The relationship with criminal law was a controversial issue for the feminist movement from the outset: and it could not have been otherwise, given a fascist penal code that still punished sexual violence as a crime against public morality rather than against the individual. Thus, in addition to the "practice of the trial"—that is, the alliance between lawyers and survivors and the presence of feminist associations and collectives in rape trials—some decided to propose a citizens' initiative law aimed at modifying the place and definition of the offense in the Penal Code, by recognizing the legal status of women victims of male violence. A symbolic recognition rather than a punitive one.

I will pass quickly over this point, as the comrades of the time have already recounted everything there is to know about it, but I want to highlight the knot that divided feminists at the time, namely the opportunity to use an instrument such as the criminal law of the patriarchal state to address a social, cultural and political problem such as sexual violence which this state itself produces and supports, as well as the possibility and legitimacy of allowing the patriarchal state to legislate on the freedom and bodies of women.

The victim: a voiceless subjectivity

Feminists also clearly saw the risk that criminal law, within the binary paradigm of criminal/victim, would reduce the complexity of the relationships between men and women, which, in most cases of violence, were and are affective, emotional, and sexual in nature. It was particularly on the status of victim, almost naturalized in female subjectivity, that feminist contestation focused: the victim is by definition a voiceless subjectivity, and to merit the protection of the state, she must prove that she is innocent, vulnerable, and defenceless. This conflict was not resolved; the law was only adopted in 1996 with numerous distortions, but that was already a different era.

It was during the first decade of the 2000s that the subject returned to the forefront, in a radically transformed social and political context. These were the years when the so-called "migration emergency" dominated the political debate and when North American-inspired security policies—zero tolerance, the fight against terrorism, the clash of civilizations that erupted after the attack on the Twin Towers—became a paradigm of government functioning in Italy as well.

In 2007, in Rome, Giovanna Reggiani, an Italian woman, mother and wife of a naval admiral, was attacked and killed by a Romanian citizen of Roma origin. This event triggered a moral panic against the "ethnic" rapist of "our women," echoing fascist memory: two security measures were adopted within two years, and sexual violence became a rallying cry for the war against the Other, the scapegoat used to reinforce the construction of a "we" based on ethnic, cultural, and religious identity. Historically, white, "respectable" women are the founding symbol of this identity.

But once again, it is the feminist movement that bursts into this narrative, flooding the streets of Rome with the slogan: “Not in my name”, a slogan is used, and this is no coincidence, to challenge the global war on terror. It is the experience and knowledge of movements, anti-violence centres and collectives that are expressed: "violence has the keys to the house and has no borders", to reaffirm not only that male violence is the act of men, regardless of their passport or religion, but above all that it is the act of men close to us: partners, husbands, exes, parents, etc.

This experience and knowledge have also been incorporated into the methodologies and tools of public research, such as those used in the first national survey, "Violence and Mistreatment Against Women Outside and Within the Family," conducted by ISTAT and published a year before Reggiani's femicide. This survey opened the country's eyes to a reality that everyone already knew, that we all already knew: not only have at least a third of Italian women experienced physical or sexual violence at least once in their lives, but the majority of perpetrators are their—our—partners, husbands, lovers, relatives, employers.

It was during these years that the term femicide became established in Italy: borrowed from the Latin American context to describe the veritable, unpunished massacre of women in Ciudad de Juárez, a border city between Mexico and the United States, where women attempting to migrate to the United States, without papers or rights, were trapped and exploited in illegal markets, tortured, and killed with the total and structural complicity of institutions and police forces. It is worth recalling the definition of femicide developed by Marcela Lagarde:

> The extreme form of gender-based violence against women, resulting from the violation of their human rights in the public and private spheres, through various misogynistic behaviours — ill-treatment, physical, psychological, sexual, educational, work, economic, property, family, community, institutional violence — which lead to impunity for behaviours implemented both at the social level and by the state and which, by placing women in a position of vulnerability and risk, can lead to their murder or other forms of violent death of women and girls.

Femicide: Use and Limits of the Term

The introduction of this term into the Italian context by certain legal scholars received a mixed reception within the feminist movement. As part of my doctoral thesis, I interviewed several members of feminist and queer collectives who had organized the Not in my name” demonstration. They were asked , among other things, which terms they preferred to use to define male violence against women (among "gender violence," "male violence against women," and "femicide"). All agreed that they did not want to use a term like "femicide," for two main reasons: because it is a term that absolves all responsibility, since it designates neither the perpetrator of the violence nor the social and power relations that characterize gender, and it is essentialist, because it designates only the woman who survived the violence as a victim.

As a feminist criminologist, this is a central aspect for me: feminism is first and foremost a movement of liberation of subjectivities in the face of essentialist processes, such as criminalization and victimization, whose performative power it contests, which crystallizes identities and neutralizes gender conflict as well as the possibility of social change.

In the term "femicide", the reference to the genocide of women is clearly a cry of rage, to paraphrase the slogan of Non Una Di Meno (NUDM), against the patriarchal massacre of women*, but the risk of a tragically static representation of female subjectivity, and of a lack of accountability of men, is clearly visible.

The repercussions of such an approach are of course not only symbolic: as we know, in the wake of the anti-immigration moral panic amplified by the femicide of Giovanna Reggiani and by other attacks overrepresented by the press, a series of essentially security and repressive standards were promulgated: such as the "anti-Roma" decree-law, which provided for the possibility of expulsion even for citizens of the European Union (a norm which is also unconstitutional), and the 2009 decree-law on sexual violence and acts of persecution, entitled precisely "Urgent measures in matters of public security and the fight against sexual violence, as well as in matters of acts of persecution", whose introduction establishes a direct link between sexual violence and immigration, thus justifying the necessity and urgency of a regulation providing for "more effective discipline of the expulsion and deportation of undocumented immigrants, as well as more structured control of the territory", meaning "patrols".

But it was with Law No. 119/2013 that the term "femicide" entered the normative vocabulary, at least in the declarative rhetoric of press releases and the title presented in public discourse: "The Anti-Femicide Law." This is not the place to go into detail about the provisions contained in this package: I will limit myself to emphasizing that, in this case as well, it was a series of incoherent standards which, in addition to the now unavoidable implementation of the Anti-Violence Plan provided for by the Istanbul Convention ratified two years earlier by Italy, mixed measures of different natures in a purely emergency-driven logic.

Meanwhile, the term has gradually become established in the Italian feminist lexicon. In the 2017 NUDM Feminist Plan against Male Violence against Women and Gender-Based Violence, "femicide" accompanied the definition of gender-based violence as the "tip of the iceberg," and the Observatory on Femicides, Lesbicides, and Trans* cides defines it as "the murder of a person [that] occurs for reasons related to power relations and patriarchal gender violence." But the heart of the problem remains male violence against women, which is systemic: it permeates all areas of our lives, intertwining, feeding off, and relentlessly ripples from the family and relational sphere to the economic sphere, from the political and institutional sphere to the social and cultural sphere, in its various forms and facets—such as physical, sexual, and psychological violence.

This is therefore not an emergency issue, nor is it a geographically or culturally defined problem. Male violence is the direct expression of the oppression known as patriarchy, a system of male power that has permeated culture, politics, and public and private relations, both materially and symbolically. Oppression and inequality between the sexes are therefore not sporadic or exceptional; on the contrary, they are structural.

A logic of "manifest laws"

According to NUDM, violence against women and femicides constitute a structural phenomenon, not only from a social and cultural perspective, but also in terms of statistics. This is revealed respectively by the second national survey by ISTAT on violence and by data from the Ministry of the Interior on homicides: in the first case, eight years after the first survey, violence shows only slight fluctuations; in the second, while homicides of men have been steadily declining in recent years, those of women remain more or less stable. And this is despite the frantic rush to emergency measures, such as the two "Red Codes" (Law No. 69/2019 and Law No. 168/2023) which provided for additional secondary prevention measures, new offences and increased penalties for those already provided for by the Penal Code, thus reinforcing the "perception of violence against women as an emergency phenomenon to be dealt with exclusively by penal and security measures", as highlighted by Lella Paladino of the DiRe network .

We are faced with an inorganic system of legislation that often follows parallel paths depending on the urgency of the moment, media interest in certain isolated incidents, and the logic of "manifesto laws," which are more useful for gaining political advantage than for systematically addressing a complex, deep-rooted, and multifaceted phenomenon like gender-based violence. The three-year plans to combat violence, as stipulated by Law 119/2013 implementing the Istanbul Convention, which are specifically designed to programme all strategic and operational

actions concerning the fight against and prevention of gender-based violence at the national level, are consistently approved late, as the networks of Anti-Violence Centers (CAVs) and the main national associations working in the field have pointed out, waiting for a symbolic date (November 25 or March 8) before being publicly announced.

The 2023-25 Plan never materialized, and the announced 2025-27 Plan has still not been published. But security-driven interventionism has continued unabated: on March 8 of this year, at a triumphant and unexpected press conference, chaired by the Minister of Family, Birth Rate and Equal Opportunities (sic!), the new bill on femicide was announced: a standard that establishes femicide as a standalone crime punishable by life imprisonment.

A real bombshell. A "poisoned blunder," as lawyer Maria Virgilio described it. The offense is defined as follows:

> Anyone who causes the death of a woman when the act is committed through discrimination or hatred towards the victim as a woman, or to repress the exercise of her rights or freedoms, or, in any case, the expression of her personality, is punishable by life imprisonment.

The minister herself stated:

> Since the beginning of our mandate, we have always placed the fight against violence against women at the centre of our concerns; an initial legislative intervention with deferred arrest in the act of committing an offense and security measures, then on prevention tools. Femicides have decreased only very slightly, so we deemed it necessary to intervene again: we did so first of all by circumscribing for the first time the specific nature of the offense of femicide: an autonomous offense of femicide.

The inherent contradiction in this statement is glaring. We have increased the number of offences, increased the penalties, and strengthened restrictive measures (the only form of prevention the minister can seem to conceive of), but it hasn't been enough. It has had no effect, so we continue down the same path. Even though there is no scientific evidence that increased penalties have any deterrent effect whatsoever, we persist.

The minister described the government's decision as "a disruptive choice, not only legally, but also culturally." This comes as a minister in her government, Giuseppe Valditara, who should be the driving force behind cultural policy, had the audacity, within a few months, to assert: a) that patriarchy ended in 1975 with the new family law; b) that "only the West knows history," as stated in the New Guidelines for Preschool and Early Childhood Education; and c) that "the increase in sexual violence is also linked to forms of marginalization and deviance stemming, in a way, from illegal immigration."

In the good company of the Minister of Justice, Carlo Nordio, who declared ineffably: "certain ethnic groups do not share our sensitivity towards women." The combination of these statements reflects the racist, colonial, orientalist, and patriarchal cultural melting pot of a government that approves a bill on femicide as a standalone crime punishable by life imprisonment. And let the minister, who calls herself a feminist, reassure herself by discoursing on femicides as "the reflection of a much deeper asymmetry rooted in human history, namely the asymmetry of power between men and women, the asymmetry in private relations between men and women." the asymmetry with regard to women's freedom, the recognition and respect of women's freedom, the freedom to say no, to leave, to change

one's mind": it is here that we clearly understand how important it is, in the production of discursive orders, to know who is speaking and from where they are speaking.

Where is women's freedom in the counselling centres besieged by the pro-life associations you have granted access to, or in the schools where, instead of funding sex education and diversity programmes, courses on fertility and birth rates are promoted? I ask myself this, and I ask the comrades who have subscribed to the discourse of the symbolic recognition of femicide as a historical turning point: don't you smell the bitter aftertaste of this blunder?

Unfortunately, and this is no coincidence, this announcement comes just weeks after Filippo Turetta, Giulia Cecchettin's murderer, was sentenced to life imprisonment. A horrific femicide, committed with a knife (75 blows), as we learned when the life sentence was handed down last December. The reasons for the sentence, published a few days ago, sparked a heated debate within feminist circles, a debate I won't dwell on, as others, more qualified than I, have already done so. I will simply highlight another ambivalence with which two keywords used by the judges, repeated and amplified in the press and on social media, have been perceived by the public: "cruelty" and "inexperience," in reference to Turetta 's actions.

The questions that arise from these discussions can only be answered if we ask ourselves where we stand when we try to answer them. Is this cruelty, denied by the judgment, a purely technical device, which doesn't speak everyday language, and therefore we cannot comment on it because our frame of reference lies elsewhere? Or must we challenge the legal lexicon because it is itself a social and therefore political fact that produces effects of truth and impact on our reality? I lean toward the second option, but I wonder: is that all we should do? A life sentence was handed down, even without cruelty: is life imprisonment a mistake, is cruelty justified? Are both wrong? What about the causes and effects of this fact?

A blunt weapon

A truly accurate point was sadly made by Giulia's father, who described the verdict as "a defeat for everyone": because a life sentence cannot undo the pain, loss, and suffering of someone who is no longer here; because this femicide could and should have been prevented; because the "sentence without end" clause offers no glimmer of hope for possible change. Life imprisonment is simply another immutable fate, for the one who must endure it and for the rest of society: what will we have learned from the expulsion of a person from social life? Only, perhaps, to be afraid—of ourselves, of them, of what happened and what we do not understand.

Nothing about the why, nothing about what we could have done, nothing about what we will do next time, because there will be more, and there have been more in the meantime, despite twenty years of punitive legislation, increased sentences, and a proliferation of offenses. Consider Ilaria Sula and Sara Campanella, two other twenty-two-year-old students, like Giulia Cecchettin, killed by two men barely older than themselves: the first by her ex, the second by a man who couldn't accept her rejection. The motives, that is, what drove these two young men to take their lives, are always the same: the inability to accept women's freedom, the fear of being abandoned and losing control of their lives, the deadly mix of love and possession—I say this even though we know that neither violence nor obsessive jealousy can be confused with love, but it is a necessary and political statement!

I will add something that comes from feminist political thought, particularly from bell hooks (2022), who wrote on this subject things I have literally struggled with as a feminist, but which I cannot ignore as a former staffer at a centre for perpetrators of violence (yes, sometimes the "who is speaking and from where?" question is also within ourselves): we have fought for decades to depathologize male violence by defining it as an instrument and an effect of the patriarchal system of power relations in society; and yet, can we really deny that this same system produces

suffering, a profound dissonance between desire and social expectations, between obligatory and violent performativity and the need for love, an inability to feel, see, and understand the other? In saying this, we would contradict ourselves in our critique of current capitalism, its mechanisms for creating and subjugating identities, discipline, and so on. We are immersed in insoluble ambivalences, and binary thinking is always a blunt weapon, not just when we see it outside of ourselves.

There are therefore different levels in the order of discourse that must be kept in mind, which are integral to the problem and how we must confront it: there is the political level, which must define a horizon of possibility, a demand for what should be; there is the critique of the existing order, which is there in the meantime and which we cannot deny, which produces the reality with which we deal, even if we don't want it to, or not in this way; there is emotion, indignation, anger. All of this coexists and multiplies the ambivalences with which we must reckon.

When feminists in the 1970s demanded the renaming of sexual violence as a crime and its relocation to the penal code, did they thereby accept that criminal law should be the primary instrument in the fight against patriarchy? No, I believe none of them could have supported that. At the same time, this relocation produced a symbolic and material wound that could no longer be tolerated, and on this point as well, I don't believe there can be any objections.

Because the criminal justice system exists whether we like it or not (at least for some of us), and at least as long as it continues to exist, it would be decidedly short-sighted, or out of touch with reality, to think that it has no tangible effects on our lives. The activists and staff at anti-violence centres, who deal with the intricacies of the criminal justice system every day, teach us that certain resources can be used, even if they are part of a system that, as a whole, doesn't work, or that only works well for others, or that was created to protect people other than ourselves. This is where we are, and this is where we must know how to navigate, always remembering where we want to go.

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