



# Legal Semiotics of Femicide under International Law: A Review of Clara Chapdelaine-Feliciati: *Femicides of Girl Children in the Family Context: An International Human Rights Law Approach* (Leiden: Brill 2018)

Annick Farina<sup>1</sup> 

Accepted: 26 November 2024

© The Author(s), under exclusive licence to Springer Nature B.V. 2024

The book *Femicides of Girl Children in the Family Context: An International Human Rights Law Approach* [1], authored by international lawyer and Associate Professor in International Law at Xi'an Jiaotong-Liverpool University, Dr. Clara Chapdelaine-Feliciati, conducts an original semiotic examination of the phenomenon of femicide, mainly female infanticide, and the extent to which it is addressed under international law. This book constitutes a rare application of legal semiotics to analyse legislation as well as case law and assess whether the provisions of international treaties sufficiently protect girls against gender-based infanticide. The book focuses on the International Covenant on Civil and Political Rights (ICCPR) [2], the main international treaty incorporating the right to life for girl children. Where relevant, comparisons between the content of the ICCPR and other human rights treaties are offered, such as the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) [3] and the Convention on the Rights of the Child (CRC) [4] that safeguard women's and children's rights respectively. The book presents a meaningful addition to literature on femicide and the relevant international legal framework.

*Femicides of Girl Children* is published in Brill's *Family Law in a Global Society* series, directed by Professor Sanford Katz at Boston College Law School in the USA, that covers broad issues in the private life of families, from adoption, to assisted reproduction, and divorce and separation, under domestic and international law. The Family Law Brill series addresses specific issues found in case law and statutory law that have an impact on the formation, maintenance, and termination of family relationships. This series fulfills the function of providing academics, practitioners, and policy-makers worldwide with information regarding the changes that occurred and the approaches taken in specific countries toward particular family law doctrines. Although published within a legal series, this book is interdisciplinary

---

✉ Annick Farina  
annick.farina@unifi.it

<sup>1</sup> University of Florence, Florence, Italy

and accessible to non-jurists, including semioticians, while also clarifying semiotic theories for legal scholars, thereby bridging the two fields.

The book is divided into four parts. After an “état des lieux” on the question, the second part introduces the phenomenon of femicide and provides a historical depiction of the practice of female infanticide. Dr. Chapdelaine-Feliciati begins with a definition of “femicide” and explains why she adopts this expression instead of “femicide”. The former, devised by Latin-American feminist scholars, and maintained by UN Special Rapporteur on violence against women Rashida Manjoo, is believed to encompass the murders of women that are facilitated by State action and inaction, as in the case of the city of Juárez in Mexico, thus implying the State’s responsibility in allowing this phenomenon by failing to tackle it [5]. The book then explores the phenomenon of son preference and daughter devaluation, and the myriad factors that underpin female infanticide. Dr. Chapdelaine-Feliciati situates the practice of femicide within the broader phenomenon of son preference, deconstructing key expressions devaluating girls throughout history, for instance blessings on the wedding day “Congratulations and may you have many sons” in Italy (*tanti auguri e figli maschi*), and “May you be the mother of a hundred sons” in Sanskrit, and a series of adverse epithets for girls such as “water spilled on the ground” and “goods on which one loses”. This section of the book is fascinating for an academic such as myself conducting research on semiotics, discourse analysis and dictionary definitions from a feminist perspective, as it reveals the semiotic implications of common discourse.

The third part offers a semiotic analysis of the ICCPR by adopting Victoria Welby’s “Meaning Triad” to explain the sense of provisions, the meaning-intention of the drafters of this treaty, and the significance of the formulation of rights [6]. It investigates whether States’ duty of due diligence under the ICCPR is clearly formulated to protect girl children against femicide. The book also explores the *travaux préparatoires* of the ICCPR to discuss the meaning-intention of the drafters when selecting the terminology to formulate rights. Throughout its analysis, the book examines several factors that impede the application of the ICCPR in the family context, as well as relevant legislation and case law. This follows the tradition that Dr. Chapdelaine-Feliciati devised of applying Welby’s triad to deconstruct the content of international treaties on topics such as the right to education under international law [7], the silence concerning women in the international legal framework [8], and sex trafficking, the latter in Wagner and Marusek’s *Research Handbook on Legal Semiotics* [9].

After a legal semiotics examination of international treaties, the author delves deeper in exploring pathways to modify the latter to advance the protection against gender-based infanticide. Part 4 applies the doctrine of semioethics which combines semiotics and ethics to address current societal problems. The book analyses the applicability of the provisions of the ICCPR to female infanticide and makes a proposal for reform of the relevant terms of the Covenant. There is a compelling account of the socio-economic and cultural dimensions of female infanticide and the limitations of the ICCPR in addressing the crisis. Dr. Chapdelaine-Feliciati concludes with recommendations to strengthen the protection of infant girls under international law. She explores possible amendments to the ICCPR to clarify States’ duty of due diligence as regards

law reform, investigation, prosecution and sentencing. In her interview with YFile, Dr. Chapdelaine-Feliciati explains that “The key problem is that many provisions are phrased in very broad terms, and fail to address several factors that constitute obstacles to the protection of girl children”. She argues that proper legislation is a *sine qua non* component: “Law reform alone cannot tackle the problem, but it is an essential measure. The prohibition of female infanticide in key international treaties serves the purpose of not only placing a legal obligation on States parties to prohibit and severely punish this practice, and investigate the deaths of infant girls, but it also has a symbolic *raison d’être*, as it universally recognizes the value of girl children” [10]. She confirms the semiotic role and symbolic nature of legal documents in not only protecting girls but also ensuring their visibility, and the visibility of violations they experience, namely femicide.

Her work is original and moreover important, as femicide has become such a widespread phenomenon. The United Nations recently established the *Femicide Initiative* under the auspices of the UN Special Rapporteur on Violence against Women and Girls, its causes and consequences [11]. Also, the book *Femicides* constitutes the first application of “Semioethics”, a new and complex theory devised by Augusto Ponzio and Susan Petrilli [12], to the legal field. Dr. Chapdelaine-Feliciati has grasped and conveyed the essence of this theory convincingly, a massive endeavour given the complex philosophical, linguistic and anthropological theories embedded in semioethics and the “ethos” of sign life. The legal semiotic analysis in *Femicides* ties into Dr. Chapdelaine-Feliciati’s new threefold definition of legal semiotics relating to substance, methods and language in “Semiotics in Law and Jurisprudence” in the Bloomsbury Companion to Semiotics [13]. In her chapter, Dr. Chapdelaine-Feliciati describes legal semiotics and its relationship to legal philosophy, legal positivism, legal hermeneutics and critical legal theory, referring to Welby, Peirce, De Haan and Holmes, as well as recent scholarship. *Femicides* also links to a previous publication on gendercide that focused on the UN Convention on the Rights of the Child published in Cambridge International Law Journal, in which Dr. Chapdelaine-Feliciati also suggests bold amendments to strengthen the protection of infant girls “both legally and symbolically” [14].

*Femicides* is firmly anchored in a desire to apply theoretical analyses to address rights issues in the real world, especially for girls. The book’s original contribution to international law is substantial and it has been cited by important publications in the field, such as Paul Taylor’s *The Commentary on the ICCPR* by Cambridge University Press [15], and Jacob and Todzi’s *Genocidal Violence* by De Gruyter Mouton [16]. The book’s readership is quite broad, as it constitutes a good resource for academics, practitioners, researchers, graduate and undergraduate students interested in international law, family law, child law, criminal law, legal semiotics, and concerned with the girl child, femicide and female infanticide.

## References

1. Chapdelaine-Feliciati, C. 2018. Feminicides of girl children in the family context: an international human rights law approach. In *Feminicides of girl children in the family context: An international human rights law approach*, ed. C. Chapdelaine-Feliciati. Brill.
2. International Covenant on Civil and Political Rights. 1966.
3. CEDAW. 1979. Convention on the elimination of all forms of discrimination against women
4. CRC. 1989. Convention on the rights of the child
5. Manjoo, R. 2012. Report of the special rapporteur on violence against women, its causes and consequences: Gender-related killings. (25 May 2012) UN Doc A/HRC/20/16.
6. Welby, V. 1903. *What is meaning? Studies in the development of significance*. Leopold Classic Library.
7. Chapdelaine-Feliciati, C. 2022. Les réserves en droit international ont-elles des limites? Étude sémiotique du droit à l'éducation de la Convention relative aux droits de l'enfant. *International Journal for the Semiotics of Law* 35: 309–338.
8. Chapdelaine-Feliciati, C. 2024. Le silence dans l'espace sémiotique juridique des traités internationaux: « cherchez la femme ». *International Journal for the Semiotics of Law* 37: 1185–1208.
9. Chapdelaine-Feliciati, C. 2023. Sex trafficking of girl children: A legal semiotics study of the convention on the rights of the child. In *Research handbook on legal semiotics*, ed. A. Wagner and S. Marusek, 300–312. Edward Elgar Publishing.
10. YFile. 2019. New book by Glendon Professor Clara Chapdelaine-Feliciati examines topic of femicide
11. Šimonović, D. 2021. UN SR violence against women, its causes and consequences report “taking stock of the femicide watch initiative.” (12 July 2021) UN Doc A/76/132
12. Ponzio, A., and P. Susan. 2010. *The Routledge Companion to Semiotics*. Paul Copley.
13. Chapdelaine-Feliciati, C. 2023. Semiotics in law and jurisprudence. In *Bloomsbury semiotics anthology*, ed. J. Pelkey, 259–276. Bloomsbury Academic.
14. Chapdelaine-Feliciati, C. 2018. Deconstructing the convention on the rights of the child: Semiotics, signification and semioethics of gendercide. *Cambridge International Law Journal* 7: 29.
15. Taylor, P. 2020. *A commentary on the international covenant on civil and political rights: The UN human rights committee's monitoring of ICCPR rights*. Cambridge University Press.
16. Jacob, F., and K.S. Todzi. 2023. *Genocidal violence: Concepts, forms, impact*. De Gruyter Mouton.

**Publisher's Note** Springer Nature remains neutral with regard to jurisdictional claims in published maps and institutional affiliations.