

Feminist struggles against criminalization of digital violence: Lessons for Internet governance from the global south

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Abstract

Why have feminists in Mexico been arguing with women's groups and against the state over the criminalization of digital violence, and what do these struggles mean for its governance? This article analyzes the social struggles surrounding passage of the Olimpia Law of 2019, which criminalizes digital violence in Mexico. Although criminalization of digital violence as a means of governing online behavior has recently attracted much attention globally, this study proposes that such measures can, at the same time, put at risk the human rights of women actively participating in the political realm (human rights defenders, activists, and journalists). I further contend that governing digital violence is not so much a regulatory question but should, rather, be understood as a field of struggle among diverse collective projects. Thus, I argue that there is a need to further reconceptualize digital violence against women in politics as a way to address the multiplicity of actors and perspectives involved in internet governance. Following textual analysis of documents from feminist organizations arguing against the criminalization of digital violence, I conclude by proposing public policies to fight this phenomenon beyond criminalization.

KEYWORDS

criminalization, digital violence, feminist struggles, global south, internet governance, justice, Mexico, public policies

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INTRODUCTION

Digital violence encompasses any acts of gender-based violence that are committed via the use of information and communication technologies (APC, 2015). This is a complex and growing phenomenon that is taking over social networks and challenging governments to take firm action against it. As a consequence, the criminalization of digital violence has become a growing regulation trend around the globe (Bakalis, 2018; Henry & Powell, 2016). However, such regulation faces many challenges, due to the diverse actors involved, conflict with other regulations, and the question of jurisdiction of national governments over the internet (Coe, 2015; Weber, 2020). Specifically, lack of respect for human rights in digital spaces has been generating tensions with respect to internet governance (Mueller & Badiei, 2019; Zalnieriute & Milan, 2019).

Digital violence is an exploding internet phenomenon, characterized by a range of diverse practices: from nonconsensual dissemination of sexual images, to open threats of sexual violence all the way to identity theft, just to name a few. For many women, this can often mean that their sexual images are circulated without consent by their ex-partners as a way to exercise control over their bodies; meanwhile, women who protest against the state of general impunity for those committing gendered violence are likely to receive thousands of threats of sexual violence on the internet as a way to silence them. These examples can be tied to two existing concepts in the literature on gendered violence: (1) general violence against women that is directed toward eroding social cohesion and reinforcing women's subordination (Bardall et al., 2020) and (2) violence particularly committed against women who are actively participating in politics—a distinctive phenomenon that has the objective of excluding women (mainly politicians, human rights defenders, activists, and journalists) from the political sphere (Hawkesworth, 2020; Krook & Sanín, 2020). For both cases, growing use of the internet has escalated such violence against women, rendering its pervasive character more visible and posing new challenges for its governance.

In the global south, abuse of power by authorities, corruption, and general impunity for perpetrators from punishment are widespread (Piscopo, 2016). Such practices have contributed toward digital violence not being considered a public issue, resulting in women experiencing obstacles to accessing justice or even revictimization, as they are blamed for the violence they have experienced (Savigny, 2020). The critical situation of gendered violence in Latin America has even been described as a war against women (Segato, 2016). Since such violence has been increasingly and broadly extended to the internet, Argentina, Brazil, Mexico and Chile have become actively involved in the global trend of using criminalization as a means toward fighting it (Acoso.online, 2020). In Latin America, this trend is also related to the rise of punitive politics (Müller, 2013), through which governments have been attempting to gain control over internet problems while, at the same time, legitimizing new policies. In Mexico in particular, a series of regulations against internet violence have been introduced, most notably a reform known as the Olimpia Law (*Ley Olimpia*). These reforms essentially consist of the creation of two new criminal classifications in the national penal code (Article 179 and Article 181) as well as Mexico City recently introducing a new modality of “digital violence” into the General Law on Women's Access to a Life Free of Violence (originally enacted nationally in 2007). Especially the Olimpia Law has sparked struggles on the part of activists, human rights defenders, and journalists who make use of the internet for political purposes (Krook, 2020).

Current discussions regarding contradictory notions of internet governance have articulated the need to differentiate between regulation, coordination and control, calling for further empirical studies to be conducted on these distinctions (Hofmann et al., 2017). The present article seeks to contribute, both theoretically and empirically, to this debate by proposing that regulation does not by default mean proper governance. Rather, governance

should be understood as a field of struggle among diverse collective projects. In the case considered here, I approach the criminalization of digital violence in Mexico by analyzing recent feminist struggles over its governance. For some of the key actors involved in governance, such as the National Front for Sisterhood (hereafter NFS), mobilizing regulations to criminalize digital violence in Mexico (e.g., the Olimpia Law) has been seen as a way to make the internet a secure space for women in general. However, this civil society project stands in conflict with those of others seeking to increase the participation of women in politics, promoted by feminist human rights defenders, activists, and journalists who hold that the criminalization of digital violence only provides greater possibilities for increasing abuses of power by authorities and more state surveillance while at the same time lacking the ability to dislodge the structural underpinnings of violence against women in a politically meaningful way (Article19, 2019; R3D, 2019). This tension represents an unresolved puzzle in the literature on both internet governance and digital violence, as the implications for women in politics of criminalizing it have not received much attention. By bringing together two separate strands in the literature—regarding violence against women in politics and internet governance—and by taking the feminist struggles related to the Olimpia Law as a case study, I seek here to shed light on this puzzle, arguing that there is a lack of clear conceptualization of digital violence against women in politics that is holding back the discussion of governance of digital violence as multiple and performative.

The remainder of the article is structured as follows: The next section details the theoretical framework employed, which is related to violence against women in politics and internet governance, as seen from a science and technology studies (STS) perspectives. The third section emphasizes the methodological approach to research consisting of a textual analysis to the main documents of organizations. The fourth section presents the empirical case, centered around digital violence and feminist struggles over governance. Finally, the fifth section discusses public policies against digital violence beyond criminalization and draws conclusions.

GOVERNANCE OF DIGITAL VIOLENCE: THEORETICAL DISCUSSIONS

Digital violence includes but is not limited to harassment; stalking; nonconsensual dissemination of (sexual) images; sexual extortion; threats of rape, death, or other physical violence; surveillance; identity theft or impersonation; use of discriminatory or derogatory expressions (Barrera & Rodríguez, 2017; Powell & Henry, 2017). Such acts of digital violence against women are exercised against both women in general and women specifically engaging in political activities, with diverse degrees of intensity and implications for their lives and political activities.

The feminist literature on violence against women in politics has historically expanded the meaning of violence by discussing its various forms of manifestation, decentering the focus from physical assaults toward also putting emphasis on psychological, sexual, economic, symbolic, and semiotic (use of language, images, and symbols to disqualify women in politics) aggressions (Krook & Sanín, 2020). Due to the diverse range of violent practices, the literature distinguishes not only between types of violence but also their consequences for women's political activities. Although the majority of existing studies on women in politics tend to focus on professional women politicians (Al-Rawi et al., 2021; Rheault et al., 2019; Wagner, 2020), the political sphere is broadly defined and not limited to politicians, candidates, and voters. Women in politics also include human rights defenders and journalists as the latter types of violence themselves constitute violations of human rights in ways that seeks to inhibit or prevent the realization of women's political rights as such

(Ballington, 2018, p. 695). However, according to Krook (2020), violence against women in politics is undertheorized, because it is less recognized as a problem among different actors, including women themselves. This tendency is exacerbated when such violence occurs on the internet, in spite of its serious implications, some of which entail the social stigmatization of human right defenders or their criminalization by the state, often leading to further violation of their human rights (Amnistía Internacional, 2021). Ultimately, the impacts of digital violence against women engaged in politics also undermine the foundations of democracy (Heger & Hoffmann, 2021). In the present article, I approach digital violence not as just another type of violence; rather, I understand the internet as a social space (Proctor, 2020) where the above-mentioned types of violence are extended into digital forms, with real and often severe consequences for women.

Governance is an interdisciplinary research agenda that stresses how changes in governing are influenced by various actors, dynamics, mechanisms, practices, and arenas. The main focus is to move away from established state-centered hierarchical ways of governing, toward acknowledging the distributed power of diverse actors (Levi-Faur, 2012; Suárez, 2018). Although there is already a growing body of literature on global initiatives (Epstein & Nonnecke, 2016), in the last few years, a debate has emerged regarding what exactly internet governance entails (Hofmann et al., 2017). On the one hand, van Eeten and Mueller (2013) argue that the existing focus of internet governance has been on formal global institutions with limited or no impact on actual governance practices within particular countries. Such authors call for decentering formal regulations and taking into account the heterogeneous character of authority, and decision-making processes regarding internet governance at lower levels of formalization (p. 730). On the other hand, Hofmann et al. (2017) contend that internet governance relies on contradictory notions of governance, with one side centered around regulation, which clashes with more distributed modes of ordering. My entry point into this debate is twofold: Although I agree that proper governance is not achievable merely through regulations related to digital violence, I also contend that regulation of internet usage has sparked heated struggles where governance as the emergence of multiple orders has been rendered visible. To contribute toward decentering the current focus on formal governance measures, in this article, I seek to reveal the negotiated character of the governance of digital violence by analyzing the diverse ways in which civil society actors engage in disputes over the political order. To develop my argument and explore the multiple and performative character of internet governance, I rely on STS perspectives which emphasize—whether in the private sector, government, global institutions, or among citizen themselves—how internet governance is distributed across actors through their own social ordering projects (DeNardis, 2020). Although divisions between groups of actors are generally seen as unproblematic and expected, I underline here that struggles over governance are also disputed within such groups themselves.

In bringing together the literatures on violence against women in politics and internet governance, I further propose that the differentiation between violence against women generally as opposed to violence specifically against women engaged in politics needs to be reconceptualized. Criminalization regulations that may work for the governance of digital violence against women who experience diffusion of sexual content that harms them in some way may turn out to be counterproductive for governing violence against actively political women. Such politically oriented women are also more likely not to turn to the criminal justice system because, at least in the context of the global south, this could open the door for further violation of their human rights, including surveillance and censorship of their political activities. This means that digital violence requires multiple governance, containing differentiated mechanisms that can also address the needs and experiences of politically engaged women.

METHOD

Textual analysis, which involves understanding language, symbols, or pictures in texts to grasp how people communicate about life and their experiences (Morey, 2018), was selected as my primary methodological approach, as it allows us to grapple with how similar or different the sense-making practices that people use can be (McKee, 2003, p. 14). I analyze texts articulating the main arguments of some Mexican feminist organizations comprised of human rights defenders, activists, and journalists (hereafter referred to as organizations) who have positioned themselves against the criminalization of digital violence, as they hold that it can ultimately endanger their political activities.

The rationale for choosing the particular organizations examined here is as follows: first, they are considered leading organizations fighting for the defense of human rights on the internet, not only in Mexico but also globally, and, second, the organizations are made up of politically engaged women (human rights defenders, journalists, and activists). The organizations in question are: Article19, which works globally to monitor attacks on freedom of expression, including violence against journalists; Derechos Digitales (Digital Rights), a non-profit Latin American organization whose main objective is the development, defense, and promotion of human rights in digital environments; Network in Defense of Digital Rights (R3D is its Spanish acronym), an organization dedicated to the defense of human rights in digital spaces; Luchadoras MX, a feminist collective of activists that fights to defend the internet as a feminist space; and Internet es Nuestra MX (The Internet Is Ours), a coalition for a network free of violence, consisting of diverse organizations fighting for a free internet.¹

As a basis for textual analysis, the publications of these organizations that made reference to the Olimpia Law were selected. The selected timeline was from when the discussions begin on the possibility of Olympia Law's approval in September 2018 until its final implementation in December 2020. The following documents were collected: (a) four position papers, (b) two reports, and (c) three dictums regarding the Olimpia Law. The collected corpus comprised 167 pages. First, I analyzed the main arguments of these organizations against the criminalization of digital violence and the differing perceptions of how it should be governed, as articulated in these documents. Through the analysis of their perceptions and opinions on the reforms, several problematic points for women defenders emerged. Through a coding process of the main topics in the documents and with the use of ATLAS.ti, I then proceeded to categorize them thematically to facilitate my interpretive process. The categories are presented in order of importance according to the number of times these issues were referenced in the documents. The emergent main categories of struggle used by the organizations were concerns about the abuse of power by judicial authorities, human rights at risk, and the weakened power of states under corporate digital control, which will be discussed in more detail below.

Once the main themes of struggle were identified, I proceeded to conduct a more refined analysis to illustrative quotations from documents on these topics. This analysis consisted firstly of contextualizing the argument in relation to their broader context of Mexico's criminal and justice systems, and then by the type of organization and activism that women in politics carried out. These illustrative quotations were then related to the precepts of the literature on digital violence against women in politics and internet governance to strengthen their interpretation. Finally, a series of proposals were pointed out as a counterweight to criminalization: the need for public policies.

THE OLIMPIA LAW: FEMINIST STRUGGLES OVER THE GOVERNANCE OF DIGITAL VIOLENCE

In 2013, when Olimpia Melo was 18 years old, a video of her containing sexual content was broadcast by her ex-partner and went viral in her hometown, Huauchinango, in Puebla, a Mexican town with around 100,000 inhabitants. A Facebook group with more than 60,000 followers was created, which circulated the video and called her by a common derogatory name—*gordibuen*a—which can be roughly translated as chubby but (sexually) good. The video went so viral that even the local newspaper published a note on the front page saying that, “Huachinango's promising girl is burnt out on social media.” (Reyes & Elizondo, 2019). As a consequence, Melo experienced damage to her reputation, material loss, and psychological trauma to the extent that she had to leave the place where she had lived her whole life and was on the verge of suicide. She confessed to having felt as if her body was being violated by everyone all the time, that she had panic attacks when she went out on the street, knowing that everyone had seen the video, and that she felt as if she had stopped being Olimpia and just became the *gordibuen*a from Huachinango.

After months of revictimization by society blaming her for what had happened, she decided to go in search of formal justice. When she did, the first thing police officers asked her was for the video as proof of the crime. Despite feeling deep fear and shame, she showed them the video. After they had seen the video, the officers told her the following: “No, there was no crime. We can't do anything, because it's on Facebook. Perhaps moral damage, but since it is digital, nothing can be done. Besides that, you let yourself be recorded. Those things are about upbringing. We cannot do anything” (Reyes & Elizondo, 2019). She later confessed that, when she left that judicial department, she wanted to die for the second time but also said to herself: “Well, if there is no classification for that crime, one has to be created” (ibidem). Her unsuccessful search for justice had by now led her to become the founder of the *Frente Nacional para la Sororidad*. The NFS, also called as *Defensoras Digitales* (Digital Defenders), is working to criminalize this type of aggressive behavior in Mexico. The Olimpia Law which bears her name was approved in 26 of the 32 Mexican states, supported by NFS organization in 17 of these cases (Luchadoras, 2020). The problems faced by women such as Olimpia Melo in accessing justice after experiencing digital violence are legitimized by the idea that, if the act was carried out in virtual space, the type of violence cannot be classified.

Given the situation of systemic violence against women in Mexico, women have taken to the streets to demand the right to a life without violence and to hold the state responsible for not providing the right to security and access to justice, for revictimizing them and for trying to discipline their bodies. In 2019, feminist mobilizations were set up in Mexico City against gendered institutional violence. In August of that year, for example, historically unprecedented feminist protests took place, with subversive practices of resistance such as graffitiing historical monuments and interventions outside of a police station to protest and demand justice for the rape of two minors by policemen. These mobilizations managed to position the issue of institutional violence at the center of public attention, which generated pressure on the government of Mexico City. After several unsuccessful attempts by NFS, beginning in 2017, to have the Olimpia Law approved in Mexico City, the outrage prompted by the feminist protests created the right political juncture for passage of the law. On November 21, 2019, the Head of Government of Mexico City exhorted legislators in a video to approve the Olimpia Law,² which is not truly a law as such but, rather, only creates two criminal classifications in the Penal Code (that of sexual harassment and crimes against sexual intimacy) for the dissemination of images without consent as well as introducing a new “digital violence” modality to the Law on Access for Women to a Life without Violence, passed by Mexico City in 2007. In 2021, the Olimpia Law was approved at the federal level.

Despite such apparent victories for the proponents of these reforms, human rights defenders, journalists, and activists observed their passage with concern, as they also amounted to a form of legal interventionism for creating new punitive control measures in digital spaces. A series of position documents, reports, and dictums were published by civil organizations to oppose criminalization as the only way of governing. Following textual analysis of selected statement documents put out by these organizations (see Methods section), I was able to identify three topics that reflect the main concerns of their criticisms and struggles: abuse of power by the authorities, human rights being at risk, and the weakening power of states under corporate digital control. In the following paragraphs, I analyze these concerns, all of which make visible the necessity of multiple governance of digital violence.

Abuse of power

According to the organizations critical of the Olimpia Law reforms, criminalization is likely to increase abuses of power by judicial authorities. This topic was mentioned most in the documents analyzed, also exhibiting a strong correlation with human rights being put at risk as well as issues regarding the revictimization of women based on gender stereotypes. The following quotation from Article19 provides a rationale for this concern:

[T]he reforms grant the Public Prosecutor's Office powers to investigate, prosecute and take intrusive action against any content that, in its judgment, is detrimental to sexual privacy. Undertaking such actions could trigger implementation of methods of surveillance of the activities of individuals within digital spaces, as well as generate—in a discretionary and arbitrary manner—from investigating authorities requests for “immediate removal” of any content on social networking platforms, without respecting proper judicial process. (Article19, 2019, own translation)

This quotation from an organization that works in support of the human rights of journalists highlights two aspects relevant to the argument of this article. First, it provides evidence of the potential vulnerability of women engaged in politics due to the possibility that the authorities will make use of the Olimpia Law to monitor and censor their political activities. Monitoring human rights defenders and journalists is a known way to try to discipline them politically (M. L. Krook & Sanín, 2020). Women using images to expose human rights or other abuses, but which may be considered “detrimental to sexual privacy” by the authorities, may be subject to censorship or worse.

In addition to this already problematic context, the persistence of gender stereotypes related to sex held by many judicial authorities and their insensitivity to many human rights issues deepen the problem. Such abuses of power by juridical authorities against women have serious impacts on their personal, professional, and political lives. Not only they tend to subordinate women in general (Bardall et al., 2020), as the Olimpia Melo case shows, but they are also aimed at excluding women in politics, since they tend to be key players in defending human rights and producing important and revealing investigative reports as journalists (Hawkesworth, 2020). The related literature on violence against women in politics holds that criminal justice systems in the global south foment impunity for those who have committed crimes against women through normalization of their violence as a way of maintaining the political and patriarchal order (Piscopo, 2016). For that reason, instead of criminalization, the organizations studied here are rather inclined to demand that action should be taken to supplement the institutional sensitivity of the authorities regarding human

rights and gender and minimize revictimization based on gender stereotypes (Article 19, 2020; R3D, 2019).

Human rights at risk

Another point of contention that emerged from textual analysis of the documents was human rights being at risk. Although the criminalization called for by NFS is well-intentioned, it introduces the possibility of forms of digital surveillance that could further put at risk the freedoms needed by activists. The organizations warned that criminalization of digital violence is contrary to Article 6 (regarding freedom of access to information) and Article 7 (regarding freedom of dissemination) of the Mexican Constitution as well as Article 13 (regarding freedom of thought and expression) of the American Convention on Human Rights (Argüelles, 2019; R3D, 2019). The following quotation from journalists, activists, and human rights defenders is illustrative of this point:

[T]he approval of these criminal classifications open the possibility of implementing methods of constant surveillance and control of correspondence as well as of the activities carried out in digital environments. It puts the safety of journalists at risk in the digital era, especially by making them the object of surveillance and/or illicit or arbitrary interception of communications as well as censorship through illegitimate removal of content in violation of their rights to privacy and freedom of expression. (Internet es Nuestra MX, 2019, own translation)

The claims made here undergird my argument about the need to reconceptualize digital violence against women in politics as a distinct phenomenon in at least two ways. First, they propose that for women in general the reforms contained in the Olimpia Law represent a violation of their human rights, since they are incompatible with existing international and national legal frameworks. Second, for women engaged in politics as journalists, human rights defenders, and activists, this may also pose a serious violation of their privacy and may result in the state abusing its power to monitor but also to censor their political activities. For human rights defenders and journalists, the internet is a performative political space that is essential for their political activities (Ziewitz & Pentzold, 2014), relying not only on the rights to privacy and data protection but those of free expression and access to information (Bakalis, 2018; Krook, 2020). Consequently, one aspect of their political activities is to defend human rights in digital spaces, for which their position against punitive governmental intervention is key.

Textual analysis of the organizations' documents also identified another key human right at risk: access to justice. The organizations questioned the idea that criminalization of perpetrators would automatically result in access to justice for victims, stating that the creation of two criminal classifications would not necessarily mean that perpetrators would be appropriately punished or that the root of such violence had been addressed (Argüelles, 2019; Luchadoras, 2020; R3D, 2018). Researchers have come to similar conclusions, finding that criminalization measures are not enough to fight violence, especially in criminal justice systems that are overloaded (Alkiviadou, 2019; Strikwerda, 2014).

This argument from the organizations reveals the necessity to carefully assess the extent to which access to justice is also available for women engaged in political activities. They are typically subjected to thousands of online attacks based on gender stereotypes, such as that women should be not involved in politics, which could lead to them refraining from further political engagement (Sanín, 2020). This makes it very difficult for such women to benefit

from the Olimpia Law, because this type of violence is related to structural causes that criminal laws cannot tackle. To that must be added the potential for state violence against politically engaged women, who are also often revictimized and monitored. Because institutional violence is so entrenched among judicial authorities in Mexico (Arjona Estévez, 2019), the creation of regulations may not necessarily result in decreasing violence but, rather, may result in increased institutional violence (Piscopo, 2016).

The human rights at risk category entails political impacts due to digital violence against women on conditions for democracy in the global south, since Mexico is considered one of the most dangerous countries in which to practice journalism worldwide (Stremlau et al., 2018), and it is also among the Latin American countries that regularly fail to prevent human rights defenders from being murdered (Front Line Defenders, 2020). The implications described for politically engaged women point to the need to consider measures that go beyond criminalization and attack the structural problems that generate symbolic, semiotic, and other kinds of violence (Al-Rawi et al., 2021; Savigny, 2020). In this vein, the studied organizations propose that, rather than criminalization, what is needed is campaigns to educate civilians about digital rights (Argüelles, 2019) and establishment of protocols regarding procedures for legislative reforms when human rights and compliance with international principles are at stake (Article19, 2020).

Weakened power of the state vis-à-vis corporate control of digital spaces

A third category that emerged from analysis of the documents contesting criminalization of digital violence against women in Mexico questions the degree of jurisdictional power and authority that the Olimpia Law can really have over corporate-controlled social platforms and pornographic web pages. Since the conditions for perpetration of violent practices are distributed among diverse actors, such as telecommunications companies, internet access providers, social media platforms and users (Gómez, 2019; Internet es Nuestra MX, 2019; R3D, 2019), the studied organizations have questioned how punishment is to be imposed and what the real power of Mexican authorities are over the terms of service of platforms based in the United States (Argüelles, 2019; Gómez, 2019). The organizations thus rendered visible the problematic distribution of responsibility that not only governments but also platforms should take for internet governance (Nash et al., 2017; Suzor et al., 2019). Women in politics regularly suffer waves of violence, censorship, and harassment on social media platforms as part of the disciplinary actions perpetrated against them for their political activities. For instance, activists working against gender violence received images with mutilated bodies following a feminist protest that took place in August 2019 after members of the police raped minors in Mexico City (Internet es Nuestra, 2019). Such digital violence has the objective of silencing women and disqualifying them from participating in the political realm (Sanín, 2020). Considering the intensity of this digital violence and the limited power the Mexican government has for making online platforms assume their responsibilities in the face of it, criminalization has little chance of really tackling this problem. This again points toward the necessity of instituting multiple measures from diverse actors for internet governance (DeNardis, 2020), such as social media platforms playing an active role in the process of fighting violence against women beyond reporting and moderating.

In deploying the three above-analyzed topics, the examined organizations mobilized critical arguments and offered counterproposals regarding how digital violence should be governed through public policies shaped by a gender-equality perspective while also using existing legal frameworks to avoid conflict with global legal human rights frameworks (Article19, 2019; R3D, 2018). Furthermore, the organizations have agreed upon the

necessity of enacting public policies that take into account measures for prevention, reparation, and attention to victim's needs and to facilitate creation of protocols related to human rights and gender perspectives for judicial authorities. However, to activate the right to access justice for all women who experience violence, the organizations also propose that other measures beyond punitivism could be implemented, including the creation of schemes for administrative offenses, fines or compensatory measures, or even channels for justice outside state authority. In this regard, there are various ways in which the governing of digital violence is already being performed by organizations (Ziewitz & Pentzold, 2014) beyond the actions of the government, including offering feminist digital security workshops and legal counseling for women who have experienced digital violence as well as organizing memorial interventions to vindicate the agency of women vis-à-vis abuses of power by the authorities. Furthermore, they engage in actions to name and render institutional violence visible as well as posting their testimonies regarding it on social media.

DISCUSSIONS AND CONCLUSIONS: PUBLIC POLICIES FOR GOVERNING DIGITAL VIOLENCE

This article has analyzed the main arguments of feminist organizations engaged in struggles over the governing of digital violence in Mexico, specifically surrounding the Olimpia Melo case. I have contended that there is a need to reconceptualize digital violence against women actively engaged in politics in a way that promotes the multiplicity of internet governance beyond criminalization as the status quo solution. Whereas violence against women politicians has been the primary focus of the literature on violence against women in politics (Rheault et al., 2019; Wagner, 2020), the evidence presented in this article regarding human rights defenders, activists, and journalists in their struggles against criminalization provides more balanced evidence of the diversity of the kinds of women involved in politics. Furthermore, the women in politics literature can also benefit from seeing digital violence as taking place in real spaces, enabling more comprehensive research on the spaces of gender-based violence in politics.

At the same time, I have argued that the legal interventions regarding gender-based violent internet behavior in Mexico have also sparked heated struggles in which internet governance as the enactment of multiple orders has been revealed. This case also illustrates how criminalization of digital violence in the global south can actually endanger the human rights of women in politics. The feminist struggles examined here reveal the ways in which internet governance and corporate control in the global south are intertwined: the threat of human rights violations, platforms being excused from responsibility for the digital violence taking place on them, the opening of channels for censorship and governmental surveillance of human rights defenders, as well as the dangers that all this represents for a new dimension of political disciplining of women engaged in politics on the internet. The struggles discussed here over juridical abuses of power, human rights being at risk, and the limited power of states vis-à-vis corporate control of the internet have been framed as having serious implications for undermining democracy that, until now, have not received much attention in the literature on governance of digital violence.

Based on the evidence presented in the article, the digital violence against women in politics confirms the multiplicity of internet governance actors (Musiani, 2015) and, therefore, also the need for multiple mechanisms to fight such violence. The foregoing analysis of the struggles over the Olimpia Law have made clear the following policy implications. First, the government needs to recognize digital violence as a public issue. Where "public" means that it affects all women and, thus, all women should be included in its scope, women actively engaged in politics as well. There is a need to open spaces for dialogue with civil society

organizations of politically active women who have been working on human rights, technology, and gender issues for years to design public policies.

Second, it is urgent to raise awareness among judicial authorities regarding the work of women in politics and human rights on internet. This can be done by updating training programs to include information about, on the one hand, global legal frameworks on human rights and violence against women in politics and, on the other, the ways in which digital violence is disseminated on digital platforms against women in politics.

Third, given the prevalence of digital violence suffered by women human rights defenders after protests, it is essential that online providers and platforms play an active role by given ways to characterize digital gender violence and activate mechanisms for reporting it, such as those that already exist against fake news, which could then result in statistics alerting users to the most egregious platforms. The government, in turn, can then demand from platforms firm action against such digital violence.

Finally, public policies should be implemented aimed at providing protection, counseling, and psychological support against digital violence. Until now, human rights defenders have been offering such services, which should have been the responsibility of the government in the first place. At the same time, there is also a need to create mechanisms that can effectuate women's rights to freedom of expression, protests, and information on internet with long-term public policies. Moreover, long-term campaigns to educate the wider society concerning matters of digital violence against women in politics, such as promoting more equal gender stereotypes, is another area of public policy that needs to be strengthened.

Returning to the initial research question of this article: Why have feminists in Mexico been arguing with women's groups and against the state over the criminalization of digital violence, and what do these struggles mean for its governance? Based on the case presented here, the feminist struggles are explained by the diversity of women who experienced digital violence and their consequences for their lives and political activities. These struggles point toward the necessity for multiple internet governance, whereby the government takes responsibility for systemic institutional violence through public policies formulated from a gender perspective that not only seek to guarantee respect for human rights but also have the flexibility to incorporate new ways of performing social justice. Such public policies should, furthermore, incorporate awareness-raising for juridical authorities about international conventions to prevent violence against politically engaged women.

All in all, this study makes several contributions in the literature on internet governance and digital violence. First, theoretically, it calls for a reconceptualization of digital violence against women in politics to prompt a form of multiple governance that goes beyond criminalization to incorporate public policies and other performative actions instead. By underlining the tensions between the kinds of digital violence that women generally face, and the expressions of digital violence specifically committed against women in politics, I have sought to shed light on the contested nature of internet governance. In doing so, empirically, the study also contributes toward decentering the current focus on criminalization away from the global north to reveal its implications for women participating in politics in the global south, where institutional violence is a palpable everyday reality. Additionally, the present focus on violence against professional women politicians in the literature is broadened through inclusion of other women in the political sphere to analyze the kinds of digital violence faced by human rights defenders, activists and journalists as well. Finally, the article suggests further research lines centered around digital violence against human rights defenders and journalists in the global north and its implications for internet governance.

Although I have focused here on the case of Mexico, the implications of this study can certainly be extended to the rest of Latin America, as this is a region where the threat of violence is critical for human rights defenders and journalists, as well as other regions with the same precarious situation in the global south. However, the results are also relevant

globally since, on the one hand, the internet has escalated digital violence against women in politics and, on the other hand, criminalization measures against digital violence are on the rise. The case considered here has demonstrated the multiple modalities and social underpinnings of digital gender violence, such as semiotic violence derived from traditional gender stereotypes being deployed as a mechanism to exclude women from the political arena. This implication for women's lives makes clear the need for more research on the digital violence experienced by politically engaged women who are not politicians—including human rights defenders, activists, and journalists in the global north as well—and, specifically, gathering more empirical evidence on the forms of digital violence they experience and its impacts on their political trajectories. More empirical work is needed on multiple internet governance, not only in relation to the various actors involved but also regarding the development of tensions among the apparently unanimous actors of civil society.

ENDNOTES

¹The members of this coalition include the Association of Progressive Communications (APC), an international network of civil society organizations; Social Tic, a non-profit organization dedicated to the promotion of digital technology for social purposes; R3D; Luchadoras; Derechos Digitales; and Article19. See <https://internetesnuestra.mx/quienes-somos>

²See <https://www.youtube.com/watch?v=PmVhZBs1TU4%26;t=3s>

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