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>HOME >LAW >CRIME POLICY/LEGISLATION

Guatemalan Double Standard Limits Femicide Courts

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Male infidelity is widely accepted in Guatemala, but also more likely to get a woman killed than in any other country in Latin America. That's a challenge for the new femicide courts, which are battling a culture of impunity for violence against women.

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A femicide crime scene.

Credit: Rodrigo Arias

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GUATEMALA CITY, Guatemala (WOMENSENEWS)--When 26-year-old Jacoba Arévalo Garrido went missing on Feb. 16 from her hometown of Tiquisate, in the eastern department of Escuintla, her mother, Alba Garrido, feared the worst.

Clutching a photograph of Arévalo, a young woman with short, dark hair and a soft smile, Garrido told local reporters that her daughter's relationship with her partner of two years, 37-year-old doctor Juan Carlos Fuentes, had been marred by violence.

Fuentes' abusive behavior, according to widespread local news coverage, had led Arévalo, an X-ray technician at the local hospital, to move out of the home she shared with him. But after six months she moved back in with him and they had been living together for a year when she disappeared.

The couple often argued over a photograph that Fuentes had found of Arévalo with an ex-boyfriend, said Garrido. The couple's neighbors tell a different story. The couple argued, they say, because Fuentes had gotten another woman pregnant.

Garrido told the police that her daughter used to call her every evening. But on the day she went missing, she didn't call. At 11 p.m., she said, Fuentes rang her and told her that Arévalo couldn't speak to her because they had argued and she was upset.

The following day, Arévalo's charred corpse was found in a sugarcane plantation, about 45 miles away from the couple's home. According to the autopsy report, she was still alive when she was doused with gasoline and set alight.

Fuentes, who vanished as soon as he became the main suspect, is currently wanted by the police in connection with his partner's murder.

Violence and Infidelity

Arévalo was one of the 69 women killed in Guatemala in January this year, according to official statistics.

With one woman killed every 12 hours, Guatemala has the fourth highest femicide rate in the world and is also the country with the highest number of femicides committed by firearm, according to a 2015 report published by the Geneva Declaration Secretariat.

In 2010, after years of intense lobbying by women's rights organizations, Guatemala became the first country in the world to create specialized courts for femicide and other forms of violence against women.

Most of the judges who hear the cases are women who receive training in gender issues. The courts also employ a psychologist and a social worker and have daycare facilities to look after children while their mothers testify so child care does not prevent their participation in trials.

With conviction and sentencing above 30 percent, compared to 10 percent in ordinary courts, the new femicide courts have started to tackle Guatemala's culture of impunity.

However, Wichita State University professor Dinorah Azpuru, who was part of a team that conducted a 2014 Americas Barometer survey that included violence against women, points out that some socially entrenched attitudes, such as the acceptability of beating a partner on the grounds of suspected infidelity, pose challenges.

"Judicial institutions have to be stronger to punish those who commit violence against women but at the same time people have to understand that it's wrong to do that," said Azpuru in a phone interview with Women's eNews. "If the culture of respect towards women doesn't change in the household it won't matter how good our institutions are."

High Tolerance for Violence

Bearing in mind that some of the countries with the highest femicide rates in the world are located in Latin America, Vanderbilt University included attitudes towards violence against women in its 2014 Americas Barometer survey.

It identifies Guatemala as the country in Latin America with the highest tolerance of violence against women suspected of infidelity, with 58 percent of those surveyed saying they regarded infidelity as a justification for violence, followed by 42 percent of Salvadorans, 35 percent of Guyanese and 34 percent of Mexicans.

Guatemalan women, found the survey, are just as likely to justify violence on the grounds of infidelity and double standards are deeply ingrained as men who cheat are not shunned or ostracized by society.

"Men are almost expected to be unfaithful and women suffer greatly as a result of their partners' infidelity due to the humiliation and the possibility that they will be abandoned," said Cecilia Menjivar, author of "Enduring Violence: Latina Women's Lives in Guatemala," who spoke with Women's eNews by phone. "But if they are suspected of infidelity they are harshly punished."

The gang world offers clear examples of these double standards, rooted in the notion of female inferiority and men's right to treat women as a possession. "They (women) have to follow and respect certain codes and the strongest is absolute fidelity, even if their partners are not faithful," a former gang member is quoted as saying by a 2013 Interpeace study on gender dynamics in Guatemala's youth gangs.

The Americas Barometer survey also shatters the widespread belief that domestic violence is rife in slums and impoverished rural villages but rare among the affluent and better educated. The data indicate that education does not have a significant impact on attitudes - either male and female--towards violence and infidelity.

Louisa Reynolds is a British freelance journalist. She has worked in Central America for the past eight years and has reported on justice and human rights issues, gender, development, crime and violence, politics and economics. She is the 2014-2105 International Women's Media Foundation (IWMF) journalism fellow. Follow her on Twitter @ReynoldsLouisa.



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