

**The making of a number: Counting attempted and completed killings of women in
the domestic sphere**

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A Swiss scenario on femicides

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Abstract

The term ‘femicide’ has recently gained international attention, and is also mainstreaming into the Swiss public debate. Thanks to the efforts of local NGOs and some political voices, the demand for an official count of the number of femicides in Switzerland is loud and clear. Both the concept of femicide and the demand for data on violence against women in general are not fleeting signs of the times, but built on decades-long activism and work. A statistical representation of the social phenomenon of femicide would represent far more than just an administrative concession to current activism; statistics inform the public, guide political actions, and ultimately represent a common agreement on the reality of the measured object. Conclusively, a different category implies a different reality. An exploratory dive into the making of ‘attempted and completed killings in the domestic sphere’ that are currently counted in the police crime statistics (the closest count to femicide) reveals how a conventional understanding of the measured violence translates into a practice of category application that impacts the explanatory power of the numbers. A translation that starts at the origin of any data on such violence, with the first report to the police. Applications of e.g. ‘domestic’ and ‘attempted’ are based on negotiated conditions that depend, in turn, on the perception of and significance attributed to the measured social phenomenon. Essentially, killings in the domestic sphere and femicide diverge in the recognition of their root causes. Nonetheless, crime data not only offer potential to explore femicides, the adoption of the term as a new statistical category could also advance the fundamental way of observing violence against women based on systematic and persistent gender inequality.

Note

This master's thesis was written in R Bookdown. The main output format is HTML (featuring dynamic maps) and PDF, where in-text links are additionally printed as footnotes. All links in this paper were last accessed on 4 February 2022. The html-version and transcripts were made available to the supervisors on submission.

1. Introduction

Murdered for being a woman. This short sentence conveys the essence of the social phenomenon described by the term ‘femicide’ or ‘feminicide’. Although the term and its concept was introduced in the late 1970s, it has recently gained new international attention primarily due to the “ni una menos”¹ movement. The movement grew from the protests sparked by the murder of a fourteen year old girl, Chiara Paéz, in Argentina, who was killed by her boyfriend for her refusal to have an abortion and buried in the garden with the help of his family (Wischnewski 2018, 126). Founded as a collective of journalists, artists and activists, #niunamenos has mobilized hundreds of thousands of people with offshoots in many countries. People in Switzerland have also taken to the streets under the slogan “Ni una menos, vivas nos queremos” – the most recent nationwide protest was held on December 11, 2021² (figure 1) against the background of the Global 16 Days Campaign, linking the International Day Against Violence Against Women (November 25) with International Human Rights Day (December 10). One of the campaign’s focuses for 2021 was #LetsEndFemicide. Civil society organisations and private initiatives call for, among other things, recognition of the term femicide and with it an acknowledgement of the issue of systematic violence against women. To give one example, the NGO Brava (formerly Terre des Femmes) specifically criticises the fact that femicides are not disclosed in the national police crime statistics. Together with the Istanbul Convention Network, which connects more than ninety specialists and information centres, shelters and NGOs, Brava published a report on their view of the implementation of the Istanbul Convention in Switzerland, stating that a precise designation of killings of individuals on the grounds of their gender is significant in shaping political ideas and raising awareness (Konvention 2021, 22).

¹The following applies to this entire paper: Unless left in the original language or otherwise specified, direct quotations in English from sources in other languages are the author’s own translations.

²See, for example, “Feministischer Streik Zürich” (<https://feministischerstreikzuerich.ch/2021/11/23/schweizweite-demonstration-gegen-femizide/#more-9641>); “Solinetz Luzern” (<https://solinetzluern.ch/veranstaltungen/ni-una-menos-schweizweite-demo-gegen-femizide/>); “Frauenstreik-Kollektiv Bern” (<https://www.frauen-streiken.ch/2021/08/19/ni-una-menos/>); “Ni-una-menos-Bündnis Schweiz” (<https://pdazuerich.ch/schweizweite-demonstration-gegen-femizide/>) (press release).



Figure 1: Posters announcing nation wide protest against femicides in Switzerland (private photograph November 2021)

Adding to the discourses and demands from civil society are ongoing debates in the social sciences about femicide and the approaches that are being taken to gather information about it. There is no agreement on existing definitions and theoretical concepts, such as the criminological approach, are subject to debate (Corradi et al. 2016, 981). Even the scope of the topic of study does not seem to be clear; depending on how femicide is understood, suggestions on its causes vary, making it difficult for insights to take root (Bernal Sarmiento et al. 2014, 13; Dawson and Carrigan 2020, 3). Furthermore, the act itself – the killing of women – is also understood as part of broader definitions of violence against women such as, for instance, domestic violence, or gender-based violence. That is to say, each of these are not established concepts, but rather are interspersed with different notions and understandings of the phenomenon. For this object of investigation, data plays an important role. Statistics are particularly important as they are generally regarded as a form of leading knowledge (Walby, Towers, and Francis 2014, 188). In this regard, the lack of a common denominator does complicate another urgent demand of many actors and organisations in the field and that is robust data on femicides. It seems counter-intuitive to think of the killings of women as a blank area, a phenomenon that is not described by statistics “in spaces that are otherwise data-saturated” (Onuoha 2016). But complacency of the apparent overabundance of data should be resisted (Seager 2016) even though killings are something a state undoubtedly holds data on. So is the demand for a femicide count more than simply a question of using a new term?

In fact, the above-mentioned NGO report deems the current data on violence against women in Switzerland as not in line with the requirements of the ‘Convention on Preventing and Combating Violence against Women and Domestic Violence’ (a.k.a. Istanbul Convention, joined in 2018), which demand more information about the situation of victims, the circumstances of the crimes, and the perpetrators and their motives for the killing. The NGO-Coordination post Beijing Switzerland issued a shadow report on the implementation of the Women’s Rights Convention (CEDAW, joined in 1997) in Switzerland, authored by

numerous third sector organisations, which highlighted that due to Switzerland’s federalist nature, measures and laws against discrimination and violence are repeatedly hampered and delayed and that there is a lack of data for virtually all of the topics (post Beijing CH 2021, 5). Data also plays a critical role in many efforts to prevent femicide. Looking abroad, for instance, the European Observatory on Femicide (EOF) declares the prevention of femicide through data collection and visibility as part of its first and foremost mission. The UN Special Rapporteur on Violence against Women launched the Femicide Watch Initiative with the aim of promoting evidence-based policies and strategies for the prevention of femicide through the collection of comparable data³. Switzerland has so far responded to the yearly calls to submit information, thus recognizing the phenomena albeit indirectly. Noteworthy international projects also emphasise the need for and use of data against femicides, as does, for example, quite literally the panel “Datos contra feminicidio (Data against Femicide)”. Some private initiatives are responding to the lack of data with counter-data collections and attempting to close the gaps by gathering their own data⁴. To visualise femicides, they often choose geo-spatial displays, counter-mapping their data⁵. An example of this is the Swiss private initiative “stopfemizid.ch”, which researches the killings of women from media reports and police press releases then lists the cases and maps them to their locations (figure 2).

Recent media reports have broached the issue by asking why femicides are not officially counted in national statistics (Strupler and Häne 2021) and seem to acknowledge that they are not just isolated incidents (SRF 2021b). The media also picked up the representation of cases of femicides on a map (SRF 2021a), giving the social phenomenon further reach.

³Related to the UN, see also the UNSA Vienna project, which works on femicide and shares knowledge on the femi(ni)cide watch platform (<https://www.femicide-watch.org/>).

⁴See D’Ignazio, Cathering et al. (2020) “Femicide & Machine Learning: Detecting Gender-based Violence to strengthen Civil Sector Activism (<http://www.kanarinka.com/wp-content/uploads/2021/01/DIgnazio-et-al.-2020-Femicide-Machine-Learning-Detecting-Gender-ba.pdf>)”. For examples of a civic initiatives, see “Femicide Accountability Project” (<https://womencountusa.org/>) (USA), “Femicide Census” (<https://www.femicidecensus.org/>) (UK), “FEMINICIDIO.NET” (<https://femicidio.net/>) (Spain) or “Mumala Registro nacional de feminicidios (<https://www.mumala.ar/observatorio/>) (ARG).

⁵For example, “The RED HEART campaign” (<https://theredheartcampaign.org/mapping-femicides/>) (Australia) or “Los feminicidios en México” (<https://feminicidiosmx.crowdmap.com/>)⁴.

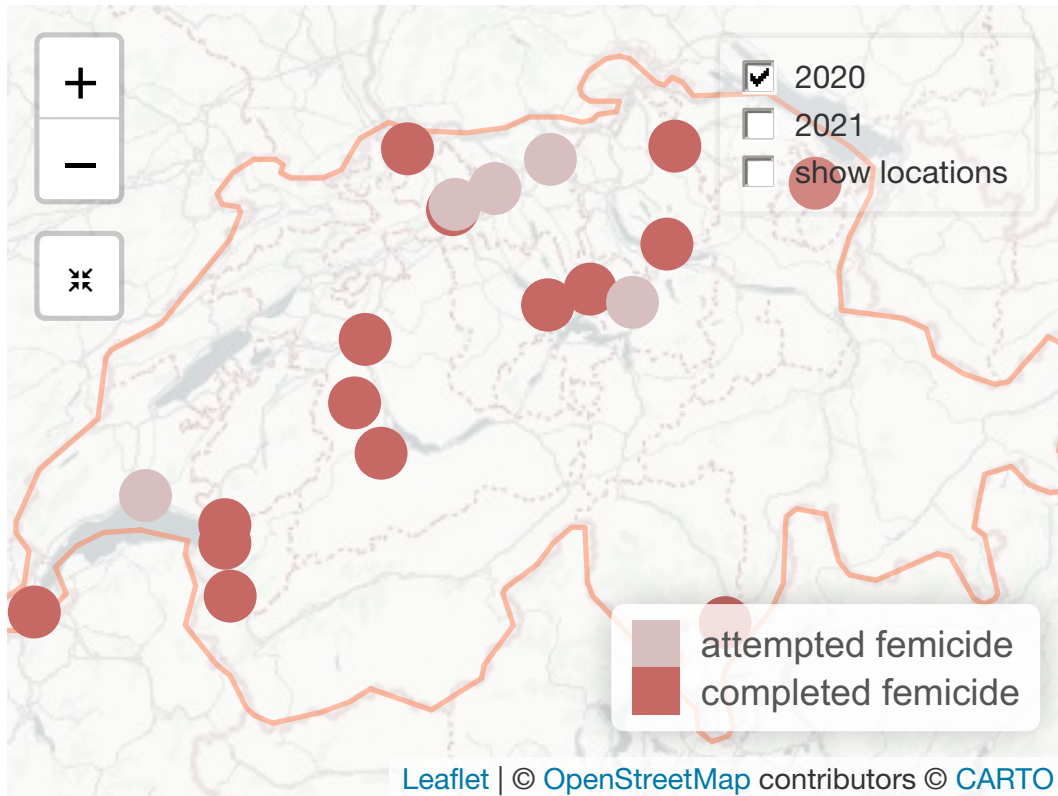


Figure 2: Map of attempted and completed femicides as counted by the private initiative stopfemizid.ch. Popup on mouse-over: context of crime and victim.

The presentation of the victims (24 completed and 13 attempted femicides counted in 2021, and 16 completed and 5 attempted femicides in 2020) using maps does have a very different effect when compared to simple count or bar charts. By mapping the killings to specific locations, femicides are visually presented where they occur – in familiar locations, such as in one’s home town or neighbourhoods throughout Switzerland – and detaches them from a simple quantification (which does not keep me from using bar charts or counts throughout the paper; the number of victims is relevant information and, if represented as dots on a map, it becomes less comprehensible. Nevertheless, displaying the data in a variety of forms may welcome new perspectives on the phenomenon).

Politicians have increasingly become aware of this, and this has been demonstrated in several recent initiatives in which representatives have expressed their concerns about killings in the domestic sphere, asking the Federal Council to provide answers and data on the causes and to present effective measures for prevention and protection. In one such postulate from 2019, the submitting party demanded a report on causal research and a list of measures against femicides in Switzerland, refusing to continue to condone the fact that, on average, every two weeks a woman loses her life due to violence in the domestic sphere.⁶ An interpellation from

⁶Meanwhile, in compliance with that postulate from 2019, the Federal Council issued a report on killings of women in the domestic sphere (<https://www.edi.admin.ch/edi/de/home/dokumentation/>)

2020 called for stopping the murder of women in Switzerland, noting that women are around four times more often victims of intimate partnership killings than men and that if only the total fatalities are considered, the share is seven fold (Scheidegger and Darbellay 2018, 14). Interestingly, the handling of the term femicide is also explicitly mentioned and the Federal Council is asked whether it intends to promote the use of the term in the diplomatic and media context. Another postulate condemned the fact that the last quantitative study into the issue was undertaken in 1997⁷. In 2021, a further interpellation remarked that in 2015, Switzerland ranked at the top regarding femicides committed by a life partner or family member in comparison to western European countries and requesting the establishment of a monitoring institution (an earlier suggestion from 2018 for an observatory on violence was declined). These are just a few examples, but the discourse about femicides seems to have entered the political realm, closely observed by civil society⁸.

1.1 Research question

When observing these different areas and debates, the following two aspects stand out: firstly, the acknowledgement of the social phenomenon of femicide, and secondly, the disclosure of an official corresponding number. Statistics and their categories, i.e. the things that get counted, not only inform the public, but also guide policy making. What a state decides to count, and the terms it uses for what is counted, reveals not only the priority it assigns to it – data gathering is an expensive undertaking – but also describes part of what we call reality. It is therefore relevant how the killings of women are conceptualized, understood, counted, and ultimately debated in public. Describing and measuring that

[medienmitteilungen.html.msg-id-86391.html](#) “Der Bundesrat verabschiedet Bericht zu den Ursachen von Tötungsdelikten an Frauen innerhalb der Partnerschaft (10.12.21)”), based on a new study of causes of killings in intimate partnerships (<https://www.ebg.admin.ch/ebg/de/home/dokumentation/publikationen-allgemein/publikationen-gewalt.html> “Ursachen von Tötungsdelikten innerhalb der Partnerschaft (Dez 2021)”). The study finds that, in short, “Switzerland also has a high percentage of intimate partner homicides by international comparison”, “[n]inety per cent of victims of intimate partner homicides are women”, “[i]n 90 per cent of cases, intimate partner killings were initiated by men” and “[t]he main cause of intimate partner homicides is impending or completed separation or an expressed intention to separate.” The authors point out the delimitation between homicides in intimate partnerships and femicides, which is more comprehensive and includes homicides outside of partnerships. Empirical studies on femicides, which did not explicitly discriminate between these types of homicides and other forms of femicides, were not considered for this study (see pp. 6-8).

⁷“Domination et violence envers la femme dans le couple”, Gillioz, Lucienne; De Puy, Jacqueline; Ducret, Véronique. Editions Payot Lausanne. This study is mentioned in CEDAW (2002), p. 29, as the first study that provided numerical data on violence against women in Switzerland. When I tried to get hold of a copy, I was surprised to find that the Federal Bureau of Gender Equality neither lists it online as a resource, nor does it keep the book or the summary in its archives. Even the Swiss National Science Foundation (SNF) does not mention the publication, nor offer its summary online (which is, incidentally, available in paper form in the public records office of Geneva, but without access to a digital version either). Only a brief section in the final considerations of the individual projects is dedicated to it (see <https://snf.ch/en/Zi45GN11byzoXIB5/page/researchinFocus/nrp/nrp35-social-and-legal-status-of-women-ways-to-equality> “NRP 35 - Social and Legal Status of Women - Ways to Equality”; https://snf.ch/media/de/FiQfqb3w3wNSSrYG/nfp_bulletin_nfp35_d.pdf “NFP Bulletin”).

⁸Fittingly illustrated by Brava NGO’s reaction to the use of the term femicide by the Federal Councillor Karin Keller-Sutter: “Endlich! Bunderätin Karin Keller-Sutter hat an der #FINTA-Session den Begriff #Femizid verwendet” (https://twitter.com/brava_ngo/status/1455530737902424077, tweet Brava NGO, 2.11.21).

violence is the result of a culturally-shaped process (Engle Merry 2016, 7, 14, 21, 29). The realisation of this is all the more relevant, precisely because “[t]o many an untrained eye, figures convey a form of truth that is incontestable and incontrovertible. People regard data as facts and assume that statistics represent reality. They view statistics as a neutral, sanitized, and objective expression of an unseen truth” (Ward 2004, 24–25). This makes the demand for a new counting category intriguing. In the midst of these political debates, public demands and the currently overall high level of attention the social phenomena of femicide is attracting, it is revealing to have a closer look at what precisely is being counted at present and how. The current main source for numbers on violence in general are the police crime statistics (PCS), which include attempted and completed killings, but there is no separate category called ‘femicides’. On the other hand, there is a specific category for ‘domestic violence’, which includes killings. Hence, the closest PCS category to femicides is ‘attempted and completed killings in the domestic sphere’ of women⁹. The number of attempted and completed killings in the domestic sphere is published in the police crime statistics and is compiled by the Federal Statistical Office (FSO). In 2020, there were 89 attempted or completed killings in the domestic sphere in Switzerland (men and women combined, BFS 2021, 44).

Figure 3 below shows a total of 93 and is based on data received from the FSO in autumn 2021, a good half year after the published report. Discrepancies are attributed to the duration of crime proceedings and possible changes of cases after submission to statistics, circumstances that will be discussed further on.

⁹Throughout this paper, ‘killing’ is used as an equivalent to ‘homicide’ but without emphasis on a legal category, but rather on the act itself. Otherwise, the term ‘homicide’ is used in delimitation to ‘femicide’.

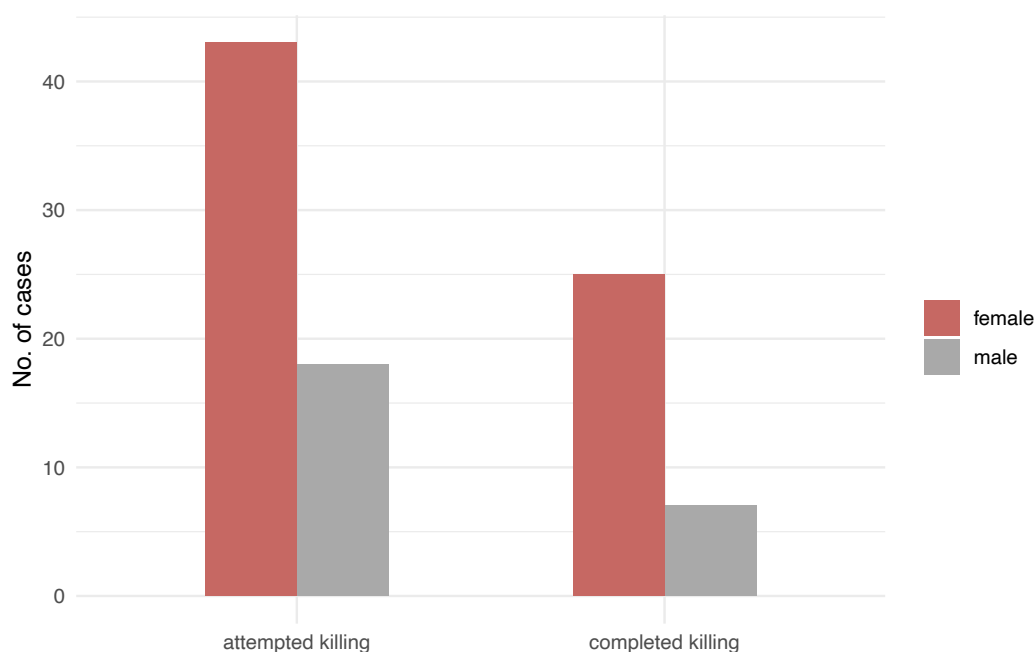


Figure 3: Attempted and completed killings in the domestic sphere per gender in 2020 (CH).
Data source: FSO.

Tracing the formation process of the number – following its “statistical chain” (Thévenot 2016, 104) – brings to light processes of decision-making, negotiation and translation alongside the technical implementation, offering starting points to reflect on the prevailing understanding of fatal violence against women in Switzerland and the importance of naming the social phenomenon of femicide.

I will therefore try to answer the following question in this study: *What are the components and processes that contribute to the formation of the category ‘attempted and completed killings in the domestic sphere’ and how does this relate to the demand for a separate category for femicide?*

1.2 Structure

This work is divided into three main parts: a theoretical and analytical framework, remarks on the empirical study and findings, and their concluding discussion. The first part introduces the basics of the initial situation and sets out in chapter “2. Groundwork” with an exploration of the definition of the social phenomenon of femicide, from its introduction to its conceptual contents and variations (2.1), followed by a brief contextualisation of

femicide into sociology, with a focus on the criminological approach and the significance of quantitative data in its research (2.2.), and an attempt to clarify the deeper roots of the demand for data in relation to obligations to international organisations and their implications for a counting regime. Chapter “3. Theoretical frame” takes up the analytical lens through which the object of investigation, the statistical chain, is observed. It entails a specific understanding of the importance of statistics for the state, public debates, and not least, the description of reality (3.1). Furthermore, in relation to the state as public on one side, and the placement of violence into the domestic on the other side, and not least considering the link between violence against women and domestic violence, section (3.2) offers reflections on that spatial division. Also, in light of the closer look at numbers from the police crime statistics, section (3.3) covers the usage of crime data and their informative value relating to femicides. Chapter “4. Research approach” gives an account of how the research was conducted and documents the rationale behind the research design and data analysis, while chapter “5. Results” presents the findings, starting with a brief genealogy of the current PCS (5.1), then successively laying out the macro level network behind the statistics and cooperation within (5.2), shedding light on the origin and implications of crime data on killings and what constitutes its categories (5.3), an examination of the implementation of the category ‘domestic’ in practice (5.4), followed by different quality controls, both as ongoing key tasks and shaping processes (5.5), and insights on various impactful restrictions the current counting regime encloses. Finally, chapter “6. Conclusion” discusses the main findings in relation to the original research question and theoretical tie-ins and offers an outlook for further research.

2. Groundwork

The definition of femicide is still subject to debate. However, all variations consider gender-based violence to be rooted in structural inequality, while they differ in granularity and extent of the phenomenon. Within the sociological context, too, the topic of study does not have a clear scope and different conceptions. Statistics might help bring gender-based violence into the mainstream in sociology. Data gathering is a prominent demand from the international community in the fight against violence against women. The current call for data on femicides goes back decades to relentless activism from civil society, which was eventually supported by international organisations.

2.1 Femicide and its definitions

Although the phenomenon of femicide is not new, it has seen an unprecedented rise in international attention, largely due to movements in Latin American countries. Consequently, global discussions on how femicide should be defined, how it differs from homicide, and how differences can be operationalised has increased (Dawson and Carrigan 2020, 2). The term ‘femicide’ was first introduced in 1976 by sociologist Diane Russell (Wischnewski 2018, 126; Russell 2011). It has the political objective of recognizing and making visible the discrimination, oppression, inequality, and systematic violence against women that, in its most extreme form, culminates in death. However, Russell did not provide a concrete definition until 1990, when she defined femicide as ‘the murder of women by men motivated by hatred, contempt, pleasure, or a sense of ownership of women’ (Caputi and Russell, 1990: 34, in Dawson and Carrigan 2020, 3). By re-framing the circumstances of women’s violent deaths as a particular social and political problem, it made them accessible and visible from a sociological perspective (Corradi et al. 2016, 977). In Radford and Russell’s pioneering work¹⁰ on femicides, the phenomenon was further defined as ‘misogynistic killings of women by men’ (2020, 3), highlighting the factual differences of woman-killing which are hidden within the neutral term ‘homicide’ (Corradi

¹⁰In (1992) “Femicide: the politics of woman killing”, ed. Jill Radford and Diana E. H. Russell, New York: Twayne Publishers.

et al. 2016, 984). The definition continued evolving and, by 2001, it described the killing of females by males for being females, covering all forms of male sexism and hence broadening the previous focus on misogyny (Dawson and Carrigan 2020, 3). Using ‘females’ instead of ‘women’ and ‘males’ instead of ‘men’ recognized that female human beings of all ages are killed for gender-related reasons (2020, 4). In an introductory speech to the UN Symposium on femicide, Russell settled on the definition ‘the killing of one or more females by one or more males because they are female’. Some researchers include the element of ‘intent’ to their definition, which seems to be common across legal and criminological views (2020, 4).

In Spanish, the term “feminicidio” tends to be more widely-used (2020, 4). This particular translation, promoted by Mexican researcher Marcela Lagarde, builds on the concept of femicide, but specifically captures violence in both the private and public sphere, incorporating the role and responsibility of the state and its public institutions which all too often fail to protect women and to hold perpetrators accountable. “Feminicidio” also prevents misunderstandings of the concept as a mere linguistic translation of “homicidio” into the feminine gender¹¹. Not all women killings are motivated by hierarchical gender relations (2020, 5; Corradi et al. 2016, 984; Wischniewski 2018, 127). Apparently, Russell criticised this expansion, since even femicides under criminal prosecution are still femicides and impunity does not prevail everywhere they happen (Wischniewski 2018, 127). For some researchers and activists, women killings should be considered genocide. This suggestion is countered by the reminder that the definition of genocide “includes a number of features like the systematic destruction of a racial, ethnic, religious group or people; or mass killing, such as the Holocaust” (Corradi et al. 2016, 985). To summarise, it can be said that there appears to be no consensus on a definition of the terms femicide nor feminicide. They are still subject to ample debate in the social sciences as well as in the political sphere and in national legislative processes. Depending on the point of view from which they are investigated, and the discipline that is addressing it, accepted definitions vary (Bernal Sarmiento et al. 2014, 13; also Dawson and Carrigan 2020, 3).

Despite these differences in how to define the phenomenon, common denominators can be identified. Since femicide/feminicide is the killing of a woman or girl, these killings always contain some gender-motivated element (Dawson and Carrigan 2020, 6). The underlying

¹¹The Latin American Model Protocol for the investigation of Gender-Related Killings of Women (Femicide/Feminicide)¹, for instance, offers an extensive effort to address questions of varying definitions (Dawson and Carrigan 2020, 2; see Bernal Sarmiento et al. 2014 for the protocol). The Protocol defines femicide (or feminicide) as the most extreme form of violence against women, taking place within the family or in public spaces and that can be committed by private individuals or carried out or tolerated by state agents (Bernal Sarmiento et al. 2014, 3). It also covers more detailed concepts which discriminate between categories and types of femicides. The categories classify that “[t]he killings can be active or direct, with defined perpetrators, but they can also be passive or indirect” (Majoo 2012, 5). An active femicide would be e.g. a killing as a result of domestic violence, killings in the name of honor or female infanticide, while a passive femicide stands e.g. for deaths due to unsafe abortions, neglect or deliberate acts by public agents (Bernal Sarmiento et al. 2014, 14–15; Majoo 2012, 5; see also United Nations System 2013, 2). In the Latin American experience, on which the ‘Protocol’ focuses, femicides are additionally classified in several types, ranging from intimate femicide, to family femicide and, among many others, transphobic femicide (Bernal Sarmiento et al. 2014, 16).

issue is the frequency of the murders as a form of structural violence (Corradi et al. 2016, 985); an extreme expression of hierarchical gender relations and the male desire for dominance (Wischnewski 2018, 127). UN bodies also refer to femicide as gender-based violence (OHCHR 1993, 4), irrespective of public or private sphere (UN Women 1995, 76, 153), being at the far end of the spectrum of violence against women (Garcia-Moreno, Guedes, and Knerr (2012), 1; incidentally, also classifying domestic violence as a form of Violence Against Women (VAW), UN Women (1995), 153). It “roots in patriarchy – the systemic domination of women by men” (UN Secretary-General 2006, 28). Thus, it pinpoints the source of the problem in unequal social structures rather than in the dynamics of interpersonal relationships (Engle Merry 2016, 49). “While femicide is gaining recognition, the underlying dynamic of gender inequality that fuels the murders of women in different contexts is still inadequately understood” (UN Secretary-General 2006, 47). Nonetheless, taking the definition of femicide/feminicide as ‘simply the murder of a woman’ might serve as a starting point from which to resume the identification and prevention thereof (Corradi et al. 2016, 985).

Generally speaking, there appears to be a recognition that most research documenting femicide has incorporated at least one of two approaches: either a focus on all killings of women (‘female victim homicide’) or a focus on the most common femicide subtype (‘intimate femicide’ or ‘intimate partner femicide’) (Dawson and Carrigan 2020, 2). This appears to be partly due to the ease with which one can identify femicide using the victim’s gender or the victim-perpetrator relationship. However, reducing a complex phenomenon to only two indicators can also be seen as problematic (2020, 2), and this is especially apparent when considering the understanding of gender-related killings of women

“as multiple concentric circles, each intersecting with the other. These circles include structural, institutional, interpersonal and individual factors. The structural factors include macro level social, economic and political systems; institutional factors include formal and informal social networks and institutions; interpersonal factors include personal relationships between partners, among family members and within the community; and individual factors include personality and individual capacities to respond to violence” (Majoo 2012, 5).

Another reason for these two common approaches might be the perceived difficulties in identifying determinable motives for these violent crimes. However, the activity of criminal justice officials fundamentally involves the search for motives, and with improved and accessible databases this should also be possible for researchers (Dawson and Carrigan 2020, 2).

2.2 A sociological perspective

Some sociological views of domestic and gender-based violence seem to dismiss it as not worthy of consideration, or focus on specific groups of offenders and victims, such as for example, victims of partner violence (Walby, Towers, and Francis 2014, 187). It appears there is a long history of scholarly neglect of different forms of violence against women in that many sociologists and criminologists have considered such violence the product of socio-economic inequalities and focused on the perpetrators while their victims remained largely invisible (2014, 187). They positioned “the causality of crime at the level of social structure, in the tensions generated by socially structured inequalities. Yet, despite gender relations being deeply structured by inequalities, gender is omitted from this foundational account of crime” (2014, 192). Others consider that “femicide rates are social facts worthy of sociological attention” (Weil 2016, 1124) and bemoan the scarce literature on femicide in sociology (2016, 1124). Most contributions appear to focus on law and criminal justice while involving researches from other disciplines, such as psychology, forensic medicine, or statistics, among others. But sociologists’ contributions to the literature appear to have been marginal (2016, 1125). If sociology studies the killing of women, it appears to do so primarily through the collection of qualitative or quantitative data while the focus is on violent situations, not violent individuals. It is assumed that women and men are murdered in different social circumstances by different types of perpetrators. “The fact that a high rate of women are killed by their intimate partners, or in a family setting, while a high rate of men are killed in a non-intimate or family setting, makes femicide a social phenomenon per se” (Corradi et al. 2016, 980–81).

The criminological approach is perceived as being especially resistant to the concept of femicide.¹² Allegedly, existing definitions are often not challenged or discussed, and conservative variations of terms such as ‘intimate partner homicide’ or ‘female homicide’ preferred (Corradi et al. 2016, 981). Or it is noted that, within the field of sociological criminology, mainstream accounts of violence do not merge with the insights from specialized analysis of gendered violence (Walby, Towers, and Francis 2014, 189). “In textbooks and overviews of criminology gender will often appear as a separate chapter that is ill-integrated into the rest of the text (...)” (2014, 191). This neglect is assumed to be embedded in the construction of public knowledge. For example, if the official count of violent crime, i.e. police recorded crimes, offers no categories in which to capture gender-based violence, violent crime against women is thus made invisible in the public sphere (2014, 188). There are significant attempts to sediment the particular knowledge of such violence into “authoritative academic

¹²Corradi et al. are referring to “[o]ne of the most recent, significant efforts in criminology, the *Handbook of European Homicide Research* (Liem and Pridemore, 2013)” which does not mention femicide (p. 981) and, incidentally, also discusses “Homicide in Switzerland”, specifying subtypes of homicides: Homicides within the family and intimate partnerships or love rivals (summarized as “domestic homicide”), indicating that “[t]his category includes killings of (...) current and former intimate partners (57%), and rivals (8.1%)” (Liem and Pridemore 2012, 348).

knowledge” (Walby, Towers, and Francis 2014, 188); however, most criminological research seems to either ignore women or treat gender as a control variable (2014, 188). Within the sociological context, too, the topic of study also does not have a clear scope, which explains why femicide is either conceived as an outcome of altered social contexts (Grzyb 2016) or as gendered inter-personal violence neglected by contemporary social theory (Walby, Towers, and Francis 2014). A proposal to overcome this neglect, and one that is interesting in the context of this paper, is to use a form of knowledge widely considered to be authoritative – statistics – in order to bring gender-based violence into mainstream sociology. This suggestion calls for a unified set of categories by which the phenomenon is measured (2014, 188, 197) and brings statistics to the forefront as a relevant subject. Indeed, missing data on femicide appears to be a widespread problem. The fact that most countries do not have official statistics on femicide, as they do for other forms of murder, demonstrates its invisibility (Weil 2016, 1131). After all, only “what gets counted counts” (Joni Seager in D’Ignazio and Klein 2020, 97) and collected data often becomes the basis for policy making and resource allocation (2020, 97).

2.3 Demand for data

The demand for statistics on a social phenomenon expresses the strength of public opinion on the issue, which is often the result of long-term activism and campaigning by civil society. In the case of violence against women, national activism in the 1980s laid the grounds for a global movement in the 1990s which defined violence against women as a human rights violation (Engle Merry 2016, 46). The major UN convention on women’s rights from 1979 (Convention on the Elimination of All Forms of Discrimination against Women - CEDAW) does not mention violence against women explicitly, and it was not until 1989 that it developed an initial recommendation against violence (2016, 47). In 1994, the UN Commission for Human Rights appointed a Special Rapporteur on Violence against Women who is mandated with, among other responsibilities, collecting information relating to violence against women.¹³ The so-called Beijing Conference from 1995 “flagged the need for data and invited national, regional, and international statistical services to develop improved data on the victims and perpetrators of all forms of violence against women” (Engle Merry 2016, 48).

Switzerland joined the CEDAW in 1997 and in doing so assumed an international obligation to report regularly on the progress made in the implementation of the Convention (CEDAW

¹³Radhika Coomaraswamy, the first special rapporteur, and her work helped establish violence against women as a human rights violation embedded in unequal, patriarchal social structures (Engle Merry 2016, 47). Dorothy Thomas, head of the Women’s Rights Division of Human Rights Watch in the early 1990s, worked hard to get one of the world’s largest human rights organizations to take gender violence seriously (2016, 48).

2002, 6). In 2003, a resolution of the UN Human Rights Commission called on member states to develop indicators of violence against women (Engle Merry 2016, 48–49). In other words, to translate and summarize this complex social phenomenon into a manageable set of categories for enumeration (2016, 27). Indicators are required to “[b]e unambiguous and easy to interpret” and “meaningful and relevant to policy makers, service providers and the wider public” (Walby 2007, 4). Latin American countries have identified femicide indicators, including when victims are killed by intimate partners or when perpetrators try to re-establish relationships, and also included certain pre-incident, incident, victim and perpetrator characteristics as potential gender-based signs. Examples are victim age (young/elderly) indicating physical vulnerability; minority and/or migrant women with increased risk due to discrimination; prior police contact; previous violence and recent separation (Dawson and Carrigan 2020, 6–8). However, designing indicators also means considering some aspects but ignoring others. Quantifying domestic violence, for instance, cannot also include the contextual details such as for example kinship networks, gender norms, attitudes toward violence or history of the relationship of an individual. But these factors are significant in determining the way in which an individual experiences domestic violence. The process of translation inevitably strips the acts of violence against women of their context (Engle Merry 2016, 27).

By 2008, it appeared that the focus within states, regions and United Nations agencies had narrowed to an intimate partner violence agenda (Ertürk 2008, 58). In 2015, the UN Special Rapporteur on VAW made the prevention of femicides one of her priorities and, to that end, the use of data as a tool. She called upon all states to establish a “femicide watch”¹⁴, proposing to annually publish their data on femicides disaggregated by age and ethnicity of victims and the sex of the perpetrator and also indicating the relationship between the perpetrator and victim (Šimonović 2016, 11). Since then, the Special Rapporteur has asked states each year to submit information on the measures taken and provide data on the cases of femicide. The so-called Istanbul Convention, which Switzerland joined in 2018, also demands that the participating states “collect disaggregated relevant statistical data at regular intervals on cases” and “conduct population-based surveys at regular intervals to assess the prevalence of and trends”, for all forms of violence, and to ensure that the information is publicly available (COE 2011, 5).

Collecting data is an expensive undertaking, which is why organisations are often compelled to look for existing data that can serve as proxies for the qualities or the social phenomenon being measured. The downside is that it is harder to address a new problem without gathering new data (Engle Merry 2016, 7). Since Switzerland can hardly be described as a state without resources, using existing sources of data and adjusting them to measure

¹⁴“United Nations Human Rights - Femicide Watch Initiative” (<https://www.ohchr.org/EN/Issues/Women/SRWomen/Pages/FemicideWatch.aspx>); see also “European Observatory on Femicide (EOF)” (<http://eof.cut.ac.cy/>), or the “Femicide Watch Platform” (<https://www.femicide-watch.org/>).

violence against women suggests other reasons for doing so. The way problems are posed and dealt with illustrates the political agenda and the state of statistical techniques (Desrosières 2005, 222–23). “Countries count what they care about” (Engle Merry 2016, 14), and thus indicate which problems are deemed politically important (2016, 29). How measuring a phenomenon is approached, what categories are constructed, which data sources are selected and proxies are used when specific data are unavailable, and how the phenomenon is labelled ultimately define the concept (2016, 20).

3. Theoretical framework

The statistical representation of a social phenomenon, as a category, is the result of a process of development and interpretation and part of the description of reality. Once established, categories become increasingly real as they inform the public sphere and ultimately impact political actions. The currently used category ‘killings in the domestic sphere’ reveals the home as a crime scene as opposed to the public sphere and refers not only to spatial boundaries but also to identity boundaries. This is in contrast to the broader-framed understanding of violence against women as gender-specific and structural. Crime data cannot cover its scope since it depends on reporting, among other things, but it does have the potential for the analysis of femicides.

3.1 Creative power of counting

In the context of a modern and rational state (Desrosières 2005, 9), society is an assumed ‘data-saturated’ space (Onuoha 2016), continuously described by the practice of collection and interpretation of data performed by public statistical offices. “Indeed, the concept of society was itself in part a statistical construct” (Porter 1996, 37). Moreover, with the creative power of statistics, as Porter calls it, every category has the potential to become a new thing. The creation of crime rates as a concept in the 1830s, for example, changed the perspective on crime from a reprehensible condition of individuals to a condition involving a collective social responsibility (1996, 37). Through the clear and formal terminology of statistics, social facts are constituted as things, such as unemployment, fertility (Desrosières 2005, 1–2), or as certainly ‘femicide’ would be.

The term statistics is related to state building and its standardization and administration. This includes the establishment of general forms, classes of equivalence and nomenclatures that go beyond the singularity of individual situations. The procedure of coding, i.e. the assignment of individual cases to a certain class or category and their definition, are essential features of statistical work and of the state conveyed through its authorities (Desrosières 2005, 9–10). Counting requires cultural input; it relies on constructing categories, deciding

where to cluster and split, what to include and what to leave out, how many categories to use, and what the criteria for these categories should be (Engle Merry 2016, 14). These must then be formalised and institutionalised to transform them into official statistics (Espeland and Stevens 2008, 405) – it is a deeply interpretive process (Engle Merry 2016, 14). Yet the reliance on categorization should not be misunderstood as meaning categories are highly contingent, and hence unsteady; on the contrary, they can be impressively resilient once they are established. Every statistical workforce collects and processes numbers on the presumption that the categories are valid. Media and public officials have very limited ability to alter the numbers. Once categories become official, they become increasingly real (Porter 1996, 42). Counting, therefore, creates new kinds and categories of things (Espeland and Stevens 2008, 405).

These things¹⁵ and their statistical measurement serve as references for political actions and are part of routine application, contributing to the shaping of the reality of the described phenomena. They provide a stable and widely-accepted language in which the debate around them expresses itself (Desrosières 2005, 1) and, in practice, create the world they are measuring (Engle Merry 2016, 21): “Public statistics are able to describe social reality partly because they help to define it” (Porter 1996, 43). While social facts are constituted as objects or things by the clear and formal synthetic terminology of the statistical language, their tools result from a historical process of development riddled with stages of hesitation, re-translations and conflicting interpretations (Desrosières 2005, 2). They are social constructs formed through lengthy social processes of consensus-building and debate (Engle Merry 2016, 5). The purpose and meaning of numbers often change over time and social space. Subsequent uses and interpretations may have little resemblance left to what produced the numbers in the first place (Espeland and Stevens 2008, 406).

The discovery or creation of objects through the tools of statistics supports our description of the world and thereby influences the course of events (Desrosières 2005, 2). However, these applications contain a paradox: the objects need to be perceived as incontestable and prevail over any controversy. The nature of such debates around these objects is often conveyed by challenging the veracity of the statistics, asking for the ‘true’ number of a measured object or their ‘real’ rate (2005, 1), i.e. debates usually concern the measurement or the object itself. As long as the reliability of the measurement is challenged, the reality of the measured object is not called into question (2005, 1). It requires a huge exercise of social power to establish valid measures, depending on a disciplined labour force but also on good public relations. If any involved and interested party considers the measurement process to be unreliable or

¹⁵Numbers create new things and transform the meanings of old ones (Porter 1996, 17). It seems obvious that what is being called ‘things’ or ‘objects’ as being ‘real’ and which ‘create the world’ are not physical things, but things of the social world, social reality or a social phenomenon. Because of what is commonly thought of as ‘a thing’, these socially constructed things could also be called “not-things”, as Stone does in her work (Stone 2020, xiv). “Not-things” are in no way free of biases, because they are attached to our beliefs and interpretations (2020, xiv).

biased, it may disintegrate. “But none of these uncertainties depend on doubts about the facts of the matter” (Porter 1996, 33). Measurements cannot work effectively unless their reasonableness is accepted (1996, 45). Porter considers the acceptance of measurements as a prerequisite for them to have a directional effect on the measured social phenomenon. He sees this as a confirmation of what Foucault called ‘governmentality’. The acceptance of measurements and their results make individuals governable since numbers create and can be compared to norms, which are among the gentlest but most pervasive forms of power in modern democracies (Porter 1996, 45). Yet Porter’s point is not to argue that quantification is merely a tool of politics and public administration; it is to understand how strategies of quantification work in an economy of personal and public knowledge, of trust, and of suspicion (1996, 200).

The existence and definition of the object of ‘femicide’ itself is, so it seems, still understood as being debatable and its reality is being challenged (Desrosières 2005, 1). The term describing the social fact is not generally accepted; there is no agreed-upon definition, nor is a designated tool for data collection in place. In this case, the controversy around the object itself, the data collection, and its statistical ‘reality’, show the idiosyncratic combination of what Desrosières identified as two contradictory forms (2005, 372). The first of these forms separates the linguistic aspect in one of a description and science (‘there is’) and one of prescription and action (‘one must’). Statisticians show this distinction when they demand to only describe facts and never assume subjective value judgements and opinions (Desrosières 2005, 372). The second distinguishes between two conceptions of reality: a realistic position or a relativistic position. In the case of a realistic position, it is assumed that comparable categories pre-exist. In the relativistic position, these categories are perceived as constructions (Desrosières 2005, 372). As a way out of the dead end that presents this epistemological opposition between realism and relativism, Desrosières offers another practical modality of statistics in the language of action, which reveals yet another principle of reality: It is based on the notion that conventions which define objects can in fact produce realities as long as these objects withstand attempts of disintegration (2005, 374). This principle does not question the reality of things once many people relate to these objects and coordinate their actions accordingly to aim for a specific goal. For this reason, statistics is by means of its objects, nomenclatures, graphics and models first and foremost a language of reference based on conventions. The existence of this language facilitates the development of a certain kind of public space wherein the vocabulary and the syntax of that language can be debated (2005, 374).

The ‘certain kind of public space’ becomes more practical when Desrosières ties statistical information to the public space: as a space where community issues can be discussed in a public debate and is related to the existence of statistical information that is accessible to all, a necessary condition of democracy and enlightened debate (Desrosières 2005, 360).

However, the construction of a statistical system is strongly linked with the construction of spaces of equivalence, i.e. the agreement on which objects are seen as equivalent. These objects are supposed to be politically and intellectually consistent and lasting, as they are supposed to provide a frame of reference for debates (2005, 361). Public space is thus not just a vague idea, but a historically and technically structured and delimited space. The statistical information on it is evidence of a momentarily achieved, unsteady agreement on conventions that is constantly being questioned (2005, 361). But the formation of these conventions only come as a result of expensive political, social and technical investments (2005, 374).

“In a world saturated with numbers, it is easy to take the work of quantification for granted. Rigorous, defensible and enduring systems of quantification require expertise, discipline, coordination and many kinds of resources, including time, money, and political muscle. (...) We often forget how much infrastructure lies behind the numbers that are the end product of counting regimes” (Espeland and Stevens 2008, 411).

This thought might also apply to the contrary situation in which the denial of statistical visibility of a social fact prevents the formation of conventions or a stable relation to an object. Even the supposed intent to collect more data actually hinders the process, as Stone puts it: “Calling for more data makes a great stalling tactic, too. It tells town officials, ‘stick with the status quo until we get some numbers’” (Stone 2020, xiii).

3.2 Spatial metaphor

By the late 19th and early 20th century, under the cult of domesticity¹⁶, the gender roles were often closely related to the separation of public and private spaces. The home was defined as a private, female sphere in contrast to the public economic sphere of men. And with the growing importance of child rearing, “the home emerged as a haven from the evils of the outside world” (Rotman 2006, 666). Indeed, this spatial dichotomy, present since the ancient city in the disjunction between domestic and political government, is one of the conditions for the exclusion of the family from the democratic contract. By depriving the family of its political status, it places ‘domestic’ relations in a register that cannot and should not be that of equality.¹⁷ This division thus contributes to both de-sexualising politics and

¹⁶“The cult of domesticity was an ideology originating during the Industrial Revolution that reflected the restructuring of the home as the domain of women and the workplace as the domain of men, specifically for middle- and upper-class white people. (...) One of the key elements of the cult of domesticity is the ideology of *separate spheres*” (Fehlbaum 2016, 498–99).

¹⁷“[T]he battered women’s movement [...] questioned not only the notion that men have the right to hit their wives to discipline them, but also the inequalities produced by capitalism, by male political hierarchies, and by inequalities of race and class. [...] A society that is free of violence against women can happen only when it is free of other forms of violence as well” (Engle Merry 2009, 186).

de-politicising the private sphere (2005, 84). “Historically, acts of violence against women, such as domestic battery or marital rape, were not considered criminal acts. Violence in the private sphere, most notably in the home, was largely omitted from official recognition until very recently” (Johnson, Ollus, and Nevala 2008, 135). “Legal doctrines protecting the privacy of the home and family have been widely used to justify the failure of the State and society to intervene when violence is committed against women in the family and to take remedial action” (UN Secretary-General 2006, 33).

Nonetheless, places and actors seem to play a central role in the observation and evaluation of violent acts (Studer, Opitz, and Sardet 2005, 17). The violence called ‘domestic’ is characterized at once by the space where it occurs – within the home – and by relationships of proximity between the victim and the perpetrator. This qualification is based on the separation of the private and public spheres and refers not only to spatial boundaries, but also to identity boundaries, linked in particular to the legal status of an individual in the family (Sénac-Slawinski 2005, 84). The perception of domestic violence is further structured by the gender-specific attribution of the space¹⁸ (Studer, Opitz, and Sardet 2005, 19). And as the domestic sphere is usually attributed to the female gender, so is domestic violence mostly understood as violence by men against women in intimate relationships.¹⁹

With the Declaration on the Elimination of Violence Against Women from 1993, the UN General Assembly recognized that domestic violence was primarily a problem of violence

¹⁸Even if the domestic or private sphere is ideally assigned to the female gender, the house remains mostly male property. This had (and probably still has, considering the economic dependency) an additional detrimental impact on the victims who have to seek refuge elsewhere (2005, 19). Since April 2004, in Switzerland acts of violence in marriage and partnership have been prosecuted and sanctioned *ex officio*, i.e. without an application by the person affected by violence (<https://www.ebg.admin.ch/ebg/de/home/themen/haeusliche-gewalt/gesetzgebung.html>, see info on legal basis in Switzerland from the Federal Office for Gender Equality).

¹⁹Notable is the fact that there seems to be no relevant decline of violence against women in intimate relationships and of sexual violence in comparison to older studies (Schröttle 2017, 3). This is not a recent development. Available data for as early as the 17th and 18th centuries show an increase of the proportion of female victims, leading to the conclusion that, in general, the lower the killing rate, the higher the share of female victims. Deadly violence against women decreased far less over centuries of the early modern age than the overall killing rates would suggest. This trend correlates with a developing shift in the relationship between victim and perpetrator. In medieval communities, where killing rates were typically high, killings of members of one’s own family were relatively rare. With the general decline of killing rates, the share of killings in families increased, which was also due to the decline in deadly conflicts between non-related men in the public sphere. Eventually, this resulted in a relative increase in violence against women and family members (Cottier 2019, 29). The social meaning of violence in family and intimate relationships changed decisively during the transition of modernity. Evidence can be found in cases dating back to the late 18th century involving aggrieved lovers killing women who refused their courtship, possibly influenced by the movement of romanticism. In the 19th century, similar cases of ‘romance homicides’ increased. By the end of the century, killings of wives or lovers by ‘desperate’ male offenders dominated (2019, 42). The killings were by no means always committed in uncontrolled outbursts (categorized as ‘rage killings’). Around the turn of the 20th century, cases of carefully-prepared killings became more frequent, the main reasons being separations, divorces or job dismissals. This invites a different way of interpreting such killings, i.e. not as an expression of romantic notions of love, but as a consequence of a profound social transformation during the industrialisation period (2019, 43). The process of industrialisation led to a stricter separation of the public and private spheres. The home became a more isolated and intimate space, while also representing the main source of male self-confidence, impaired by factory and wage labour (2019, 43). A term that supposedly describes this type of violence is ‘crimes of passion’, which derives from the French journalism of the early 19th century. From the point of view of contemporaries, such crimes were committed without malice, but pure ‘passion’. It was a label with a positive connotation also used to criticize severe court decisions and particularly the death penalty. Still, this distinction never acquired any legal significance (2019, 45). Today, such terms for fatal violence against women are still found in media reports but are increasingly contested due to increasing awareness of the fact that these descriptions hide the structural dimensions of the crime.

against women (Buzawa and Buzawa 2017, 4). “Men are almost universally most often the perpetrators in intimate partner homicides cross-culturally, and when women kill intimate partners they are far more likely to be killing a violent partner in self-defence” (Johnson, Ollus, and Nevala 2008, 77).

In Switzerland, almost 40% of all offences reported to police are assigned to the domestic sphere. Around half of these offences are committed in an existing intimate relationship and approximately a quarter involve ex-partners. Women are significantly more likely to be registered as victims of domestic violence than men: 71.9% in 2019. This is particularly stark in intimate partner violence, where the share is 76.1% (current relationship) and 78.7% (ex-partnership) (EBG 2021, 4).

The advantage of using a gendered perspective is that it acknowledges that most serious acts of domestic violence are gender-based. The downside is that violence by women against men is not easily addressed nor adequately funded (Buzawa and Buzawa 2017, 5). However, this circumstance should not lead to the often remarked assumption of a gender symmetry in intimate partner violence, considering the apparent differences in patterns and severity of violence. For instance, a careful comparison of results from surveys of victims in Germany suggests that men are about as likely as women to experience a physically aggressive action by an intimate partner at least once. But it also shows that men are rarely affected by severe, threatening and repeated violence (Schröttle 2017, 3). Therefore, this poses the relevant question of whether it is enough to have been pushed once, for example, to be considered a victim of domestic violence and whether to include such isolated incidents in the category of violence against women (Ertürk 2008, 69).

3.3 On using crime data

If crime statistics are to be used as a basis for indicators of gender-based violence against women, the data must include the gender of the suspect and the victim. However, crime statistics are unsuitable to measure the scope, prevalence and incidence of violence against women because most victims do not report it to authorities, hence the necessity to conduct population surveys (Walby 2007, 5). An exception is homicide, which is different from most crimes in that in most cases it comes to the attention of the police and is recorded. Therefore, the police crime statistics seem the only possible source²⁰ to determine whether the death of the women is gender-based, such as for example a domestic or rape-murder (2007, 5). Since homicide is considered among the most exact of criminal statistics, there

²⁰“The killing of a woman by an intimate partner and femicide cannot be captured in a crime victimization survey, and other methods need to be considered, for example the development of administrative, criminal and health statistics”, see United Nations Expert Group Meeting (https://www.un.org/womenwatch/daw/egm/IndicatorsVAW/IndicatorsVAW_EGM_report.pdf “United Nations Expert Group Meeting on Indicators to measure violence against women, 8-10. October 2007”).

is potential to explore femicide. Understanding how deaths of women represent specific and gender-based patterns could add to the ways in which homicides are investigated and designated (Ertürk 2008, 94–95). The disaggregation of homicides into gender alone is deemed to be insufficient. Without the further classification into ‘domestic’, the use of ‘femicide’ as an indicator of violence against women would be inappropriate (Walby 2007, 18). By 2006, in most countries crime statistics were not broken down by sex of the victim or the relationship between the victim and perpetrator (UN Secretary-General 2006, 63), yet the police are often the primary source of information on intimate partner homicides and other types of femicide.

Despite robust data on homicides, femicide is highlighted as an under-documented form of violence against women, among many others (UN Secretary-General 2006, 66). Studies on femicide have relied primarily on records provided by the police, the courts or medical examiners, which have been used to determine the relationship between the victim and the perpetrator and the circumstances of death, and their findings suggest that murders of women are very different from those of men (UN Secretary-General 2006, 66). For the police crime statistics, types of violence against women are defined by criminal offences²¹ and further clustered in the category of domestic violence, a common form of violence and often linked to attempted or completed killings of women. Switzerland made this point in its latest report to the Special Rapporteur’s femicide watch initiative, stating that

“[t]he Penal Code is in principle formulated in a neutral way. Homicide is subdivided according to the seriousness of the offence: murder (Art. 111), assassination (Art. 112) and murder with passion (Art. 113). The term ‘femicide’ does not appear in the Penal Code or in the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention; RS 0.311.35). In contrast, in the police crime statistics (PCS), the Federal Statistical Office (FSO) indicates the sex of the victims of violent crime in such a way that homicides perpetrated against women are expressly highlighted. In addition, and only in the case of domestic violence, the type of relationship between the victim and the perpetrator is indicated” (Bundesrat 2021, 2; note that in the report sex (‘M/W’) is indicated in a sub-chapter listing numbers of ‘Victims of violent crime: Age and gender,’ without the indication of ‘domestic violence,’ see BFS 2021, 42).

²¹Some quite clearly, like rape, which has a distinct gender indication: “Wer eine Person weiblichen Geschlechts zur Duldung des Beischlafs nötigt, namentlich indem er sie bedroht, Gewalt anwendet, sie unter psychischen Druck setzt oder zum Widerstand unfähig macht, wird mit Freiheitsstrafe von einem Jahr bis zu zehn Jahren bestraft” (Swiss Penal Code, art. 190, p. 91 (https://fedlex.data.admin.ch/filestore/fedlex.data.admin.ch/eli/cc/54/757_781_799/20200701/de/pdf-a/fedlex-data-admin-ch-eli-cc-54-757_781_799-20200701-de-pdf-a.pdf, “Schweizerisches Strafgesetzbuch, Artikel 190, Vergewaltigung”).

Yet for the broader concept of violence against women, a focus on domestic violence seems questionably narrow since it omits non-domestic violent incidences and might not be a sufficient operationalisation (Walby 2007, 12). Femicides are not restricted to the domestic sphere. Working on the basis of this specific data material naturally narrows down the possible indicators that could contribute to developing a deeper understanding of the phenomenon. However, the notion that the greater the number of indicators, the wider the range of forms that can be identified has its own shortcomings. It might seem straightforward but for a survey, this represents a data collection issue as reliable distinctions are dependent on the size of the sample (2007, 12).

Prior to the submission of the most recent periodic report to the CEDAW in 2019, the Committee asked Switzerland to “provide statistical data on the number of reported cases of gender-based violence against women, including women in detention, women with disabilities, women belonging to ethnic minority groups, lesbian, bisexual, transgender women and intersex persons, disaggregated by age, type of violence and relationship between the victim and the perpetrator” (CEDAW 2019, 4). Switzerland responded by stating that, based on the information in the police crime statistics, violent offences that related to gender or had a sexual motive could not be identified. They stated that only gender, age and nationality (or residence status) of the police-registered aggrieved individuals, according to the penal article, were available and the relationship between the victim and the accused could be shown (Bundesrat 2020, 16).

As discussed so far, the fact that the relationship is provided for all types of attempted and completed killings that are considered ‘domestic violence’ seems to allow a deeper analysis of a possible gender-based motive. In 2020, a total of 93 individuals became victims, of which 68 were women and 25 were men. Thereof, 2 females and 0 males were victims of “infanticide”, 57 females and 22 males were victims of “killing, wilful homicide”, 1 females and 2 males were victims of “manslaughter”, and 8 females and 1 males were victims of “murder”.

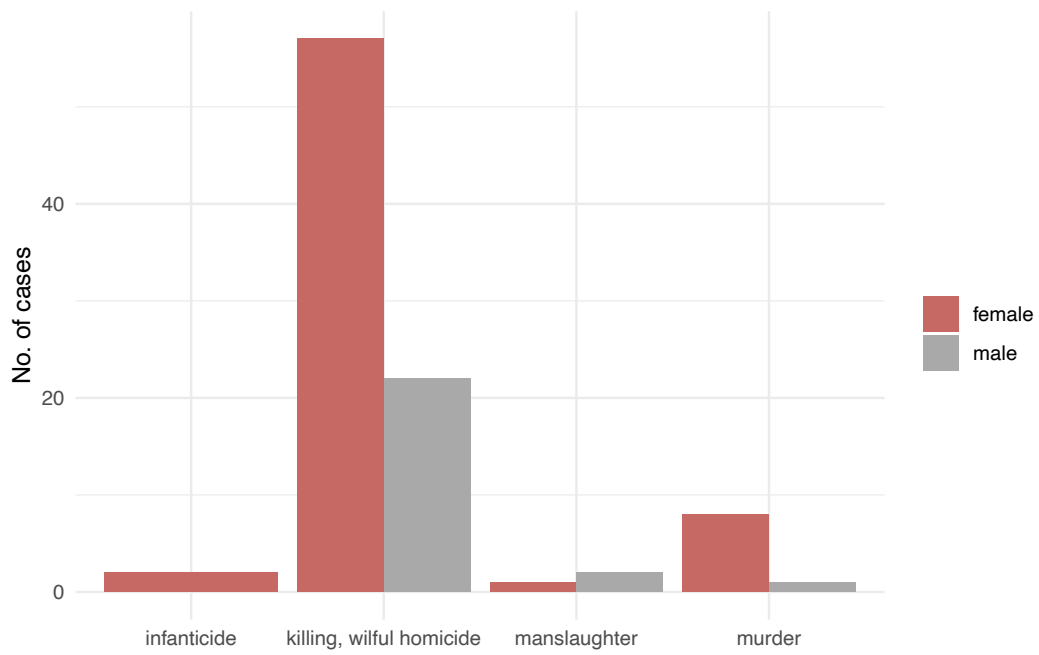


Figure 4: Types of killings according to articles in the penal code considered in 'domestic violence' by gender in 2020 (CH), data source: FSO.

4. Research approach

While pursuing my curiosity about the making of a statistical number, I focused on asking the ‘hows’ of the practice, following its traces in the entities involved. To my knowledge, there has been little to no research into the practices of statistical works in the Swiss context. This project is a first exploratory attempt to fill the gap, maintaining an open approach as far as possible throughout the process. Hence, a qualitative research methodology seemed appropriate. Considering the two models of qualitative research, naturalism and constructionism (Silverman 2013, 106), I found it difficult to clearly attribute my work to one of them. I am asking ‘how’, but with practical processes in mind rather than the abstract creation of meaning and interpretation. Yet interpretation, or more accurately, translation, is a relevant feature, although not necessarily from the individuals involved but throughout the process of making the number. Nevertheless, I consider the object of investigation – a statistical number – to be a social and cultural construction. Statistical numbers are, in turn, represented by procedural steps that are not easily observable by an outsider. Also, by applying the imagery of a “statistical chain” to the field, I am using an abstract construction. However, I settled on placing my study in the naturalists’ method, as Silverman puts it, where interviews serve to understand an experience and texts and documents are considered background material (2013, 125).

Clearly, my aim was not to develop a new theory or explanation, nor did I focus on proving the meaning and effects of statistical information. I consider the previously discussed context and theories as my starting point for examining the social phenomenon of femicide from a different angle, based on the current demands for an official count and perhaps unveiling some previously hidden facets of reality (Reiter 2017, 139). Exploring the concrete practice of the making of a statistical number, how it is organised, where translations happen and decisions are made, and how meaning is created through practices allows a glimpse into the vast structure behind a statistical number. The authority that statistics emanate in the notion that they are “neutral, sanitized, and objective expression of an unseen truth” (Ward 2004, 24–25) is, ultimately, a human-made structure and the result of human action (Reiter 2017, 140). In focusing on ‘how’ it comes into being, I intended to open up this field – leaving the ‘why’ to subsequent in-depth analyses of further research.

4.1 Data

The material considered consists of 8 transcribed interviews, 47 publicly available documents from public institutions, 5 confidential documents, 2 publicly available data sets and a requested data set with a selection of variables based on the features listed in the PCS manual (“Erfassungshilfe”), which resulted in 24 variables and 3581 rows:

Variable	Type	Beschreibung
ORGANISATIONAL_UNIT_TX	Char	Polizeibehörde
PK_CASE	Num	Fall-Identifikationsnummer
ARTICLE_CD	Char	StGB Artikel
AUSGANGSJAHR	Num	Jahr, in dem die Erfassungsarbeit von der Polizei abgeschlossen wurde
DELICT	Char	Zusammensetzung der Variablen law_cd, article_cd und numeral_cd
PLACE_CD	Char	BFS- Gemeindenummer Tatort https://www.bfs.admin.ch/bfs/de/home/grundlagen/agvch/historisiertes-gemeindeverzeichnis.html
FORM_CD	Num	Vollendet (0) / Versuch (1) - TENT in der Erfassungshilfe
LAW_CD	Char	Gesetz
NUMERAL_CD	Char	Absatz/Ziffer
MULTIPLE_FLG	Num	Vermerk: Mehrfach
PK_OFFENCE	Num	Straftat-Identifikationsnummer
article	Char	konstruierte Variable für die Auswertung von StGB-Straftaten
clear	Num	Zählfaktor für aufgeklärte Straftaten
Factor_hg	Num	Zählfaktor für Straftaten der Häuslichen Gewalt
Variablen beschuldigte Personen	NA	NA
TV_BFS_PERSONAL_NR	Num	Identifikationsnummer der beschuldigten Person
TV_SEX_CD	Num	Geschlecht der beschuldigten Person (1 = m, 2 = w)
TV_ALTER	Num	Alter der beschuldigten Person zum Zeitpunkt der Tat (letztes Datum der Straftat)
TV_CLEAR_DT	Num	Datum der Zuordnung der beschuldigten Person zu einer Straftat
TV_RELATION_CD	Num	Beziehung beschuldigte-geschädigte Person
Variablen geschädigte Personen	NA	NA
VIC_BFS_PERSONAL_NR	Num	Identifikationsnummer der geschädigten Person
VIC_SEX_CD	Num	Geschlecht der geschädigten Person (1 = m, 2 = w)
VIC_ALTER	Num	Alter der geschädigten Person zur Tatzeit (letztes Datum der Straftat)
VIC_RELATION_CD	Char	Beziehung beschuldigte-geschädigte Person

The definition of ‘killings in the domestic sphere’ transferred into the following selection of data:

```
# object including all killings in domestic sphere:
# bfs_domsphere <- bfs_killings %>%
# filter(penal_art == 111 |
#        penal_art == 112 |
#        penal_art == 113 |
#        penal_art == 116,
#        # considered categories of killings in the domestic sphere
#        relship == 5010101 |
#        relship == 5010103 |
#        relship == 5010105 |
#        relship == 5010107,
#        # 5010101 couple relationship, partnership
#        # 5010103 former couple relationship, partnership
#        # 5010105 parents, surrogate parents, foster parents/child
#        # 5010107 kinship
#        #relationships that define 'domestic'
#        # !is.na (domviol)
#        #counting factor ("factor-hg") for domestic violence offences.
#        #filtering killings domestic sphere.
```

Additionally, for the map based on this data set, I had to merge the FSO local IDs with GPS coordinates. Each ID references to a postal code and location name; data that seems long-lasting, yet also subject to changes (for example 5421 Apples VD, changed into 5656 Hautemorges).²² In total, the merged dataset featured 26 missing location matches due to changes of the names of municipalities.

Applying the imagery of a “statistical chain” (Thévenot 2016, 104) of the number of attempted and completed killings in the domestic sphere, I placed the Federal Statistical Office (FSO) at the top of the statistical process, which also depicts where I set out with my inquiry. This is where all data from cantonal police departments come together and where the yearly report of the police crime statistics is compiled and published. The FSO is also in charge of the current additional online survey on attempted and completed killings (ePCS). Next in that chain would be a team inside the cantonal police force in charge of collecting, completing and submitting the data to the FSO. This would be followed by the criminal investigation department of the police body, which works on cases of severe violence (which attempted and completed killings are), and the public prosecution department, which is usually (depending on its size) also organised around categories of offences and is closely involved right from the start of an investigation. The latter also accounts for the precise coding of a criminal act to the relevant offence for crime proceedings. Finally, and essentially the basis for the entire process, are the victims of such violence who either found the courage to report the violence to the police (which might be later categorized as an attempted killing) or an individual from the social environment of a victim who witnessed the attack or found the body. In this study, the victims of such violence were represented by a protecting institution – in this case a woman’s shelter – which enabled me to continue data gathering on an institutional level.

²²Change shown in catalogue <https://www.bfs.admin.ch/bfsstatic/dam/assets/13127890/master>. How dynamic such changes can be is reflected in this overview of up-coming replacements: <https://www.agvchapp.bfs.admin.ch/de/projects>.

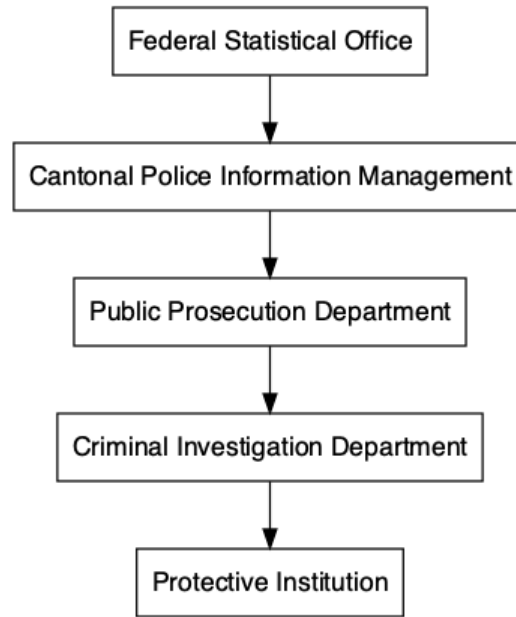


Figure 5: Sequence of considered entities in this study (statistical chain).

My entry to the field was guided by the demands for data from NGOs and private initiatives (as mentioned in the introductory chapter). I previously had the opportunity to engage in discussions with activists and learn more about the broader context of their intentions and positions regarding femicides in Switzerland. Soon, the importance of the police crime statistics as a main source of information regarding violence against women for different stakeholders became apparent, notwithstanding the activists' own data gathering. And with it, my interest in the object of investigation – the number of attempted and completed killings in the domestic sphere – grew. This orientation phase was beneficial for my understanding of the implications and meaning of a statistical count. For access to the experts I had the pleasure to talk to, I first sought permission to speak with someone who directly contributes to the yearly report of crime statistics, the final product of the examined statistical chain. Once that contact was established, the next contributing entity and interviewee was identified. I therefore applied snowball sampling, relying on existing connections in the field. Interviewees would recommend other people they were in contact with and these recommendations undoubtedly opened some doors for me which otherwise would have remained closed or would have required much more effort to open. A side effect of snowball sampling is that I remain within a network where actors know each other and could potentially inform each other and therefore influence the content and willingness to share details. In this respect, the procedure is helpful for gaining initial access to an unfamiliar field and establishing who the relevant actors are, which was entirely appropriate for my project (Przyborski and Wohlrab-Sahr 2014, 184). Nevertheless, the interview phase was far more time-consuming than expected as even recommendations cannot resolve

reluctance to provide information or lack of availability due to other priorities. This was particularly apparent in areas such as security and law which tend to handle sensitive information. All respondents provided me with their consent in advance by means of an email and/or a signed form with information about the handling of the gathered audio data, which turned out to be an important step in building trust.

The individual data set from the FSO required a formal application, since individual (anonymised) cases of attempted and completed killings are not available publicly. This required signing specific forms, introducing the project, and listing the desired variables. Supporting material in the form of publicly available documents and data were searched online; particularly interesting databases were the UN Official Document System, the Swiss Parliament's curia vista and, of course, the FSO website.

It was my intention to include at least one main actor or entity likely to be mirrored in the other cantonal organisations at each crucial step of the formation process. The focus is therefore not on the actual geographic localization of these entities and their particular procedures, nor a comparison with others in a different region, but on their place in the succession of the whole statistical process. In this respect, I would not go so far as to claim to have carried out a well-defined case study. It is rather a first dive into the realm of a vast statistical infrastructure. Nor am I making a generalisation of the results to all national agencies involved in the statistical work of the police crime statistics. However, I assume that certain findings are reflected in other constellations, based on the presence, or partial presence, of shared causal mechanisms (Reiter 2017, 141).

4.2 Methods

My sample consists of people from different institutions or bodies and all of them are experts in their field, having role-specific knowledge within their entity (Przyborski and Wohlrab-Sahr 2014, 119). And with it, they contribute, to varying degrees, to the statistical process. Their specialised form of knowledge about the institutional contexts, procedures and mechanisms therefore allows them to gain access to insights that are incorporated in (often not formalised) operational practices (2014, 120), which was a core aspect of this project. However, the interpretative power that is connected to an expert status (2014, 119) was not a matter of focus. For the interviews, I followed a lightly structured interview. After all, only processes can be narrated – not states, attitudes, views or theories (2014, 82). I relied on the respondents' personal experiences as an actor or observer within the described procedure. The interviews were conducted in different modes: in person, by phone, and in video calls (partly due to the necessity to avoid travel on account of the COVID-19 pandemic and also for confidentiality reasons, e.g. in women's shelters). I then transcribed

the recorded interviews, translated from Swiss German into High German, with the dialect intonations and accents toned down since a descriptive presentation is sufficient for the analysis (Strübing 2013, 106) and facilitates comprehensibility without deviating too much from what was said. For sharing confidential material (as transcripts and documents), I used a secure email service, either one of my choosing or of the recipient's. Examples of questions and transcription rules are listed in the appendix.

The lightly structured interview proved to be the right tool for my purpose as a rigidly structured interview would have compelled me to order and structure content in advance of which I had no previous knowledge. Additionally, with each interview, I not only had to adapt the questions to the findings of the previous one but also to an expert in another field. Therefore, a ready-made guide would not have been of much use. The unstructured interview – unfortunately often mistaken as completely undefined – or lightly structured interview still allows for the pursuit of a concrete topical objective and research interest (Przyborski and Wohrab-Sahr 2014, 126). My study was primarily oriented around practices within the context of the making of the statistical number, focusing on how is what done at what point, which is a tightly defined framework. During the conversations, the content-related relevance structures and communicative ordering patterns were left to the interviewees while stimulating spontaneous presentation of actual situations, requesting exemplary and supplementary details and specific presentations (2014, 125–26) filling in the steps in the process by follow up questions (Rubin and Rubin 2012). Thus, gaining step by step knowledge about the conditions in which that statistical number materialises. Nonetheless, as a rather inexperienced researcher, I admit that there is some comfort in having a guide to hold on to. The openness with which I conducted this study was challenging as it gave the sense of drowning in a never-ending sea of data.

In the analysis, in order to close gaps or substantiate statements, publicly available and confidential documents were given as much weight as the interviews with experts. I essentially proceeded with a close reading through the corpus – “a technically informed, fine-grained analysis of some piece of writing, usually in connection with some broader question of interest” (Herrnstein Smith 2016, 58) – in order to make sense of it and discover, in iterative steps, the components and processes behind the statistical number. To establish a certain degree of comprehensibility, and also to manage the material, I mirrored the progressive analysis in an open coding using ATLAS.ti (Version 9.1.3) as an exploration tool, and gradually identifying semantic themes that address my research question (Maguire and Delahunt 2017, 3353) which are represented by categories of codes. This approach differs from a conventional qualitative content analysis in that the categories were not used as an initial framework and applied equally to all of the material. They may however come to serve as a template for further studies.

	Name	^	"n	◇	Gruppen	◇	Komme
◇	data basis		29		practice	1	
◇	definition		20		category formati...	1	
◇	delimitation		17		practice	1	
◇	dependency		23		practice	1	
◇	hidden information		9		category formati...	1	
◇	motivation		13		category formati...	1	
◇	ongoing negotiation		18		practice	1	
◇	organisational intersection		20		practice	1	
◇	perspective		20		category formati...	1	
◇	spatiality		4		category formati...	1	
◇	structure		3		category formati...	1	
◇	translation		21		practice	1	
Ergebnis: 12 von 12 Kodes							

Figure 6: Screen shot from ATLAS.ti (Version 9.1.3), showing categories of codes.

As for the analysis of the FSO data set, I chose to visualize the data in order to emphasise the findings from the textual material and, in particular, mirroring the approach of mapping the cases to localities as some activists in their work against femicides do. Hence, the findings in this study are not based on an exploratory data analysis of a data set, but the visualisations may emphasise a point.

One perhaps often overlooked tool of analysis is the writing itself. Organizing and expressing ideas has great power to clarify. The widespread notion that a research report is just an exercise of ‘writing up findings’ based on previous clear thoughts is far from the rebellious, often difficult but also revealing process that writing is. As Anne Lamott put it: “The good news is that some days it feels like you just have to keep getting out of your own way so that whatever it is that wants to be written can use you to write it. But the bad news is that if you’re at all like me, you’ll probably read over what you’ve written and spend the rest of the day obsessing, and praying that you do not die before you can completely rewrite or destroy what you have written, lest the eagerly waiting world learn how bad your first drafts are” (Bird by Bird, 1994, in Schimel (2012), 4).

Regarding the quality and strength of the research process, I am aware of the debates around differing quality criteria for qualitative and quantitative approaches (for example, as in Strübing et al. (2018) and their suggestions for criteria for qualitative research on the basis of specific interpretive and re-constructive methods). However, the questioning of the notion that numbers are representations unaffected by processes of interpretation and translation is an underlying theme of my study, which is why I chose to refer to the traditional conceptions of validity, reliability and objectivity, even though I clearly did not apply a tool of standardised measurement.

Validity

All methods of data collection ultimately undergo a qualitative sort of analysis since the act of analysis itself is an interpretation. Their rendering is always selective. In this qualitative study, I have to convince myself and my audience that my findings are genuinely based on critical investigation of all my data (Silverman 2013, 286). This is why the considered data material extends to a number of additional documents gathered over the entire duration of the project. Furthermore, all transcripts were submitted to the respondents. This was not only for ethical reasons (it's 'their' data, after all), but also to allow them to review their accuracy. Regarding the content of the interviews in general, I had no reason to doubt the authenticity of their accounts. And due to the fact that my intentions did not suggest an explicitly critical view of their activities or responsibilities, but were rather about my understanding of a bigger context, I did not anticipate any kind of bias in their statements. Basically, this research should not be seen as an attempt to provide categorical 'truths' about all procedures contributing to the Swiss police crime statistics, but as an attempt to make the work visible, raise questions, and offer further analytical possibilities.

Reliability

In the context of standardised procedures, the reliability of a method refers to the possibility of exact reproducibility of an empirical study. Operationalisation, i.e. the clearest possible description of the link between observation data and concepts or the indicators to be observed and measured, is central to this. Operationalisation, or the formation of indicators, always involves a scientifically very strongly interpreted specification of observations. In comparison, observations within the framework of qualitative methods are interpreted relatively little or not at all in advance, hence there is no need to repeat the measurement. But the question remains whether results and studies are in principle reproducible (Przyborski and Wohlrab-Sahr 2014, 24). Qualitative studies secure reliability by demonstrating that extracted structural elements were not arbitrarily singled out but are found systematically in other cases too, and by systematically including and explicating everyday standards of communication (2014, 26). In the present case, the assumption is that the discovered components of the statistical work and their implications not only occur in the context of my sample. However, it offers no verification. The visual of the 'statistical chain', i.e. the entities considered in the study, could be considered as a basic reproducible structure. Due to the exploratory nature of my study, I am mindful of paying particular attention to procedural reliability in order to ensure the traceability of the handling of the data. The interviews were transcribed according to standard rules; considered extracts of data resulting from a close reading are made explicit by codes and categories; and careful citation of the empirical material explains which statements were retrieved from interviews or documents. Additionally, the report was written in R bookdown and its files and code stored in a private GitLab repository, making the plots in particular comprehensible and reproducible. This contributes to a transparent documentation of the research process.

Objectivity

It is not unproblematic to claim that a gained and mapped cognition captures “reality”, taking into account one’s own limitations, influences, abilities and idiosyncrasies (Meinefeld 1995, 262). So what remains of the concept of objectivity if subjectivity cannot be argued away? The reference to the “thing” to which one can demonstrate direct access. Objectivity thus finds itself in the concept of “intersubjectivity”, which recognises a statement as objective if it is fundamentally verifiable (1995, 263). “Even if research results are indisputably always constructions of the researcher: They should nevertheless be social constructions, that is, in order to fulfil their function, they must be communicable inter-subjectively (to the community of professional colleagues, but also to society)” (Strübing 2013, 113).

4.3 Limitations

The idea of a clear, linear flow of the process, as in the idea of a “statistical chain”, is a simplification of reality and merely a strategy to grasp the subject matter. Given the limitations of this project in terms of scope and available time, the range of considered organisations is limited to those who contribute to the collection of the necessary data in a practical way. Taking into account the national federalist structure, the location of these entities were disregarded since the aim was not a comparison on a cantonal level, for instance, or a comprehensive stocktaking of every “chain that leads to data” (Thévenot 2016, 96). This decision was primarily due to the accessibility and availability of the persons or institutions. The different ways of conducting the interviews (by phone, in person or video) is also related to this. Instead of insisting on a face-to-face interview, for example, I offered alternatives as the priority for me was a conversation with the right person rather than conducting the most fruitful type of interview. In addition, in a field with federal governments, police, prosecutors and protection agencies, issues of confidentiality of information are always to be expected. With greater flexibility, I was able to include relevant agencies and people in the limited time and resources available and still get a comprehensive impression of the whole infrastructure. But then, I had not set out to make a cantonal comparison, for example, which would certainly have made it possible to observe further, quite different processes. Of course, some interesting actors had to be left out, for example technical staff, frontline staff in the police forces, or decision-makers from higher-level organisations. The initial focus on attempted and completed killings in the domestic sphere as presented in the PCS was broadened by including the current additional survey (ePCS), and the latter is therefore treated in parallel in the presentation of the results, hopefully not to the detriment of comprehensibility.

5. Results

The new national police crime statistics (PCS) were issued in 2009, replacing the previously used cantonal counting systems. The revision of the PCS was significant in advancing the observation of domestic violence. Currently, the Federal Statistical Office (FSO) is conducting an additional online survey on attempted and completed killings (ePCS) alongside the PCS. Both sets of statistics are the result of a complex network of cooperation and continuous exchange, mainly between the cantonal police departments and the FSO. Interestingly, the category of ‘attempted and completed killings in the domestic sphere’ is based on different frameworks: specific documentation, the penal code, determined relationships and a predefined selection of crimes. Reflections on the spatial metaphor ‘domestic’ and the implied segregation from the ‘public’ sphere highlight the relevance of inter-personal social and physical distance, which affects reporting behaviour of victims and hence impacts the numbers of cases reported. In order to ensure a steady collection of PCS data, its essential rules are specified in an instruction manual. Quality controls are a central practice and are conducted both automatically and manually throughout the collection process. Availability of resources shapes data gathering as well as the category ‘domestic’.

5.1 Killings in statistics

The FSO continuously compiles the Swiss police crime statistics and issues a yearly report based on the statistical survey act from 1993 and in close collaboration with the cantonal and federal police departments²³. Up until 2008, data collection considered only a small selection of criminal offences, which were aggregated at a cantonal level. The variables differentiated between the means of crime or procedure; whether the suspect is a citizen (or not); a male (or not); an adult or minor; and whether the victim is male (or not) and under the age of

²³See system of official statistics (<https://www.bfs.admin.ch/bfs/de/home/bfs/oeffentliche-statistik/system-oeffentliche-statistik.html>). For its work, the FSO is subject to the Federal law for statistics (https://fedlex.data.admin.ch/filestore/fedlex.data.admin.ch/eli/cc/1993/2080_2080_2080/20160101/de/pdf-a/fedlex-data-admin-ch-eli-cc-1993-2080_2080_2080-20160101-de-pdf-a.pdf). With the ratification of the bilateral contracts, the FSO also adopted the Code of practice from Eurostat (<https://ec.europa.eu/eurostat/documents/4031688/8971242/KS-02-18-142-EN-N.pdf/e7f85f07-91db-4312-8118-f729c75878c7>) (BFS 2008, 4).

16 (or not). The quality of the statistical information had significant shortcomings. The standards for recording and counting on cantonal levels varied and the method of coding of the selected offences and the applied recording and evaluation principles were inconsistent. The categories included ‘wilful homicide’, which comprised the articles 111-116 from the Swiss Penal Code and ‘attempted wilful homicides’ (Statistik 2015, table denoted as ‘police crime statistics (minimal)’). From today’s point of view, perhaps unusually, there was no category for ‘female’ or ‘women’ – or rather, that group was considered to be a deviation from ‘male’ (see figure 7).

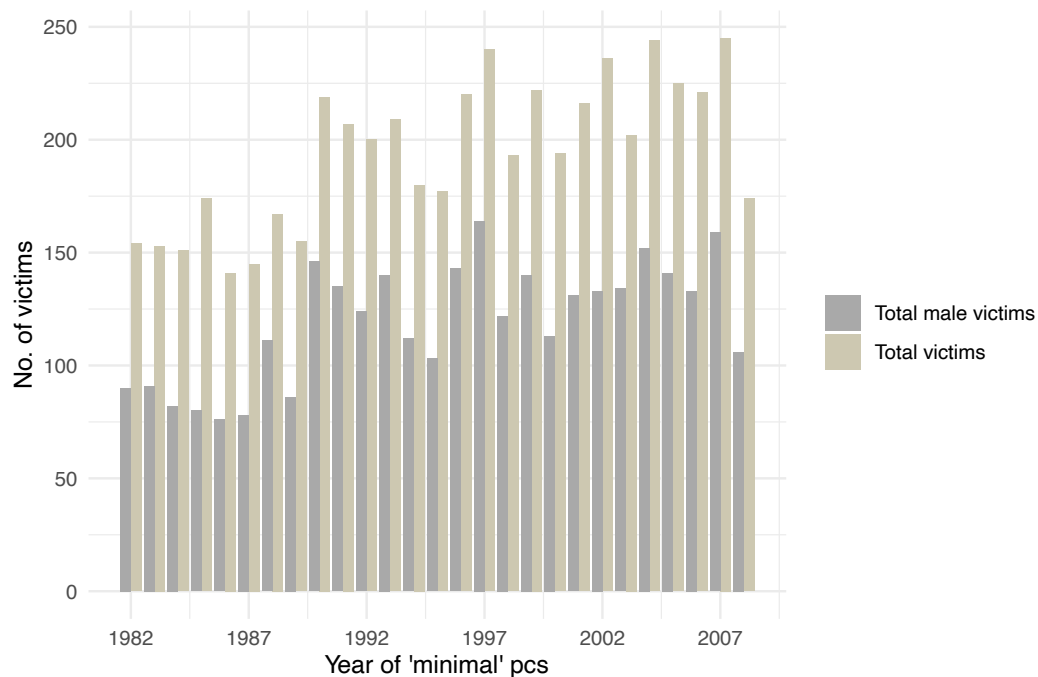


Figure 7: Victims of attempted and completed killings 1982-2008, as recorded by the old police crime statistics. Note that there was no category for ‘domestic violence’ nor for ‘women’ or ‘female’ considered (data source: FSO online).

In the mid-2000s, questions regarding killings in the domestic sphere in Switzerland gained relevance along with possible strategies of prevention. The need for adequate information about the specific circumstances seemed evident (Zoder and Maurer 2006, 9). However, in this particular area of crime, the statistical data on a national level was very limited and would not allow for any prevention-oriented analysis. A comprehensive statistical analysis of committed capital offences in Switzerland was missing. As indicated above, the older police crime statistics (from their beginnings in 1982), provided little information on attempted and completed killings. Most of the cantonal crime statistics did not provide any further insights either. No details on the relationship between suspect and victim were recorded,

and the aforementioned methodological shortcomings impacted on data quality and validity. They were, due to their small number range and specific idiosyncrasies, not suitable for making any general statements on a national level (Zoder and Maurer 2006, 7–8). This initial situation caused the Federal Office for Gender Equality to launch an extra survey on killings with a focus on the domestic sphere (concluded in 2005) at the FSO and financially support the endeavour. In order to gain as high-quality and comprehensive information as possible, the best approach was to work with police files. Needless to say, the procedure was labour-intensive and could only be tackled with the support of the cantonal police authorities (2006, 8). Later, an in-depth analysis on the same data focused specifically on intimate-partner killings. Among other things, it identified the separation phase as a particularly dangerous situation. It also considered male victims but, due to their small numbers, a comparison with female victims was not possible. Within the years 2000-2004, there were on average 50 female and 11 male victims of attempted and completed killings in intimate (ex) relationships per year (Zoder and Maurer 2008, 31).

Considering the numbers from 2009 to 2020, they show an average of 39.75 female and 10.75 male victims of attempted and completed killings in intimate (ex) relationships per year (consistent with and almost unaltered from the numbers in Scheidegger and Darbellay (2018), 14), finding 39 female and 11 male victims per year between 2009 and 2016).²⁴

²⁴The counting and display of the number of victims depending on relationships is a delicate matter. For instance, if a victim was killed by more than one perpetrator who have different relationships, it appears once in each category of relationship. This needs to be considered when interpreting a report, since it results, for example, in a table showing supposed totals of victims per relationship that do not add up (see Scheidegger and Darbellay (2018), 12), which I found somewhat confusing.

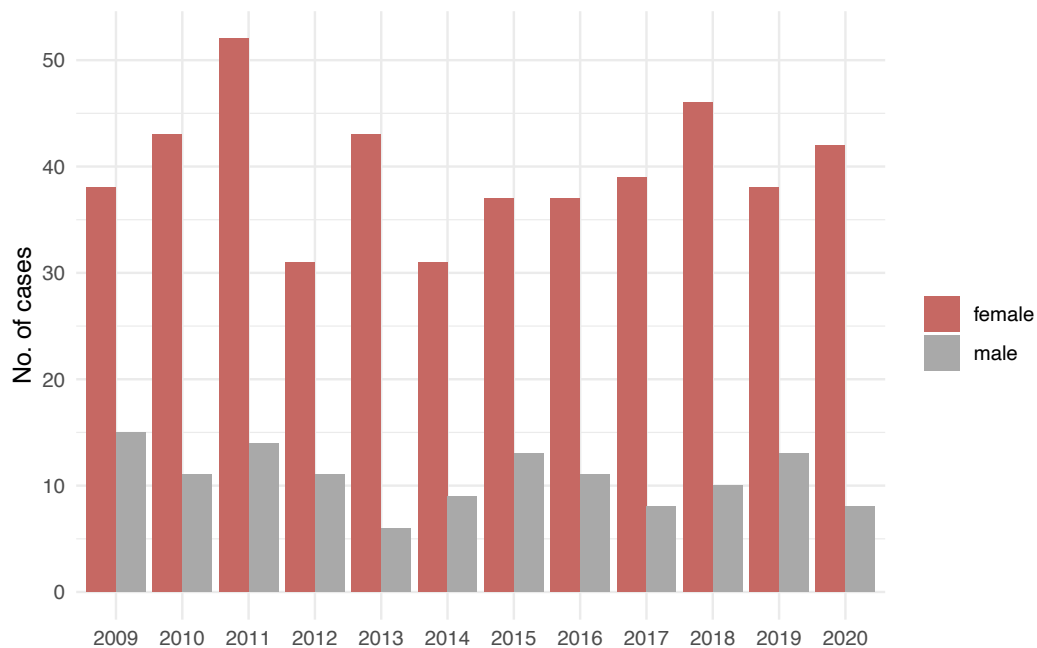


Figure 8: Victims of attempted and completed killings in the domestic sphere in intimate (ex) relationships or partnerships by gender 2009-2020 (CH), data source: FSO.

In 2008, a specialised board and project management team agreed to publish the cantonal and national crime statistics in a coordinated manner. This commitment required a common schedule for press releases, a standardised content of the reports and identical numbers with equivalent evaluation principles, a uniform data basis, and joint quality control (BFS 2008, 4). The new national police crime statistics were issued in 2009, representing for the first time “all offences recorded by the police for the whole of Switzerland” (BFS 2010, 66). This cooperation between the cantonal and federal police authorities was by no means self-evident. Some had to abandon long-term cantonal statistics in the interest of inter-cantonal comparability. Not least, the adjustments seem to have involved a considerable amount of effort and additional costs. Nonetheless, there was hope that the obvious added values of the new PCS would soon make “the existing cantonal traditions in this statistical area quickly forgotten” (BFS 2010, 5).

The revision of the PCS in 2009 represented huge progress in the observation of domestic violence (Zoder 2008, 7). For the first time ever, it was possible to number the criminal acts within the category of domestic violence on a national level (BFS 2010, 9). Finally, detailed statistical information on crimes recorded by police and on the accused and aggrieved individuals was available (Zoder 2008, 7). A first overview publication of domestic violence recorded by police showed that the share of completed killings is particularly high (55%)

(2008, 5). While the first three years of the new PCS showed a decrease in crimes, accused and victimized individuals in the domestic sphere and acts of severe physical violence actually increased. It also showed that women are particularly impacted as victims of completed killings (Zoder 2008, 9).

A further study from 2018 examined the occurrence, circumstances and development of killings recorded by police between 2009 and 2016 in Switzerland, focusing on the diverse relationships between aggrieved and accused individuals (as a continuation of the aforementioned previous studies from 2006 and 2008). The analysis sought, among other things, to compare different forms of homicides for which the relationship served as a distinguishing feature. It assumed that, depending on the nature of the relationship, the motives for the crime varied. Killings in the domestic sphere are thus located in the context of intimate relationships and daily interactions, where factors of emotional nature play a significant role. The act of killing often appears to be a means of resolving a conflict or punishing the victim (Scheidegger and Darbellay 2018, 7). The study found that between 2009 and 2016 in Switzerland, half of all the homicide victims were killed in the domestic sphere, which is a relatively high count compared to Europe (28%) (2018, 36).

The FSO is currently conducting an additional online survey (ePCS, separately from the PCS) on attempted and completed killings, which is set to run for five years, from 2019 to 2024. The objective of this survey is to collect data on attempted and completed killings that goes beyond what is available in the PCS (idoc 5) and additionally to cover the ‘blind spot’ of approximately fifteen years since the last deeper analysis of violence in intimate partnerships was conducted (FSO 3). The survey is largely based on the findings of the aforementioned studies from 2006, 2008 and 2018 (idoc 2) and data from the PCS²⁵. As part of the survey, information on the general circumstances of the victims and accused are gathered (e.g. living situation, professional circumstances, substance abuse) and details of the crime (e.g. threats or aggressions prior to the act). The collection of additional data on killings within the domestic sphere (e.g. previous police interventions, children resident at the location) is also paramount. Previous research has shown that a further categorisation of the killings based on motives and more detailed categories of relationships yield, among other things, more information on the phenomenon of these killings (idoc 2). Interestingly, with regard to examples of possible motives of killings, “femicide in the narrower sense” is mentioned in the conceptual framework of the ePCS (idoc 2). It is expected that the findings of this survey will be applied in developing effective prevention strategies (idoc 5).

²⁵Supplementary information to the PCS data can be added from the older versions of crime statistics (those before 2009), STATPOP (ESPOP) population statistics (<https://www.bfs.admin.ch/bfs/de/home/statistiken/bevoelkerung/erhebungen/statpop.html> “Statistik der Bevölkerung und der Haushalte”), ETS work force statistics (<https://www.bfs.admin.ch/bfs/de/home/statistiken/arbeits-erwerb/erhebungen/ets.html> “Erwerbstätigenstatistik (ETS)”) and from the BEVNAT the marriage statistics (<https://www.bfs.admin.ch/bfs/de/home/statistiken/bevoelkerung/erhebungen/bevnat.html> “Statistik der natürlichen Bevölkerungsbewegung BEVNAT”) (idoc 2, 8).

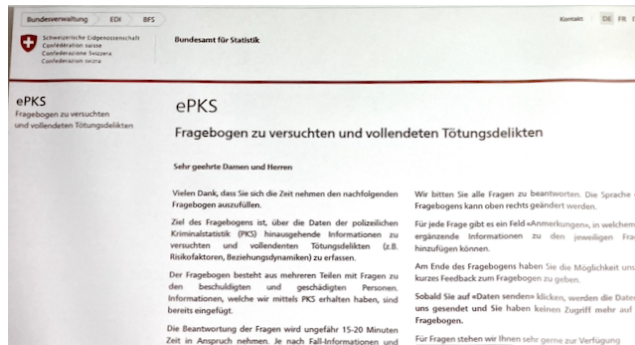


Figure 9: Welcome page of the additional online survey (ePKS) on attempted and completed killings (private photograph August 21)

5.2 Cooperation

The whole production process of the police crime statistics is tailored to cater for many entities and their demands, be it the cantonal police departments, the FSO itself, public prosecution offices, or other federal departments (FSO 2). Different bodies contribute towards the creation of the police crime statistics, the most prominent being: the Conference of Cantonal Justice and Police Directors (“KKJPD”); the strategic advisory group (“strategische Begleitgruppe”, which was reinstated for the PCS evaluation process in 2016); members of the FSO (head of department of health and social affairs, head of section crime and criminal law and head of division for police and police controls); representatives of the Federal Office of Police and the Conference of Cantonal Police Commanders (“KKPKS”). The latter was especially relevant for the additional online survey (ePKS). Apparently it made a difference which body was perceived as principal of the new project, and it was suggested that a clear mandate, with an explicit wording of the task, from the “KKPKS” would secure its feasibility (idoc 1). Different government entities intersect in the crime data gathering process, too. The Federal Office for Gender Equality is in charge of the activities around the Istanbul Convention and initiated the ePKS (FSO 2). The commitments to the Istanbul Convention entails a monitoring from the GREVIO group, which oversees its implementation including in regards to data collection. Besides the close cooperation with the cantonal police departments, the FSO is part of statistical task forces – a type of expert group – consisting of representatives of the cantons, other federal departments, and universities, where new developments are presented and discussed. Such a panel can be launched as permanent body or to accompany an ongoing project, such as was the “inter-departmental group on the Istanbul Convention”, which hosts representatives from different federal departments and bodies ²⁶. A further expert

²⁶Listed in this overview of publications “Übersicht: Publikationen des Bundes zu Gewalt gegen Frauen und häusliche Gewalt, August 2018 bis April 2021” (<https://www.ebg.admin.ch/dam/ebg/de/dokumente/>)

group and strategic panel was also involved in the development of the current additional survey (idoc 2; FSO expert groups).

In such a complex structure of intersections, responsibilities and demands, face-to-face or informal interactions become important (FSO 2). The FSO team in charge of the PCS engages in an ongoing exchange of information with the cantonal police departments due to data deliveries and correction protocols, “it’s quite close cooperation with the capos [cantonal police departments], if they have something that doesn’t work, for example, or what they find strange in our data checks, then they come up to us and say, can we please discuss that, can we look at that. So you’re really always in an exchange” (FSO 1). In addition, data suppliers are periodically visited on site to discuss the cantons’ particularities (BFS 2016, 7). In person meetings with people from other entities facilitate casual exchanges and the establishment of helpful contacts. The straightforward access to officials in charge, groups or units are an important resource in day-to-day interactions: “Just little things like that, but then it’s like, come on, we’ll look together. And that makes it easier when you have a connection” (FSO 2). This rings true for all described activities concerning the production process of the police crime statistics.

In the beginning of the current PCS frame work, countless cantonal peculiarities and deviations from standard procedure demanded the application of elaborate correction scripts, cleaning and re-coding the data, before it is imported into the FSO database. Meanwhile, this has mostly been resolved – in some cases by instructing the cantonal institutions providing the data to compile it in accordance with the form agreed upon (BFS 2016, 10). The timing of the publication of the PCS (which is usually issued in March) depends on the gathering process, i.e. internal workflows in the police departments, the data transmission, and subsequent steps of processing at the FSO (BFS 2008, 6). Crime statistics are a baseline measure, meaning that the date of an offence in statistics corresponds to the moment when the police transmitted the information to the FSO – not to the actual date of the crime. The advantage is that this means the numbers are available relatively soon after the year’s end because “later, it somehow doesn’t benefit anyone. Well, yes, but the report is also used for all the political things and so on” (FSO 5) and, not least, also in research facilities. The downside is discrepancies from one year to another due to the duration of case proceedings (BFS 2021, 6), which influence the time of transmission. Once the numbers for the previous year are published, the data for the report are no longer updated even though modifications can still reach the FSO. Modifications were not deemed relevant to such an extent as to offer any additional benefit for data users. Much to the contrary, it was suspected that an update of data that had previously been published might irritate the user and weaken the credibility of the data material (BFS

2008, 8). The police only gives a case “PCS status” (PIM 4) once all data is recorded in accordance with the specifications. For numbers that attract a lot of public attention, like the number of killings, incoming data is especially scrutinised (FSO 2). Discrepancies are avoided by pre-recording new cases at an early stage if they occur around the end of the data collection cycle (PIM 4). The collection of data for a given year concludes in February of the following year, when all data is “frozen” (FSO 2 & FSO 5; BFS (2008), 7).

An evaluation of the new PCS illustrates the continually performed negotiation around the object, notably not only discussing its adjustments but also affirming which elements are established and not fundamentally questioned. According to the last evaluation report, these include aspects of a rather indispensable nature, such as the PCS per se, the drafting of the national report, the process and agreed upon rules of statistical production and even the existing cooperation between the Federal Government and cantons (BFS 2016, 6).

5.3 Data basis

Looking for the fundamentals of the numbers in the police crime statistics, it seems obvious to first think of police records as the main source. That is certainly true, but it conceals the actual origin of these records – the individuals who report to authorities. These crimes need to come to the attention of the police first (and into the ‘bright field’), despite the fact that attempted and completed killings are offences prosecuted ex officio; either by the victim (in the case of an attempted killing); an informant (referred to later in court proceedings as a ‘witness’); in the case of domestic violence sometimes family members; uninvolved individuals who find the body (CID 8); or members of an institution, for example a hospital, school or social services employees (WSH 7). Reporting violence from family members is a huge step, as will be discussed below, even for severe violence, “such a strong abuse that one can say it was an attempted killing, then it is often a matter of the women being afraid for their lives. And maybe they also have symptoms where they simply can’t cope without medical help. And then they reach out, either to a women’s shelter, or to a medical centre of some kind, or to a family doctor, or to a hospital, emergency or whatever” (WSH 7). It often takes sheer fear for life and the need for medical attendance to reach out, “[i]t is never a slap in the face” (WSH 7). That statement points to the often inappropriate common images of the severity of the violence these victims suffer before they seek help²⁷. Consequently, the severity of the violence influences to some degree the reporting thereof. Not least, the decision to report to the police is also influenced by its possible consequences on existing dependencies, such as residence permit or financial situation (WSH 7).²⁸ Additionally,

²⁷See for example Backes, Laura and Bettoni, Margherita (2021) “Alle drei Tage. Warum Männer Frauen töten und was wir dagegen tun müssen”, München, Deutsche Verlags-Anstalt, or Joel, Antje (2020) “Prügel. Eine ganz gewöhnliche Geschichte häuslicher Gewalt”, Hamburg, Rowohlt, for insights and accounts.

²⁸The uncertain situation as well as the dependence on the partner force many victims of domestic violence to stay with the offender because they are afraid of losing their residence permit. If a separation occurs, the

it needs to be carefully documented from a medical professional as to be qualified, for example, by the judiciary as an attempted killing (WSH 7). If the police are called and “a life-threatening injury is in the focus, the forensic service is always called in, plus the public health officer and so on, and then it is also documented” (CIUD 8). The category ‘attempted killing’ is, ultimately, a product of all of these implications. There is no concrete article in the penal code for ‘attempted’.

Reporting behaviour plays generally a crucial role in the recording of violence. In particular, very young or old individuals often lack the physical and cognitive capacity to report violence to police. Violence and threats are the least reported by the population. If a measurement uses reported cases of violence, it not only depends on the interpretation of the victim that the violence experienced is illegal, but also that informing an institution makes sense; “measuring gender violence is a subjective and culturally shaped process” (Engle Merry 2009, 183). Victimization surveys show that only between 10 and 22% of individuals affected by domestic violence report to the police (EBG 2021, 3). It seems to be unknown how strong the influence of the reporting behaviour is and how it changes over time. Therefore, the numbers from the police crime statistics do not allow for an immediate conclusion on societal developments. However, it is assumed that reporting behaviour is marginal regarding criminal acts causing death or severe harm, and higher numbers actually reflect an increase in such acts (Zoder 2008, 10). Regarding attempted killings, procedural requirements for its categorisation might put this statement into perspective. Nonetheless, although foreign women bear a higher risk of being killed in an intimate (ex-)relationship than Swiss women, and foreigners are over represented in the group of male suspects, this difference shrinks substantially if only completed killings are considered, suggesting a differing reporting behaviour of these groups (Scheidegger and Darbellay 2018, 5). An increased number of attempted killings might be a result of a higher tendency of victims and witnesses to report the incident. Incidentally, huge progress in medical care may also account for the decrease of deaths since the chances of survival are better (2018, 34).

Generally speaking, there are two ways of involving the police: either by phone call or by appearing in person at a police station. As a first step, every report is recorded in what is called a ‘journal’. Already at this early stage an initial categorisation of the reported offence is made and therefore also a decision on whether it can be classed as an offence liable to public prosecution (*ex officio*) or to application offences (requiring a complaint by the victim). The police officers on the frontline, who execute “the first attack” (PIM 4), or those who answer to a call or report, are involved in the process of coding a reported crime. This classification

victims are generally only allowed to stay in the country if they have been married for at least three years and are considered integrated. There are exceptions for victims of domestic violence - but only if it can be proven that the violence was of a certain intensity and systematic (parliament press release 5.11.21, <https://www.parlament.ch/press-releases/Pages/mm-spk-n-2021-11-05.aspx?lang=1031>). A recent political initiative aims to address this issue: “Bei häuslicher Gewalt die Härtefallpraxis nach Artikel 50 AIG garantieren (5.11.21)” (<https://www.parlament.ch/de/ratsbetrieb/suche-curia-vista/geschaefte?AffairId=20210504>).

is not easy to make based on first contact; it depends on what the reporting individual says, who receives the report, i.e. her or his level of professional experience, and on visible signs of violence, and is therefore subject to change (CID 8). Afterwards, decisions are made regarding which unit is to be involved and the process of collecting information about the reported incident starts, which includes signing specific internal forms (depending on the type of crime), followed by interrogation, securing of evidence, examination of the location, and possibly arrest. Based on the entry in the journal, a ‘business’ (“Geschäft”) in a separate information system is opened, meaning a case, where all subsequent information is reported (CID 8).

An important record in a case file is the detailed account of the circumstances of a case. In the unit considered here, it consists of standardised system entries and notes in an unstructured MS Word document based on the recorded information of the first responding officer(s), often officer(s) in uniform. Data entries that are relevant to the Code of Criminal Procedure are standardised input fields with predefined selection options. They describe concisely what the case is about, whereas the MS Word document holds more detailed information about the situation the officer(s) came across, which actions were taken, and so on. Once the case moves further on, for instance to an official in charge from the crime investigation department (in case it is not the same as the first responding officer), these notes serve for further investigation and are also the first thing to be sent to the public prosecution office, which is always summoned on serious violent crime (PIM 4). The public prosecution department is an important intersection since in the case of serious offences, such as attempted or completed killings, it is involved right from the start of the investigation. It is ultimately the public prosecutor who assigns an act to a particular criminal offence. However, the qualification of a crime depends on testimonies from the accused, the victim (if possible) and third parties; at the stage of data recording by the police force, the difference between aggravated assault and attempted killing, for example, might not be unambiguous in all cases. The category of offence can change in the course of the investigation and criminal proceedings, something that ultimately the verdict would show, which is not (yet) part of the PCS data set (FSO 5). Interestingly, there seems to be no documented instruction on how exactly a crime qualifies as an attempted killing, an “abstract description is difficult” (PPR 6).

Before the police file is completed, there are different internal information management systems where data on individuals and cases are recorded and/or provided. After the documentation of the work on the frontline, the actual reporting of a case starts: “That means they trigger a case opening via the [system1]. So the journal is separate from the [system2]. But when they open a case, a case that needs to be processed, they transfer the basic data from the journal into the [system2]” (PIM 4). Different internal manuals, instructions and standards guide the collection of information and the compilation of these documents that, at the end of the process, amount to a case file with a final report. Not

all cantonal police departments use the same systems and depending on the unit, other information systems and databases add to the final case report. And they all influence what is ultimately in a report, hence what can be retrieved from it (see figure 10).

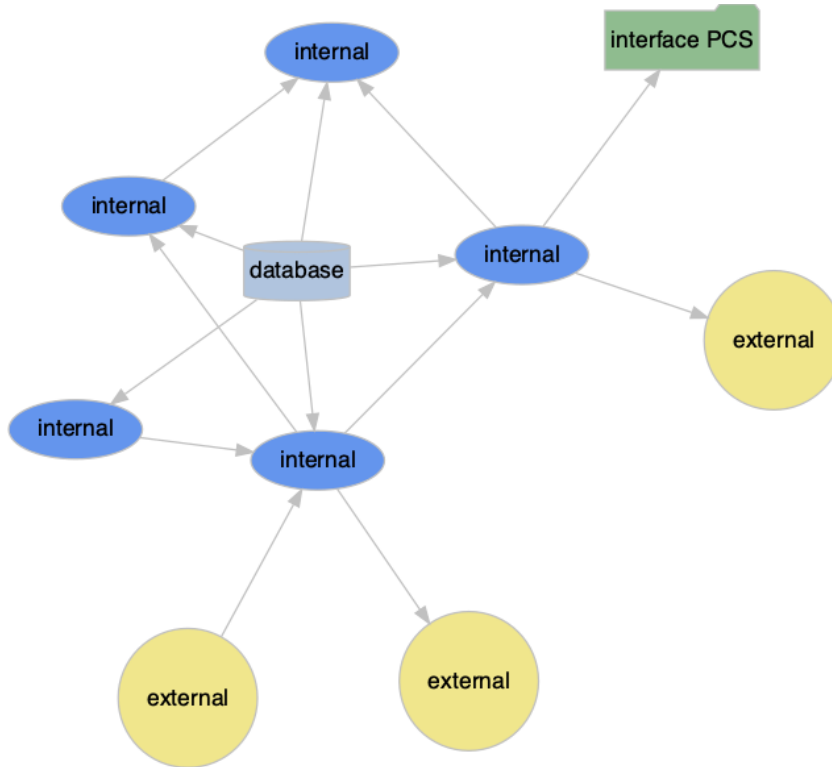


Figure 10: Sketch of police information system landscape, showing the intersections with internal and external systems.

The police report as a whole is an assemblage of specifically required documents and includes the complaint – essentially the last written document by the officer in charge concluding the investigation (PIM 4). Each case that is built and its numerous records include the idiosyncratic police comprehension and interpretation of attempted or completed killings in the domestic sphere.²⁹ A study from 2009 found, for instance, that the concept of domestic violence was not used in the examined reports both on attempted and completed killings. The authors came to the remarkable conclusion that preceding domestic violence – despite surviving victims who could provide information – was not reconstructed by the police in these cases either. In the investigation of killings in social proximity, the factor of a possible history of violence was apparently not attributed any potential explanatory relevance (Gloor and Meier 2009, 279) – a finding highly inconsistent with international research (2009, 286). Besides, the authors could not find two reports with a similar structure, each text was

²⁹The police crime statistic represents “the police side” (FSO 2) of things, their ability to gather data and level of detail. A complementary perspective would offer the criminal conviction statistics (<https://www.bfs.admin.ch/bfs/de/home/statistiken/kriminalitaet-strafrecht/strafjustiz.html> “Bundesamt für Statistik - Strafjustiz”), with more details on the sanctions and applied laws and paragraphs. However, it only covers socio-demographic data on those convicted, but not on victims or to the type of relationship (EBG 2021, 6).

organised along individual preferences, often giving subjective judgements an important yet not declared significance (2009, 288). In the course of the process, a myriad of details become a specific offence: ‘intentional homicide,’ ‘manslaughter,’ ‘murder,’ and more (2009, 24–25).

The data basis for the police crime statistics is collected in various cantonal police information technology systems, where regular data extraction and transmissions are carried out. A data transmission system run by the FSO – SEDEX – allows for the extraction of uniform data from different cantonal systems in a consistent procedure by applying a common XML scheme and also meeting data security requirements (BFS 2016, 8–9). Additionally, the data stored for the police crime statistics provide the basics for the additional online survey (ePCS). A data transfer between the PCS data system and the online survey tool is in place. Respondents actually receive the online survey with pre-populated, immutable information sourced from that same PCS data set (idoc 1).

5.4 Locating the domestic

With the term ‘domestic violence’, the home becomes a crime scene and part of a particular topography of policing practices, even in a metaphorical and representational sense (Campbell 2016, 72). “[P]olicing is often mapped across a number of spatial imaginaries” (2016, 71), including the organisational structure (e.g. ‘cantonal’ or ‘federal’ police force) and operational practice (e.g. defining an area as a ‘hot spot’), arranging interventions in different “forms of space” (2016, 72–73). Thereby, actual places, which are embedded, connected and permeable to their surroundings, are marked out as spatially confined sites of protection, investigation and surveillance. The scale that comes with that metaphorical topography is remarkable and deduces a sort of hierarchical order of policing terrains (2016, 72), each with an attributed significance. Besides, the data needed for the police crime statistics also has to overcome various spatial obstacles. “[We] are not at the frontline, and the frontline is not in the statistics” (FSO 1). This spatial metaphor (‘frontline’) points to the area of activity and organisation of the police force (to those who work at the frontline), but essentially to the distances in terms of scope of tasks and areas of responsibility between those who generate the data basis and those who, at the end of the process, compile the national statistics. Even the scope of a survey is named, and therefore delimited, by a spatial metaphor: the bright and the dark field. As Campbell notes, “[w]e could ask, for example, why spaces of reproduction, embodiment and affect, such as the household or the body, are consistently overlooked as scalar entities within broader geographies of crime, risk, fear and insecurities” (2016, 75).

Of all institutions of society, the family is the most violent one, with the exception of

the police and the military in times of war (Gillioz, De Puy, and Ducret 1997, 9)³⁰. In the PCS, the spatial classification ‘domestic’ in terms of violence is mainly defined by the relationship between the victim and the perpetrator. “The relationship is the key variable with which offences of domestic violence are distinguished from other forms of violence” (BFS 2020, 32). In the realm of law enforcement and justice, killings in the domestic sphere are translated into articles of the penal code. For the police records, these are further translated into standardised code in compliance with the RIPOL (‘Recherches Informatisées de la Police’) offence nomenclature. The acronym RIPOL refers to the automated national system of investigation operated by the Federal Office of Police (fedpol) whose database shares knowledge about individuals and objects with different authorities. These codes are maintained in part directly by RIPOL and in part by the FSO and are made available to the cantonal entities (BFS 2016, 10). The nomenclature includes lists and tables of codes for law articles and detailed case features relevant for the PCS (BFS 2020, 43, 61ff), for example, the place where an offence was committed; the motive; modus operandi; means of crime; type of narcotics; nationality and the mentioned key variable relationship, also called ‘aggrieved-accused-relationship’. Hence, in order for domestic violence offences to be declared as such in the PCS, the specific relationship between the victim and the accused (or suspect) must be recorded by the police accordingly (2020, 79). The following relationship codes are considered as ‘domestic’:

- 5010101 couple relationship, partnership
- 5010103 former couple relationship, partnership
- 5010105 parents, surrogate parents, foster parents/child
- 5010107 kinship

This definition differs from the narrower legal denotation in the penal code, which only considers whether the accused/suspect is the spouse, a registered partner, or life partner of the victim and whether they perpetrated the offence up to one year after the divorce, the termination of the partnership, or separation. Moreover, it does not represent ‘domestic violence’ per se, but ascertains the prosecution ex officio of some offences within marriage and partnership.³¹ Thus, the definition of domestic violence for the PCS is not based on

³⁰A quote from the first study that provided numerical data on violence against women in Switzerland, in which the authors draw from the work of Gelles et Straus. With regard to the situation of domestic violence in Switzerland, the authors also note that: “Pourtant, la société continue de refouler de sa conscience cette face sombre et cachée de l’histoire des familles. Certes, on sait que la violence domestique existe, mais le phénomène n’est pas pris au sérieux, il est sous-estimé et relégué au rayon du privé et des fatalités qui pèsent sur la condition de la femme. Bien plus, la violence est non seulement occultée, mais les tentatives pour la faire reconnaître se heurtent à des stratégies visant à étouffer tout questionnement; on inverse le problème en culpabilisant la victime: si les femmes sont battues, c’est qu’elles provoquent, sont violentes psychologiquement, masochistes, etc.” p. 9.

³¹See, for example, the article on minor assault “der Täter wird von Amtes wegen verfolgt [...] wenn er der Ehegatte des Opfers ist und die Tat während der Ehe oder bis zu einem Jahr nach der Scheidung begangen wurde”, 64-65 (https://fedlex.data.admin.ch/filestore/fedlex.data.admin.ch/eli/cc/54/757_781_799/20200701/de/pdf-a/fedlex-data-admin-ch-eli-cc-54-757_781_799-20200701-de-pdf-a.pdf “Schweizerisches Strafgesetzbuch”), and information from Federal Office of Gender Equality on domestic

the penal code even though it fundamentally structures the statistics. This divergence – from data on crimes based on the penal code to a separate category of violence – is evidence for the flexibility of the counting system and its categories.

Although the category ‘domestic violence’ suggests a decisive role of the actual spatial domestic situation of the involved individuals, the deduction is not straightforward. It seems that if an unmarried couple does not share a common household, a violent offence will not be counted as domestic violence, i.e. the relationship will not be regarded as being intimate: “a couple where each has their own thing and then she goes to his house and then it happens [...], then it’s not a couple relationship”, or “if I have a girlfriend and she lives there and I live here, then there’s a row or something, that doesn’t go under domestic violence” (PIM 4). In this case, the code ‘5010101’ (couple relationship, partnership) is not applied. If the individuals were known to be a couple (especially if married) and to have lived together in the past, then it is considered to be domestic violence (code ‘5010103’ former couple relationship, partnership). Then again, in the case of siblings, a violent act will be regarded as domestic violence even if they do not share a household: “If now two brothers [...], both are fifty, live separately and they go at each other, then it is again domestic violence, then PCS has it as domestic violence” (PIM 4). This small insight in the application of the category ‘domestic violence’ also indicates its shortcomings in representing common contemporary relationship models. It seems that the category is a mix between assumed shared living space of a hetero-normative nuclear family and predetermined relationships, supposedly representing that ideal. A somewhat outdated “language of reference” (Desrosières 2005, 374), as it were. Additionally, only one relationship per couple of individuals can be specified. If several relationships apply, then only the one which was decisive for the offence has to be noted (BFS 2020, 79), which might result in the categorisation of a violent offence outside of the ‘domestic’.

But even an established key variable as the aggrieved-accused-relationship is of debatable nature, as the introduced additional online survey (ePCS) highlights. This is showcased by the extension of options of relationships. The survey seems to question the supposedly established notion of what counts as ‘domestic’ in terms of the living situation; an intimate relationship is not necessarily bound any more to shared housing. It offers options such as ‘cohabiting different dwellings’ and ‘living at different places’ (idoc 1, 15), adapted to today’s realities (FSO 5). Hence, the domestic space, to which the idea of violence against women is confined in the PCS, is evidently opening up (yet, so far, without consequences for the standard PCS report).

In addition to the translation of violent acts into articles from the penal code, RIPOL codes, violence laws (https://www.ebg.admin.ch/dam/ebg/de/dokumente/haeusliche_gewalt/infoblaetter/c1.pdf.download.pdf/c1_haeusliche-gewalt-in-der-schweizer-gesetzgebung.pdf “Häusliche Gewalt in der Schweizer Gesetzgebung”).

and categories in the statistics, it had to be determined which offences specifically count as domestic violence, and therefore making the recording of relationship data mandatory for some crimes, affecting the data collection process of the police unit. The selection was the outcome of a development process in continuous exchange with the participating cantonal entities and only partially influenced by existing research and applications in neighbouring countries, as far as their solutions offered some level of comparability (FSO 2). Decisive in that selection were paragraphs from the penal code that address an intention of harm or the use of or threat of violence (“Schädigungswillen”; the element ‘intent’ coincides with the definition of femicide used by some researchers, see chapter 2.1). That narrows the range of offences down to wilful acts, which includes some forms of killings, i.e. for the domestic sphere specifically articles 111, 112, 113, and 116³². Notably, the penal code is also subject to changes, as the addition of forced marriage in 2013 or female genital mutilation in 2012 reveal (FSO 5; these offences are counted as domestic violence under the category “Übrige ausgewählte Artikel des StGB”, BFS (2021), 44). Changes to the penal code or to the code system need to be transferred into the police crime statistics, a process that depends on decision making on a cantonal level: “we have sent the cantons, look, this and that is happening now, we have more codes for this and that, other codes, and decisions have to be made. And then we had the first big meeting at the end of [year], where we showed them that this and that changed in the penal code, is that okay for you. Then such decisions were made” (FSO 2).

The additional online survey (ePCS) extends the catalogue of domestic violence offences by asking about possible financial difficulties of both the victim and the perpetrator. Crimes against legal assets (i.e. wealth) were originally excluded from this selection, even if they occur within the domestic sphere. The new consideration of the financial situation in the ePCS might illustrate a shift in the consensus of what counts as domestic violence.

Interestingly, precisely the defining and mandatory information ‘aggrieved-accused-relationship’³³ is often not recorded directly by police officers or officials in charge of a case³⁴, but added later in the process by an information management team (concerning the unit considered in this study). On the one hand, this is due to a gap in the workflow process of the applied information system, and on the other hand to a rejection of additional work solely for the purpose of gathering statistics, which does tie up labour (CID 8). In fact, the specific input box for relationship data is not specified as part of the printout of a report

³²See BFS (2021), 43 for the current list. In the penal code, killings are regulated in articles 111 to 117, consequently, article 114 ‘killing on request’, 115 ‘incitement and assistance to suicide’ and 117 ‘involuntary manslaughter’ are not considered in the catalogue of offences of domestic violence (see for example Scheidegger and Darbellay (2018), 8).

³³In the manual for data collection (further discussed in sub-chapter 5.5), the ‘aggrieved-accused-relationship’ is indicated as being optional, except for offences in the context of domestic violence or corresponding to, inter alia, articles of the penal code no. 111-113, 115-116, which describe different types of killings (BFS 2020, 79, 82).

³⁴The official in charge is the one that personally leads an investigation or coordinates the team working on the case and is therefore responsible for the complete documentation of a case.

(which is needed to pass the case to the public prosecution office, PIM 4) and is therefore not visible in the final document, where it could be noticed as missing. “You don’t see the relationship between people, that’s the only thing you don’t see, but we very often have to record it ourselves” (PIM 4). Although an internal audit unit (“Geschäftskontrolle”) digitally approves each report’s content before the closure of a case, it focuses primarily on the sufficiency of the overall documentation for the public prosecution office and not on the data for statistics (PIM 4). Employees of the information management team need to read the reports to spot the relevant relationship and enter it in the system afterwards (PIM 4) in “ninety percent” of the cases, “because they out there do it very, very rarely” (PIM 4). Apparently, the reasoning that an entry could hold important value for the purpose of statistics does not appear convincing: “the benefit is not there for them and statistics are not important to them in that sense. They want to process the case and for them simply what they record, is logical and is correct” (PIM 4). Now, it is important to point out that this has nothing to do with the actual measures police officers take in general in cases of domestic violence. In fact, there are standardised procedural instructions explicitly for dealing with occurrences of domestic violence (PIM 4). Yet, the investigation of an attempted killing in the domestic sphere is treated the same as any other case of attempted killing. The category ‘domestic violence’ becomes relevant when searching for a motive, but the data point for statistics is indeed recorded “in the back” (CID 8).

In contrast, the additional survey ePCS cannot be completed effectively by anyone other than the official in charge, who answers based on her or his knowledge beyond the final report. Some details are buried “somewhere in the depths of a protocol” (PIM 4) and would require a considerable amount of time for those unfamiliar with the case to find and make sense of. The in-depth knowledge of a case enables the responsible officer to answer the additional survey quickly and almost without having to consult any documents, thus saving time and effort.

The area designation ‘domestic sphere’ encloses another spatial metaphor that has an effect on data about domestic violence and that is the level of inter-personal closeness or proximity between the victim and the accused. One of the strongest factors in determining whether or not women report violence to authorities is their relational distance to the perpetrator. Violence by offenders known to the victim is less likely to be reported than violence committed by strangers. Violence by a husband is least likely to be reported. Hence, the closer the relationship between the victim and the perpetrator, the less likely the victim will report the crime to the police or seek other help, and the longer the time taken to report (Johnson, Ollus, and Nevala 2008, 135; also Scheidegger and Darbellay 2018, 37). This also applies to third parties that might have witnessed the violence and know the perpetrator, even though in this case the chances for a report are much lower anyway as witnesses are seldom present in private spaces (2018, 37).

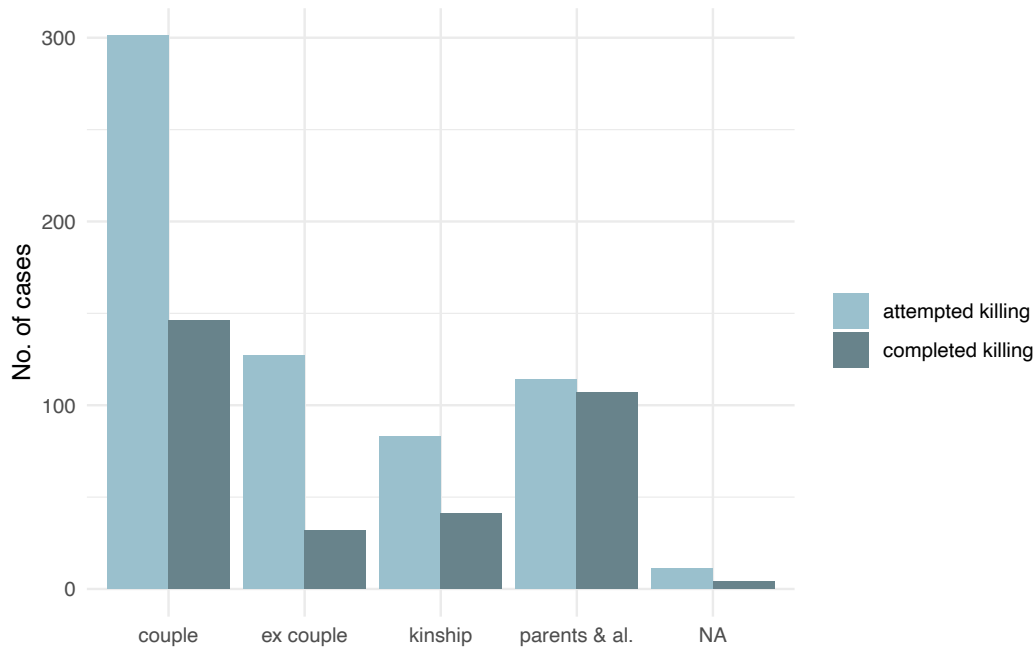


Figure 11: Attempted and completed killings per type of relationship considered as 'domestic sphere' 2009-2020 (CH). 'NA' indicates entries marked as domestic violence, but without a recorded relationship type. Data source: FSO.

Applying the topological classification of violence, homicides are thus assigned within or outside the domestic sphere. Similar to the domestic sphere, so is the sphere outside the domestic ("ausserhauslich", notably not called 'public sphere') additionally defined by relationships between the aggrieved and accused individual(s) (2018, 12). These are, for example, business or professional relationships, acquaintances or neighbours, co-workers or friends, relationships with medical professionals, religious figures, a government agency, clients or legal representations. Also counted as 'outside' are cases in which the accused and victim did not know each other at all (2018, 12). But there is a small portion of killings that, based on the definitions, cannot be attributed to any of the spatial imagery (Scheidegger and Darbellay 2018, 5). If the relationship between the accused and the victim is unknown, or no suspect was identified, or the relationship was not specified, then these cases are regarded as not within, nor outside the domestic sphere (2018, 12). Nonetheless, regardless of the relationship, the crime scene or location is a feature that is regularly recorded for each case. It corresponds to the environment in which the crime is committed, and is distinguished in private and public localities. The police force understands a private location as the privacy of one's home, i.e. private rooms that are not accessible to others. Conversely, a room is considered to be public if it is in principle accessible for different people. This encloses, for

example, the stairway or the shared laundry room in an apartment building (BFS 2010, 41). Most attempted or completed killings in intimate relationships are committed in the private space. However, depending on the status of the partnership, the locality varies. With separated couples, the killings are committed more than twice as often in a public locality compared to couples who are still together (Scheidegger and Darbellay 2018, 15). Distance and room plays an important role in the separation of a couple. The spatial separation often marks the definite end of the relationship, when for example one party literally moves and therefore metaphorically also ‘moves on’. Notably, the stage of separation is an indicator for a dangerous situation, especially if the relationship was well established. Many killings are committed during the phase of separation (Scheidegger and Darbellay 2018, 37).

Incidentally, in the ePCS this known indicator ‘separation’ is broken down by detailed questions about the duration of the relationship, how long ago the break-up occurred, and who expressed the wish to separate. The goal of this further disaggregation is to help correct (or confirm) persisting assumptions about perpetrators, for example the notion that killings in the domestic sphere are predominantly committed by ex-partners (FSO 5). Such additions, detailing established variables, could eventually lead to permanent adjustments in the police crime statistics (FSO 5).

Despite the aforementioned circumstances in securing the aggrieved-accused-relationship as a record, cases of domestic violence are regarded as relatively easy to identify due to the definition and availability of the required information. This concurs, by the way, with the approach of some research documenting femicide (see chapter 2.2). The documentation of serious crime in the private sphere seems less problematic than in the public sphere, especially in terms of fact-finding and data saving (CID 8). Generally, if an incident happened “on the street, where people might not know each other” (FSO 3), the basis for the data is considered to be less substantial. “The difficult thing is, if somewhere on the streets two people bicker with each other” (PIM 4). This also applies to the category of attempted killings, they seem harder to reconstruct if they occur outside the domestic sphere.

Difficulties in obtaining information on attempted killings also affect responses to more detailed questions about such offences, as does the additional survey ePCS: “That’s why we were also worried that when it comes to the attempted ones which are not in the domestic sphere, if that will be filled in” (FSO 3).

The point here is not to question the correct prioritisation of domestic violence in police work, but to draw attention to the overriding orders of magnitude conveyed by area designations and the importance attributed to them. The larger the area of police activity – the policing area – the more important, so the common association. Thinking about this topological classification of violence (into the ‘domestic’) allows the thereby drawn boundaries to be

overcome. A site like a private home may appear to be prosaic, but it “can be the site of potentially transformative and disruptive relations, which challenge, subvert or renegotiate the constantly shifting spatial composition of injustices, discrimination, and conflict, as well as those of trust, accountability and fairness” (Campbell 2016, 83).

5.5 Quality control

A pivotal tool for data quality is the manual for data collection “Erfassungshilfe” (BFS 2020), issued by the FSO, which essentially represents the conceptual framework of the police crime statistics. It has expanded over the years (BFS 2016, 7) and its different version updates, starting from 2009, illustrate the ongoing negotiation between the FSO and the cantonal entities. For instance, the very first version from 2009 announces “a new chapter on domestic violence” (BFS 2020, 3). In 2013, the catalogue of offences that count as domestic violence was adapted. In 2020, the manual was merged with the catalogue of features, which includes the previously discussed aggrieved-accused-relationship (2020, 58ff). It defines items such as cases (summary of all offences within an investigation), offences (punishable acts according to the penal code), incidents (relevant to criminal investigation but do not qualify as criminal acts) and counting factors (BFS 2020, 11–12, 16). The numbers in the crime statistics all refer to an offence against the penal code. The manual also conveys recommendations to achieve the best possible comparability of the cantonal data. These rules for data collection were developed in cooperation with the cantons and specify all agreements between the involved parties, optional and mandatory variables, and the form of the data delivered. However, the FSO has no mandate nor the resources to function as a supervisory authority and therefore cannot guarantee that the data collection process is conducted in accordance with this agreement. The common interests of the cantons are represented by the Conference of Cantonal Justice and Police Directors (KKJPD) and its cooperation for the police crime statistics is established in a corresponding agreement (BFS 2016, 6).

Since the goal of the manual is to ensure the quality of data collection, additions to it are closely monitored for their effectiveness. It was noted, for example, that extensive descriptions might not add positively to a better collection practice (BFS 2016, 7). It seems to be a significant concern to keep the manual user-friendly, its content comprehensible, and ensure easy access to it. Updated versions are thus distributed online (BFS 2016, 14), but it seems that older printed copies of the manual linger. In the examined unit, the last version issued on paper was still in use: “it’s the Bible, or, it’s already an old Bible now, but still, I’d actually rather still have this one [...] in paper form” (PIM 4). The adoption of the up-to-date rules seems to be somewhat influenced by the medium that contains them.

Quality control and completion of the required data for the PCS presupposes an

understanding of the crucial PCS counting factors, which constitute the crime numbers (PIM 4). As a general rule, the counting factor corresponds to the number of victims or aggrieved individuals, as for instance in killings, but they can be tricky to apply as the following extract from the manual illustrates:

“All offences in a case have to be recorded. With the exception of ‘competing’ offences, which are distinguished into ‘real’ competitions (if the accused has carried out acts to which multiple separate offences are applicable) and ‘fake’ competition (if the accused is not punished for all offences, but only for those which fully comprise the committed injustice). For example: A man tries to kill his wife with a weapon. She survives but is severely injured. The record would be: 1 x attempted intentional killing and optional: 1 x aggravated assault. The latter is already included in the former and should only be recorded as a contingent offence with counting factor 0” (BFS (2020), 20f).

Sometimes the distinction is not easy to make; the victim might suffer permanent damage, so both offences are recorded (there is also a deadline to be considered for criminal applications on propositional offences). In such a case, the more serious offence is counted for the purpose of the crime statistics (meaning it is designated a positive counting factor) and the lesser offence is not (meaning it is given counting factor zero, PIM 4).

The FSO performs significant quality control – a mix of automated and manual checks – in close cooperation with all participants. The larger share of the delivered data is run through automated plausibility checks, which examine, among other things, the aforementioned competitions of offences (FSO 1). They ensure a uniform data collection and therefore inter-cantonal comparability (BFS 2016, 11). A more fine-tuned data quality check is undertaken manually. A case can be sent back, for example, to the cantonal entity due to a missing relationship entry, or a case can be re-handled by the police over the course of the year and its data modified accordingly (FSO 1).

As for the online survey (ePCS), it is still too early to determine any results from this. Nevertheless, its development process shows a different dimension of data quality control. Since personal knowledge of a case is decisive in answering its accompanying questionnaire, the formulation of a question becomes all the more important. Thus, some applied terms had to be re-considered; for example, ‘hate crime’ or ‘honour killing’ were paraphrased as ‘due to affiliation of the aggrieved person’, to avoid different interpretations that could compromise data quality. Also the precise meaning of ‘old relationship’ and how a relationship should be classified as such. Or, as for the question on substance abuse, whether the assumption or perception of witnesses or officers would be sufficient, or whether a specific report would be required to make an appropriate statement. Some questions were therefore removed or

simplified after test runs (idoc 1). The questions were also tested on specific case files from different cantonal police departments to establish whether they could be answered based on their documentation. That set off a sort of process of adaptation with the officials in charge, with feedback going back and forth after each adjustment (FSO 2). Likewise, the process of delivery of the online survey supports the data collection. Each month, the FSO checks if there were any cases of attempted or completed killings recorded in Switzerland and if so, contacts the corresponding cantonal unit (idoc 2). Each police department has a designated contact person for the FSO who receives the link to the online survey ePCS and coordinates its completion by the corresponding officers in charge of the case (idoc 1; PIM 4). Officers seemingly expressed their wish to be reminded of the task. Another challenge was the acceptance of the employed online tool, both from participants and their management (idoc 1). Apparently inconspicuous modifications would already benefit the cooperation of respondents. Initially, the import of the case number into the online survey tool somewhat changed its format, making it less 'readable' for the participants. This fact was considered and thus the case number was therefore adapted to a familiar format (idoc 1). Again, it is the way in which the medium presents itself that seems to have a certain impact.

Police departments have also different data quality checks in place to ensure quality standards for case documentation. Specifically for the PCS, the information management team runs several manual checks before transferring data to the FSO, "we know roughly what is often done wrong by us, what is missing" (PIM 4). They scrutinize new entries thoroughly – especially the personal data on individuals – to avoid for example double records of the same person. Reasons for this can be old data records on an individual, surnames that have been changed due to marriage, or twins with similar names. These checks are performed not only for statistical purposes, but also as a way of supporting the officials in charge of the case by making sure they have accurate information at their disposal (PIM 4).

After these checks, and once the publication phase of the PCS reports begins, which is usually in January, further tests on data quality are carried out: "make sure, for example, that you don't have any legal persons in the case of criminal offences where there should be no legal person. In the case of rape, for example, one has to make sure, every now and then a male person slips through as a victim; there have been one, two or three, in recent years repeatedly. But even when we ask the police, there is somehow a reason why it has to stay that way" (FSO 5). Conspicuous features are double checked, data protocols reviewed and, where needed, drilled down once more. The cantonal reports also serve as a sort of quality check. The FSO issues them around the end of January, and the cantons review their content and report any inconsistency: "For example, we had a system change at [canton] and suddenly realised that cases were no longer being transmitted. And then they had more [cases] than we did, and you can only see that when they check their data" (FSO 5). If the

cantonal entity fails to correct rejected cases and re-transfer them, the item will not reach the police crime statistics database and is therefore not disclosed (BFS 2020, 103).

5.6 Restrictions

Probably the most obvious limitation in quantifying violence against women in general is the fact that police reported data only show the bright field and that the lion's share of cases remain in the dark field: "the police [...] can only record what is reported to them" (FSO 1). A circumstance that is all too clear to the involved parties (FSO 1). Yet regarding killings, as discussed in chapter 3.3, police crime statistics are considered among the most precise statistics. Additionally, the specific procedure of data collection for the PCS and ePCS had to be integrated into an existing gathering process of crime related data (FSO 1). Building data collection on an existing measurement infrastructure inevitably reproduces its underlying, broader perspective. In this case, the reproduced perspective is the criminological approach, which seems to be resistant to integrating concepts of gendered violence, questioning existing definitions, or detaching from an explanatory model on the individual level, as briefly discussed in chapter 2.2. Of course, the recycling strategy offers some advantages. For instance, harnessing synergies through previously established contacts and workflows between the cantonal police departments and the federal statistical office, which simplifies the data gathering process (FSO 3). Then again, developing a survey from a previous study (FSO 3), as in the case of the ePCS, transfers former notions. However, this does not necessarily make that tool deficient. It actually makes sense to align the questionnaires as much as possible and seek comparability with prior data (FSO 3).

Notwithstanding, this outset restricts the definition of the phenomenon that is being measured and also limits the possibilities of data gathering. The definition of domestic violence is ultimately limited to the scope of duties of the police force, broadly speaking law enforcement and prosecution of offences, and the things within that the police are able and willing to collect data on (FSO 1). Even if the police crime statistics offer a lot of insights, they neglect, for example, the circumstances of a killing (FSO 1). The online survey ePCS is expected to shed light on them and thereby may also push the limits of the established tool of the PCS, even though the configuration of its questionnaire is also shaped by the way in which the police files are generated and the content they thus offer. Clearly, strict rules are almost indispensable when gathering numbers. It is always better to have clear standards rather than to depend on judgement, especially when comparability is desired (Porter 1996, 35). "Adequate description counts for little if the numbers are not also reasonably standardized" (1996, 44). Only in this way can they establish norms and guidelines. At the same time, this practice also involves a loss of information as a necessity (1996, 44).

Notably, the focus on the circumstances in the lead up to a killing in the domestic sphere also sets limits to the time span of possible causes one is looking at. If one were to assume structural causes for the violence, such as persistent inequality, and would like to address them, looking at the immediate circumstances prior to a killing would probably fall short. “While we’re on the subject of effective prevention, the difficulty is how to get to it. And at the moment we would like to know whether we should perhaps start even earlier with prevention. If it is like, too late. It really is such a difficulty, there are studies, we just don’t know that much about what happened before, especially with attempted homicides. You often look at the completed ones” (FSO 2). Since data on circumstances of attempted killings is more likely to be scarce, so the focus turns to where data availability is better but perhaps does not explicitly address questions about effective prevention. And that could have consequences for the implementation of preventive measures.

A consequential dependency, which runs through the entire statistical production chain, is the availability of resources with regards to staffing and funding. Data gathering is an expensive endeavour, and without sufficient funding new collections are unlikely to take place (Engle Merry 2016, 7): “[i]t would be great if we could do a dark field study. It’s just, where we keep coming back to, to the resources, yes. But from my point of view, yes, it would be important to do a dark field study” (FSO 5). Similarly, an in-depth study based on police files would certainly yield a lot of relevant information, but this would also require a substantially larger workforce in the statistical office (FSO 3). A proposal for a new project requires approval throughout the chain of command, in the case of the FSO up to the Federal Council, which takes a considerable amount of time and, ultimately, also makes it a matter of political attitudes towards the object. There is hope that steady work on the bright field will eventually justify dark field studies and establish a new permanent survey infrastructure (FSO 5).

Data selection and recording is inevitably also affected by these constraints: “The registration of the relationship means additional recording effort, which should be kept as small as possible” (Zoder 2008, 5). The selection of relevant criminal acts excludes, for instance, crimes against legal assets, even if a substantial number of suspects of domestic violence had been subject to prior complaints for property offences (“Vermögensstraftaten”) (Scheidegger and Darbellay 2018, 33). Besides, the financial situation also affects the willingness of the victim to report the violence in the first place (2018, 37). Likewise, trespassing – a criminal act that frequently co-occurs with domestic violence – is not considered due to its vast scale and the expenses that would therefore be required to record the relationship information (FSO 2; BFS (2021), 44).

The order of the day seems to be to make the data collection process as straightforward as possible for the respondents. For example, the content of the questionnaires and the

gathering mode of the ePCS were adapted to make allowances to the usual workload of the respondents and their organisational entity (idoc 2). This consideration is also evident in quality checks: the more that are performed, the more clarification is likely to be needed from the officials in charge (FSO 2). Therefore, each modification to the process is reviewed for its potential impact on the resources of the cooperating entities. Their collaboration seems to be perceived by the FSO as voluntary work (FSO 3).

Interestingly, data is also restrained by politics, so to speak. “Data sovereignty” (FSO 3) belongs to the cantons. Therefore, the FSO does not modify (or refine) any delivered cantonal data (except for the matching of individuals) but instead reports any need for revision back to the provider (BFS 2008, 10). On the other hand, the FSO is compelled to publish data demanded by adopted political initiatives, and in some cases it even publishes certain variables in anticipation of political tendencies; for example, the (foreign) nationality of perpetrators, which is repeatedly politicised.³⁵ In a similar way, inquiries from private institutions and the media have some bearing on what variables are evaluated and published: “Two years ago we had the violent crimes even more broken down by gender, so we made new tables by gender and by age, so that one can also see more, because we also had many enquiries. Are more women victims, are more men victims, and then always the question of public and private” (FSO 3). This refers to additional online information; in fact, in the PCS report’s chapter dedicated to domestic violence, the disaggregation by gender is missing.

A key piece of information in an ongoing investigation of attempted and completed killings is the motive, which is not specified in the usual PCS data but is considered in the ePCS. It offers different options to check off, focusing on the social affiliation of the victim, whether it is gender, sexual orientation, political, ethnic, or any other affiliation. Additionally, jealousy, revenge and honour is included. The quality of the collected data so far has yet to be assessed (FSO 3). From the point of view of a CID officer, the question of the motive is decisive, regardless of the type of offence: “what led to it, that is a difference, if a person is tyrannised, abused and oppressed for years, and then at some point it escalates, it will certainly be treated differently in court, as [compared to] if one could somehow prove pure enrichment intentions. The motive is always central” (CID 8). Common examples of motives related to killings in the domestic sphere apparently are “the classics” jealousy, money or revenge (CID 8). Such descriptions of motives hint, to some extent, to legitimising emotional conditions of the perpetrator – a contested understanding of causes, which is unfortunately often reflected in court proceedings.³⁶ What is remarkable is that the questions of individual

³⁵The politisation of perpetrators’ nationalities is reflected, for example, in these question-sessions from December 2021, where representatives asked for a “statistical presentation of so-called ‘domestic violence’ in connection with the nationality, relationship, residence status, etc. of the accused” or inquired “individuals of which nationalities commit rape?” (<https://www.parlament.ch/de/ratsbetrieb/suche-curia-vista/geschaefte?AffairId=20218105>; <https://www.parlament.ch/de/ratsbetrieb/suche-curia-vista/geschaefte?AffairId=20218152>)

³⁶See for example Clemm, Christina (2020), specialist lawyer for criminal and family law, and her work

circumstances in the ePCS are equally applied to the victim and the accused, thus closing a former blind spot and also moving away from a single focus on the perpetrator (FSO 2; idoc 2). This also provides the possibility to disprove long-established stereotypes, such as “maybe she provoked him into killing her. That is also a classic [...] we want to find out a little bit about it” (FSO 3).

Given that the motive is essential in the investigation of a case, it most certainly can be expected to be crucial in qualifying a killing as a femicide (or not). Yet taking ‘murder of a woman because she is a woman’ as a literal motive seems pointless, since no one seriously expects a suspect to say something like this out loud (FSO 3): “to be honest we also find it a bit difficult, because actually we don’t want to simply say, yes, it is a femicide, if we take the definition from the origin and because we can’t say, the woman was killed because she is a woman. Yes, it has already led to some discussions and we still don’t have a conclusion. But we have also said again and again that at some point we really have to take a position that we believe in” (FSO 5).

“AktenEinsicht - Geschichten von Frauen und Gewalt”, München, Verlag Antje Kunstmann, on structural and systematic weaknesses of the judiciary and law enforcement authorities.

6. Conclusion

“We demand a systematic data collection on femicides in Switzerland!” announced the NGO Brava on Twitter last December after the 26th femicide was reported by the private initiative stopfemizid.ch. Such demands and actions have inspired the present project; first and foremost, the uncomfortable thought that such acts are not officially registered in Switzerland and it might be a blind spot. By digging into the current discourses in different fields, I observed, in short, a gradual mainstreaming of the term femicide, whereas the state seems to largely ignore its existence. It is a fact that no category defined as ‘femicides’ exists in any official national statistics. Statistics are considered ‘authoritative knowledge’ (Walby, Towers, and Francis 2014, 188, 197), not only in the academic context, but as formalized and institutionalized knowledge beyond the consideration of singular incidents. It is by means of statistical terms that social facts are constituted as real things (Desrosières 2005, 1–2). Since femicide is not a statistical category, it is not acknowledged as a social fact and remains hidden from public knowledge and political actions, even though the phenomenon itself is very much part of an experienced reality of many individuals.

In this study, the considered category in police crime statistics ‘attempted and completed killings in the domestic sphere’ was regarded as being close to ‘femicides’. Yet measurements by indicators risk producing partial, distorted and misleading knowledge, but are often used for policy formation and governance. Therefore, it is important to examine how that current counting system on killings in the domestic sphere produces knowledge (Engle Merry 2016, 3). Tracing the formation process of that number and following its “statistical chain” (Thévenot 2016, 104) brings to light situations of decision-making and negotiation alongside the technical procedures, and offers starting points to reflect on the prevailing understanding of fatal violence against women in Switzerland and the demands to clearly name the social phenomenon of femicide. Thus, I set out with the question: What are the components and processes that contribute to the formation of the category ‘attempted and completed killings in the domestic sphere’ and how does it relate to the demand for a new category of ‘femicide’?

Before the review of the Swiss police crime statistics, counts of victims of attempted and completed killings neglected women or females as a category altogether. Something that

may be considered unacceptable by today's standards. This fact displays women as a mere deviation of men, a view formalized by the tools of statistics. It also reflects the state of women's affairs at that time. The aspect of neglect is particularly notorious in relation to violence against women, of which femicide is the most extreme form. For too long domestic violence was considered a private matter, as the UN notes, "[l]egal doctrines protecting the privacy of the home and family have been widely used to justify the failure of the State and society to intervene when violence is committed against women in the family and to take remedial action" (UN Secretary-General 2006, 33). When Switzerland implemented the Equality Act in 1995 (CEDAW 2002, 24), staff members of relevant authorities were found to be lacking both in knowledge about violence in intimate relationships and in sufficient skills to deal with such cases (2002, 29). Social and governmental responses to violence in the social environment were largely missing, and appropriate intervention strategies for the protection of women and their children were poorly developed.³⁷ Moreover, the cantonal police statistics failed to fully reflect the magnitude of the phenomenon of violence against women (2002, 30).

Nonetheless, since the review of the PCS in 2009, this has been addressed; not only by providing comparable data on a comprehensive set of offences, but also by dedicating a chapter to, and thus creating the new category 'domestic violence' (BFS 2010, 9, ch. 3.2). However, in that specific section of the PCS report, the data is not disaggregated by gender but by offences, year-on-year comparison, and relationships (in contrast to chapters 3.1.5 and 3.1.6 on accused or victims of violent offences, the former showing only males), keeping the public's gaze on the separated private and public spheres – specifically on the domestic proximity of the victim to the perpetrator by relationships – rather than on the underlying issue of gender inequality. Admittedly, the data is available online, but not in a user-friendly format. Nonetheless, the creation of this new category is a recognition of the social fact of domestic violence and therefore adds to the description of our reality (Desrosières 2005, 2). 'Creation' does not mean that the violence did not exist before, but that it is not a singular individual situation, just as, for example, crime rates. And once a statistical category is established, it has the potential to change the public perspective on it and highlight society's collective responsibility (Porter 1996, 37). The awareness of domestic violence has certainly resulted in funding and implementing prevention work. Equally could the creation of an official category 'femicide' abstract this social phenomenon from the usual framing as being exceptional cases in small numbers; and depending on the understanding of its causes, perhaps highlight it as the result of everyday, normalized structural inequality. Besides, 'creation' should not lead to the category being perceived as an unsteady idea. As we have seen, behind a category lies a vast infrastructure. The fact that it took until 2009

³⁷See summary of the sub-project "Halt-Gewalt. Ein öffentlich-privates Interventionsmodell gegen Gewalt im sozialen Nahraum", 2002 (https://www.snf.ch/de/api/media/de/7ss7O7Tmjs6a4wrO/nfp40_aebersold_schlussresultate.pdf).

for ‘domestic violence’ to even be considered as a category, and the still missing category for ‘femicide’ despite decades-long international efforts, commitments and political initiatives, demonstrates how resilient categorizations are. It shows just how much of “political muscle” (Espeland and Stevens 2008, 411) is needed to change it, as the continuing demands for data on violence against women, and in particular on femicide, demonstrate.

Even if crime statistics never adequately reflect the extent of violence against women, there is potential to analyse the social phenomenon of femicide, as most killings do come to the attention of the police and are recorded (Walby 2007, 5). The current classification of killings into the domestic sphere, disaggregated by gender, promises to indicate gender-based violence and qualify them as femicides (2007, 5). However, taking traditional intimate relationships and housing situations along with gender of the victim as a proxy does not seem appropriate. A gender-based killing is also conceivable outside of an established relationship or living situation. Although the observation that women are far more often killed in these settings presumably supports the classification into ‘domestic’, that qualification is based on the separation of the private and public spheres, which refers not only to spatial boundaries, but also to identity boundaries assigned to women and men (Sénac-Slawinski 2005, 84). Hence, the way in which the fatal violence against women is perceived in the first place is built on the paradigm of inequality. Indeed, the questioning of the spatial arrangement should go beyond police work and expand to the whole political body, and thus the public sphere. After all, its membership is conditioned by the fact of being a citizen, and if that is radically and artificially distinguished from the private sphere, to where women are restricted, then the visibility of women as participants in the political field implies a reconsideration of the divide between the public and private spheres (Sénac-Slawinski 2005, 86). Not least, this appears to be a sound reason to also adopt the political implications of the definition of femicide, by recognizing and making visible the discrimination, oppression, inequality, and systematic violence against women that, in its most extreme form, culminates in death.

The terms used for motives that investigators come across, for example jealousy, money or revenge, also reflect dominant discourses that provide justifications for restricting the civil liberties of women in heterosexual relationships and construct female rejection, infidelity or disloyalty as provocation – the idea that women have less power to end a relationship, as in ‘if I can’t have you, no-one can’ (Monckton Smith 2020, 17). Insofar, the motive of the crime promises to yield a more robust interpretation since it is a central aspect in each investigation and the result of an intensive exercise of data collection. It is where the current understanding of ‘domestic violence’ is actually recorded and where also gender-based patterns can be recognized. Hence, the consideration and breakdown of the motive into various options in the ePCS becomes especially interesting. Ideally, the given motives should reflect gender inequality as a motive, but first and foremost police officers need to acknowledge what constitutes the underlying structural inequality to recognise this

in the course of the investigation. And, therefore, perhaps adding to the ways in which homicides are investigated and designated (Ertürk 2008, 94–95).

The coding for the PCS category ‘attempted and completed killings in the domestic sphere’ starts with the very first report to the police. In particular, ‘attempted killing’ illustrates how much is needed until this classification is applied, from the severity of the violence and dependencies of the victims, which in turn influences the reporting, to the careful documentation by professionals. It seems that the resilience of a category and its corresponding number needs to be re-produced at many steps on its way into the statistics. The application of a category is not free of doubt; in effect, the “cultural work” (Engle Merry 2016, 14) that counting requires is an ongoing process. Counting is a deeply interpretive process and reflects what a country cares about (Engle Merry 2016, 14) and what it acknowledges to be real. The ‘caring’ part is inevitably demonstrated by the amount of resources a state dedicates to counting it. The premise of keeping efforts low impacts what data is collected on which offences and in what level of detail. And, ultimately, the knowledge that can be derived from it.

Media and public officials have very limited ability to adapt the numbers into different ones (Porter 1996, 42), however their awareness and inquiry do have an impact; such as for example the aforementioned online information in the special rubric ‘domestic violence’ on the FSO’s website, where the offences counted as domestic violence are disaggregated by gender and relationships (see figure 13). This is largely a reaction to the persistent demand and increased interest from the public and civil society (FSO 3).

Häusliche Gewalt: geschädigte Personen in der bestehenden oder ehemaligen Partnerschaft nach Straftat und Geschlecht, 2017–2019



Figure 12: Victims of domestic violence by offence and gender in (ex) intimate partnership, snap shot on attempted and completed killings 2017-2019. Data source: FSO 2020

Still, it does leave the impression that the implementation of commitments to fight violence against women on the official side is being stalled by the supposed intention to gather more data (Stone 2020, xiii). This is suggested in particular by the questioning of aspects that have already been well studied rather than building on existing international findings such as, for example, the aim to obtain more fine-granular data on the separation phase of relationships, which has already been identified as a particular indicator for a potentially dangerous situation. On the other hand, the verification of certain known circumstances, such as violence in the domestic sphere, backs the legitimisation of supporting infrastructure.

The existence of places such as refuges or shelters for victims in the first place emphasises that what should be a safe space – one’s own home – has become a crime scene. Thus, the category ‘domestic’ highlights the need for protective measures which otherwise might lose access to funding (FSO 3). This is a good example of how statistical work reflects and influences political actions.

Meanwhile, in December 2021, the Federal Council responded to a postulate from 2019 (briefly mentioned in the introduction, which demanded a catalogue of measures against femicides). It issued a report on a recent study into the causes of killings in intimate relationships, which represents the findings of different European studies in the field of homicide- and femicide-research within the last two decades. The authors indicate the delimitation between killings in intimate relationships and femicides in that the latter is more comprehensive than the former. Empirical studies on femicides which did not discriminate between killings in intimate partnership and other types of femicide were not considered (p. 6-8).

Undoubtedly, there is no consensus on the definition of violence against women nor femicide, which makes it difficult to (re-)produce their reality in form of statistical categories. Regardless, the category ‘domestic violence’ seems to be under attempts of disintegration. If the current debates around femicide are anything to go by, apparently fewer and fewer people relate to the conservative category of ‘domestic violence’ as an object that accurately describes their shared reality and question the coordination of actions (Desrosières 2005, 374) to prevent it, namely data collection on violence against women. The PCS itself is under pressure when involved and interested parties think the measurement process is unreliable or biased, as some political postulates show. It requires a huge exercise of social power to establish valid measures, depending not only on a disciplined labour force but also on good public relations (Porter 1996, 33). I would not suggest that the PCS may disintegrate, but perhaps it may be adjusted to represent the adapted conventions to which the current additional online survey ePCS seems to forebode. With its detailing of circumstances of a killing and detected motives, it comes rather close to the notion of standardised indicators for femicide, such as the victim’s age (young/elderly), indicating physical vulnerability; her affiliation to a minority (in the case of migrants) with increased risk due to discrimination; prior police contact or previous violence; and recent separation (Dawson and Carrigan 2020, 6–8), as discussed in chapter 2.3. It is also a practical example of how social facts can be constituted as things through the clear and formal terminology of statistics (Desrosières 2005, 1–2). As we have seen the current tool PCS results from lengthy social processes of consensus building and debate (Engle Merry 2016, 5). Since the review of the PCS, the meaning of numbers has changed over time and social space. Subsequent uses and interpretations may expand beyond those that led to the creation of the numbers in the first place (Espeland and Stevens 2008,

406); as a tool for prevention, for instance, by observing the violence through patterns of inequality rather than in relation to places and actors.

The geo-spatial display of cases of femicides by different private initiatives (mentioned in the introduction) seems to somewhat contradict the notion to perceive these crimes as rooted in gender inequality, instead of a spatial arrangement. After all, by counter-mapping data, the actual locations of the crimes become a central feature. However, the representation on the map does not question the main cause of violence against women – as understood by the international community – but addresses the issue of the lack of recognition of the term femicide.

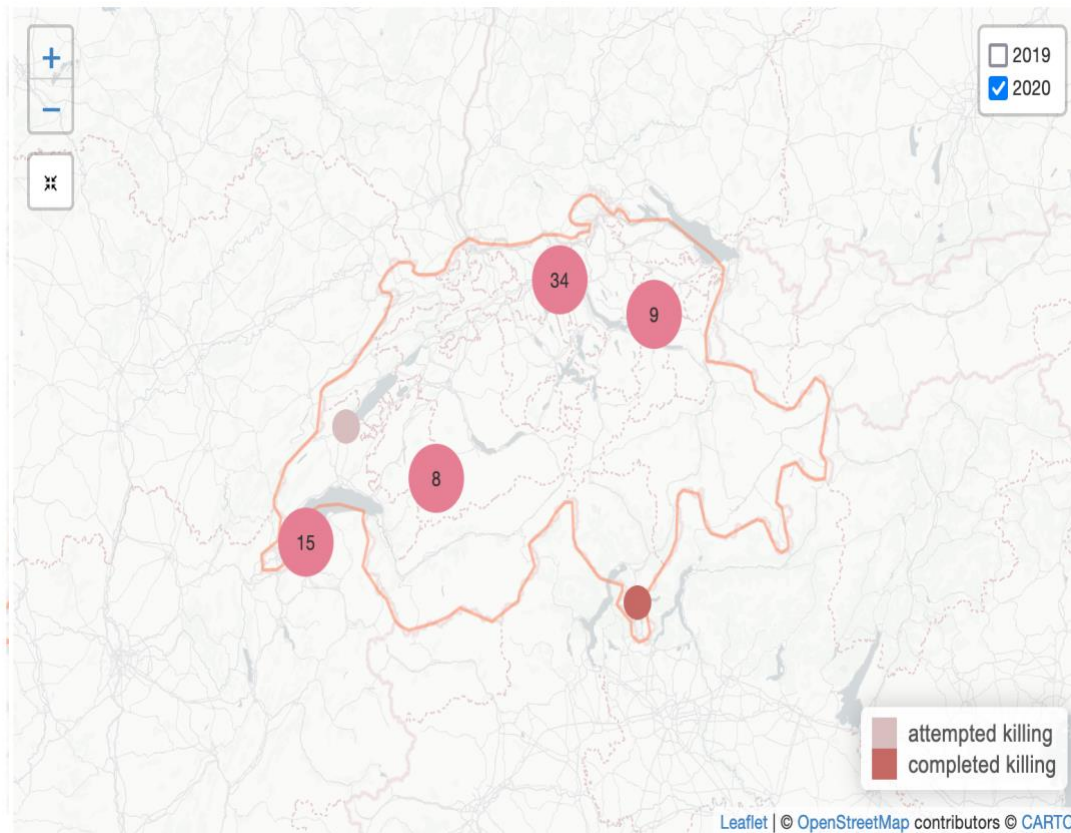


Figure 13: This map would originally show female victims of attempted and completed killings in the domestic sphere, incl. their age and on a cantonal/community level. However, according to FSO, this would breach privacy protection and data sovereignty. Therefore, the map is reduced to only showing clusters of these cases in 2019 and 2020 in Switzerland. Data source: FSO.

This map (figure 13) is based on data from the FSO and shows 20 completed and 28 attempted killings of women in 2019, and 25 completed and 43 attempted killings of women in 2020 in Switzerland – in the domestic sphere. Compared to the privately collected data by “stopfemizid.ch” (5 attempted and 16 completed femicides in 2020, data for 2019 is not available) the numbers differ significantly; unsurprisingly so, because the data of the

initiative is based on press releases and media reports of the crimes and does not benefit from a vast infrastructure behind the numbers. Also, as we have seen, the underlying conceptions of that kind of violence seem of a different nature. Therefore, finally, I will not conclude that the number of women killed in the domestic sphere (as counted by the FSO) and femicides (as counted by stopfemizid.ch) are equal. However, I would go so far as to assume that the discussed possibilities of crime data for a deeper analysis of the social phenomenon of femicide could encourage a transition to a new category defined as ‘femicide’.

Further research

This study refers to other subject areas where more in-depth research would be insightful. For example, the use of terms regarding violence against women seems to be effective not only in connection with statistical categories but also for the victims. As mentioned, the violence first has to be recognised as such by the victims before it can be reported. And even after that, it is apparently relevant what term they use to refer to themselves. For example, the term ‘survivor’ seems to indicate that seeking help is only appropriate in cases of severe violence, which has an impact on prevention (WSH 7).

In light of the aforementioned ways in which data on femicides or killings in the domestic sphere are displayed and issued, for example by counter-mapping data or by publishing a main report and more online, a closer look at the extent in which publicly available data from public authorities effectively inform the public sphere would be instructive. Released data online may not be equal to accessible data in terms of placement, comprehensibility and context.

Furthermore, it would be very intriguing to replicate the analysis done by Gloor and Meier (2009) of police reports and the concept of domestic violence (not) negotiated therein and to determine whether a changed perspective on this phenomenon has emerged in the meantime.

Similarly, it would be interesting to experimentally develop a questionnaire on killings specifically based on indicators for the broader concept of femicide in order to test a standardised classification of an act as such on the part of the police. Or an empirically based study on femicides considering diverse social contexts, as is currently planned by KFN in Germany. Additionally, it would be interesting to investigate the feasibility of developing and applying coding for other killings of women which meets the international definition of violence against women with regards to coding at the nation state level (Ertürk 2008, 114).

Also, the examination of the handling and counting of ‘incidents’ within the range of domestic violence that do not constitute a criminal offence (and therefore do not appear in the PCS) but are specifically coded and recorded at a cantonal level would certainly prove to be insightful. One example of an incident is the so-called ‘intervention in the domestic sphere’– meaning an incident in the social proximity on the grounds of domestic violence – which did not result in the recording of any criminal act (BFS 2020, 56). For example, if

someone calls the police because a couple is having a heated row and this ends without a report. The incident is counted, but not considered in the crime statistics. Cantons are free to choose if they want to disclose these incidents, hence not all data that is gathered at a cantonal level is ultimately reflected in the national crime statistics.

Not least, as a practical implication the implementation of the additional survey (ePCS) as permanent infrastructure and its further development would certainly be a valuable facility for future research in this field, including prevention work.

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Appendix

List of interviews

The interviews listed below were conducted between July and November 2021 with experts from a range of organisations. Any information that may identifies the respondents is not disclosed. Each entry refers to an interview and its transcript, in the order in which they were conducted. The preceding abbreviation is used in the text to cite from empirical material:

- FSO 1: Federal Statistical Office, scientific staff, dep. crime and penal law (member).
- FSO 2: dto.
- FSO 3: dto.
- PIM 4: Police Information Management, department technology and logistics (head).
- FSO 5: Federal Statistical Office, scientific staff, dep. crime and penal law (member).
- PPR 6: Cantonal Public Prosecution, serious violent crime (director).
- WSH 7: Women's shelter (head).
- CID 8: Cantonal Criminal Investigation Department (deputy head).

List of confidential documents

The following documents are not in the public domain but were kindly made available to me for this work. The preceding abbreviation is used to refer to these documents in the text:

- idoc 1: Protokoll PKS Zusatzerhebung Tötungsdelikte 2019-2024
- idoc 2: Konzept: Zusatzerhebung bei Tötungsdelikten in der PKS, 2019-2024
- idoc 3: Ausschnitt Workflow Software Systeme Kantonspolizei
- idoc 4: Beispiel Datenkontrolle BFS
- idoc 5: Factsheet häusliche Gewalt Straftatbestände (draft)

List of main interview questions

Examples and versions of the following questions can be found throughout all interviews:

With particular regard to the numbers on killings,

- where are the intersections with other organisations?
- what are the steps of the procedure before it reaches you [submit or receive the data/report/information]?
- what guidelines or instructions do you follow for this procedure?
- what happens if an involved entity demands changes to the procedure?
- how do you establish an adjustment to [the procedure/questionnaire]?
- where do you compromise concerning expenditure of work?
- how did the specific selection [of offences/relationships] occur?
- who makes decisions for a [case/new project/survey/next steps]?
- who are stakeholders of [documentation/data/information]?
- what about the motive [of a killing/report to authorities/investigation]?

Applied transcription rules

As sent to respondents as part of their transcripts:

“**Hinweise:** Wörtliche Transkription. Gesprächsinhalte in Dialekt sind grundsätzlich übersetzt in Standardsprache, ggf. werden dialektale Färbungen und Äusserungen beibehalten. Nicht eindeutige Wortlaute werden mit ? gekennzeichnet. Sinnvolle Satzzeichensetzung. Die Sprache ist für eine bessere Lesbarkeit geglättet. Nonverbale Zwischenlaute, Hörbestätigungen, Füllwörter und Wortdopplungen werden weggelassen. Abgesehen davon werden Satzstellungen übernommen. Angaben, die Aufschluss über die Person(en) geben, sind nicht enthalten und werden im Text mit [...] oder [allgemeiner stv. Bezeichnung] ausgelassen. Besondere Ereignisse während des Gesprächs oder hilfreicher Kontext werden in [Klammern] beschrieben. Überlappende Rede wird mit Sätzen ohne Interpunktion angezeigt. Zur Orientierung wurden während der Erstellung des Transkripts Zeitmarker gesetzt.”

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