



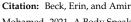
### A Body Speaks: State, Media, and Public Responses to Femicide in Guatemala

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Abstract: In 2008, Guatemala passed the Law against Femicide and Other Forms of Violence against Women, establishing the gender-based killing of women (femicide) as a unique crime. Since then, over 9000 Guatemalan women and girls have died violent deaths. How do Guatemalan institutions and publics react to these women's murders, and what do these reactions reveal about the impacts of legislative reform for individual victims, Guatemalan society, and criminal justice institutions? To answer these questions, we analyze state, media, and public reactions to three high-profile femicides that took place after the 2008 VAW Law. We trace the criminal justice response and legal developments following each femicide, and couple this with an analysis of newspaper coverage and social media commentary about the case. We find that despite the passage of new legislation and the creation of new institutions, various weaknesses in the Guatemalan criminal justice system undermine the impacts of reforms. These weaknesses in the criminal justice system produce three types of injuries: (1) individual injuries by hurting victims and their families; (2) public injuries by diverting public attention away from reflections about social norms and VAWG; and (3) institutional injuries by reinforcing the public's distrust of the criminal justice system.

Keywords: violence against women and girls; femicide; Guatemala; crime; news media coverage; social media; public opinion; criminal justice system; impunity



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### 1. Introduction

In 2008, Guatemala passed the Law against Femicide and Other Forms of Violence against Women (2008 VAW Law), becoming one of the first countries to establish femicide, or the gender-based killing of a woman, as a unique crime with a high mandatory minimum sentence. The 2008 VAW Law also criminalized various forms of violence against women and girls (VAWG) and mandated the creation of specialized criminal justice institutions such as Violence against Women courts. Such legislation could potentially challenge patriarchal violence<sup>1</sup> through multiple channels—by raising the threat of punishment for abusive men, making state institutions more responsive to women, promoting new social norms, and inspiring more trust in the criminal justice system.

Since the passage of the 2008 VAW Law, over 9000 Guatemalan women and girls have died violent deaths (Grupo Guatemalteco de Mujeres 2020). How do Guatemalan institutions and publics react to these murders, and what do these reactions reveal about the degree to which the law's potential is being realized? To answer these questions, we analyze state, media, and public reactions to three high-profile femicides occurring after the 2008 VAW Law. We find that weaknesses in the Guatemalan criminal justice system undermined the impacts of reforms for victims of misogynistic violence. These weaknesses also diluted the potential impacts for the Guatemalan public and state institutions. Activists and, to a lesser degree, journalists connected high-profile femicides with broader societal

We define patriarchal violence as violence that is rooted in and perpetuates inequitable power relations between men and women, placing men in dominant and women in subordinate positions.

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norms perpetuating gender inequality and patriarchal violence. Yet, by and large, the public engaging with these cases on social media did not focus on VAWG and gender inequality. Instead, they criticized public officials' missteps and the criminal justice system's inability to confront all types of crimes. In sum, weaknesses in the Guatemalan criminal justice system illuminated by high-profile femicides produced three types of injuries: (1) individual injuries by hurting victims and their families; (2) public injuries by diverting public attention away from reflections about social norms and VAWG; and (3) institutional injuries by reinforcing public distrust in the criminal justice system.

Below, we outline avenues through which VAWG laws may challenge patriarchal violence and potential roadblocks to that influence. We describe our research methods for exploring state, media, and public reactions to high-profile femicides. We then provide background on the normalization of, and impunity for, VAWG in Guatemala and the institutional context in which criminal VAWG investigations and trials take place. Moving to empirics, we analyze the criminal justice, media, and societal responses to three high-profile femicides that each reveal distinct institutional weaknesses and problematic social norms. We conclude by reflecting on the impacts of VAWG legislation for individuals, society, and institutions.

#### 2. VAWG Laws and Their Potential Impacts on Individuals, Societies, and Institutions

We begin from the premise that VAWG is caused by and perpetuates gender inequality and patriarchy, and that it is facilitated by state institutions that fail to take women's experiences of violence seriously. As such, addressing VAWG requires more than punishing individual abusers and helping individual victims. It also requires challenging social norms that normalize VAWG and gender inequality, and reforming state institutions to make them more responsive to women and worthy of their trust. VAWG laws alone cannot achieve all of these goals, but they can contribute to them when they work in combination with other forces, including robust government and civil society action. Below, we draw on legal, media, and feminist studies to focus on the ways that laws, government institutions, women's activism, and media may interact to challenge patriarchal violence, as well as potential roadblocks to that possibility.

By criminalizing misogynistic violence and establishing services for victims, VAWG laws are meant to deter would-be abusers by raising the risks and costs associated with committing gender-based violence. They are also meant to make it easier, safer, and more effective for victims to get help and escape cycles of violence by making state institutions more responsive to their needs. Thus, on paper, they are meant to challenge impunity, and in so doing inspire more trust in state institutions. However, evidence from a wide variety of contexts demonstrates that this impact is not guaranteed, especially in the face of lackluster implementation (Montoya 2013), other laws that undercut VAWG reforms (Menjívar and Walsh 2016), and sexist or discriminatory officials who undermine laws on the ground (Beck 2021; Menjívar and Walsh 2017; Nelson 1996; Neumann 2017). In the short-term, laws are also unlikely to lead to dramatic reductions in VAWG because perpetrators' behaviors are not just shaped by legal disincentives but also by stubborn social norms that normalize VAWG (Htun and Jensenius 2020; Menjívar and Walsh 2017). As noted by law and society scholars, when laws conflict with prevailing social norms, they are unlikely to change behavior on the ground.

How then can laws promote not just individual but also societal impacts? Legal scholars point to laws' expressive functions, notably their ability to communicate, promote, and bolster new social norms (McAdams 2000; Nadler 2017). In this view, VAWG laws may address patriarchal violence by expressing new, state-supported norms that challenge gender inequality; providing information that others consider VAWG morally wrong; and lending legitimacy to women's movements' ongoing struggles for social change (McAdams 2000; Htun and Jensenius 2020). Laws' expressive functions are likely to have the most impact when they are paralleled by other state and civil society efforts to establish

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new social norms such as full implementation of VAWG laws, other institutional reforms, anti-VAWG activism, and shifts in media representation of VAWG.

Feminist scholarship has demonstrated the ways that women organizing to establish VAWG as a pressing human rights issue has been critical not just to the passage of VAWG laws but also to the implementation of those laws (Montoya 2013). Their activism around VAWG laws—educational campaigns, press conferences, public demonstration, and legal aid work—contributes both to institutional and normative change (Weldon 2002; Htun and Weldon 2018; Beck, forthcoming). Media studies scholars identify another potential source of norm transformation related to VAWG. They show that media coverage influences public understandings of which issues—including VAWG—are worthy of public attention, through a process known as agenda setting (McCombs and Reynolds 2002). Media also influence public assessments of the causes, prevalence, and morality of these crimes through the ways that they frame violence—including the language, images, contextual information, and sources that they feature (Berns 2004; Bullock 2008; England 2018; Gillespie et al. 2013; Richards et al. 2011).

Combined, the above literature suggests that once VAWG has been criminalized, activism and media coverage related to implementation of VAWG laws, arrests, criminal cases, and crime statistics can keep the issue of VAWG in the public eye and shape public understandings about the causes, importance, prevalence and morality of VAWG (Fox and Sickel 2007). In some instances, high-profile criminal cases may also spur further anti-VAWG activism and reform (Chancer 2010). All of this may position VAWG as a public, rather than private matter, and generate reflections about its gender-based root causes. If media coverage publicizes a robust state response in the wake of VAWG laws, this may serve to increase trust in criminal justice institutions among the public, notably among victims of VAWG.

Insights from legal, feminist, and media studies literature thus suggest that VAWG laws that criminalize misogynistic violence may potentially provide a measure of justice for individual victims, communicate and bolster new state-backed norms, and inspire more trust in the criminal justice system. Yet, there are many potential roadblocks to this influence. Governments may be reluctant to commit the political capital and resources necessary to fully implement VAWG laws or may fail to undertake the needed institutional reforms for VAWG laws to have maximum effect. Where the state fails to fulfill its own laws or live up to the spirit of the social norms that it promotes in VAWG legislation, media coverage of state responses to these crimes may actually damage the public's trust in criminal justice institutions (Eldén and Ekal 2015). This could embolden violent men and reduce the likelihood that women and girls will turn to the state to help when experiencing violence. What is more, media coverage of VAWG may not yield positive effects for social norms. Coverage that relies on stereotypes and tropes and that presents VAWG as a "crime of passion" skews public understandings of what constitutes violence and reinforces its normalization (Du Mont and White 2013; Morgan and Simons 2017; Richards et al. 2011).

As a window into this complex interplay between VAWG laws, government action, activism, and media coverage, we analyze the reactions of criminal justice institutions, activists, journalists, and everyday Guatemalans to high-profile femicides. We find that the criminalization of VAWG in Guatemala is embedded in a socio-legal context characterized by significant anti-VAWG activism, but also a weak criminal justice system and contradictory trends in media representation of VAWG. This context undercuts the potential impact of VAWG laws for individual victims, social norms, and trust in state institutions.

### 3. Data and Methods for Investigating the Effects VAWG Reforms

In order to explore the degree to which VAWG reforms in Guatemala are indeed challenging patriarchal violence through their effects for individuals, society, and institutions, we focus on the state, media, and public reactions to three high-profile femicides occurring after the passage of the 2008 VAW Law. Given the severity of the crimes and the attention these cases garnered, these could be seen as "most likely cases" for Guatemalan institutions

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to react quickly and effectively on behalf of the victims. These cases are also useful to study because they captured media and public attention and therefore had the potential to shape public understandings of VAWG and public trust in institutions (Fox and Sickel 2007), allowing us to examine their effects for society and criminal justice institutions.

We selected for analysis three high-profile femicides in which the victims varied in age, ethnicity, and socio-economic class: (1) Roberto Barreda's murder of his wife, Cristina Siekavizza (2011), an upper-class, *ladina* (non-indigenous) woman living in Guatemala City; (2) Edgar Haroldo Barrios Cifuentes' murder of his daughter, Gia Karlotta (2011), a 13-year-old girl living in a middle-class area of Quetzaltenango; (3) Mario Tut's femicide of his partner, Alejandra Icó (2018), a poor, indigenous woman living in the rural municipality of Chisec, Alta Verapaz. These cases all involve VAWG in the private sphere perpetrated by intimate partners or family members, reflecting the predominant pattern nationally.

Yet, these cases are also atypical in important ways. First, they are all cases of femicide. Subsequent investigation revealed that the victims had previously suffered multiple forms of violence, but their experiences only captured the attention of the legal system, activists, media and public after they were murdered. Femicide is all too common in Guatemala, but even so, it represents the minority of instances of VAWG. These cases are also unique because women's non-governmental organizations (NGOs) were involved in prosecuting and amplifying them, contributing to their high-profile nature. These NGOs attached themselves to the prosecution as complementary prosecutors (*querellantes adhesivos*), which, in the Guatemalan system, represent affected parties and can propose avenues of investigation, participate in proceedings, and ask for judges' intervention if they object to the public prosecutors' strategies. In practice, these NGOs often carry out activities that should be performed by the public prosecutor's office (Michel and Walsh 2018). The fact that legal aid NGOs were involved makes these three cases unusually supported. Given NGOs' limited case load capacity, most victims of VAWG have to rely solely on public prosecutors.

We conducted a three-part analysis of each case. First, we created a timeline of the developments of each femicide and the subsequent criminal justice response, drawing on interviews with legal aid NGOs and judges, legal documents, news coverage, and secondary literature. This allowed us to identify critical missteps taken in the investigation, prosecution, and hearing of each case. As noted above, one might expect that the criminal justice responses to these attention-grabbing, and unusually supported cases would be exceptionally efficient and effective. The deficiencies we uncovered are therefore even more striking and illuminate institutional weaknesses undercutting the impact of VAWG legislation for individual victims.

Second, we drew on a dozen interviews with activists and journalists and an analysis of 212 newspaper articles to understand how activists and journalists react to and represent these femicides and their criminal justice responses. We used Google and Factiva searches to locate newspaper articles, searching by victims' and by culprits' names. Thus, our sample excluded articles from newspapers without a web presence or with paywalls. We collected and analyzed all the news articles we found associated with Gia Karlotta's case (44 articles) and Alejandra Icó's case (25 articles), and a subsample of articles on Cristina Siekavizza's case (144 articles). The latter subsample, taken by searching within five days before and after major developments in the case, was necessary given the volume of relevant articles (over five hundred). We coded articles across categories that aligned with those used in the literature on media frames and VAWG including contextualization of VAWG crimes; representations of victims, perpetrators, and key state actors; and sources cited (Appendix A lists thematic codes).<sup>2</sup>

Third, in order to evaluate public reactions to femicide cases and media coverage, we analyzed digital conversations inspired by nineteen of the above news articles, which were often posted to newspapers' Facebook pages. On such digital platforms, individuals

While television and radio are important sources of news for Guatemalans, print remains popular. People regularly share newspapers or read those offered in public locations. Many high-circulation newspapers have online versions and social media presences, allowing readers to actively engage with the news.

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discussed and debated stories of crime and criminal justice, allowing them to act as media participants, rather than simply media consumers (Rose and Fox 2014). While Guatemalans participating on these sites were not representative of the Guatemalan population at large,<sup>3</sup> this approach to assessing public responses was useful because the "interactive and interpersonal, yet simultaneously public or quasi-public" nature of digital commentary allowed us to explore the ways meaning was assigned to high-profile femicide cases, while reducing the likelihood of subjects giving socially desirable answers. We selected comment threads with high levels of engagement, spanning important developments in the cases. We analyzed 1136 comments from nine Facebook comment threads associated with news articles about the Cristina Siekavizza case, 1190 comments from four threads for the Gia Karlotta case, and 1525 comments from six threads for the Alejandra Icó case. We located patterns in online comments by coding for perceptions of victims, perpetrators, state and non-state actors; evaluations of the criminal justice system; and reactions to media representations, among other issues (see Appendix A).

The criminal cases associated with each femicide were heard in courtrooms around the country, in different types of courts, and ranged from ones in which minimal resources were allocated to investigation and prosecution (Karlotta and Ico) to a case that garnered more investigatory and prosecutorial resources than almost any other homicide in modern Guatemalan history (Siekavizza). As noted above, the victims in the cases varied in age, ethnicity, and socio-economic class. This variation reflects the spectrum of people affected by VAWG and allowed us to analyze how victims' identities shaped institutional, media, and societal reactions.

While some similar patterns were uncovered across the criminal justice responses to each case (for example, of public authorities not taking earlier reports of non-lethal violence seriously), the three cases complement each other well because each highlights distinct institutional weaknesses. Corruption and defense teams' ability to introduce delays in proceedings are central to the Siekavizza case. Weaknesses in the public prosecutors office, both in its investigatory and prosecutory roles, are central to the Karlotta case. Uncommitted officials among both specialized judges and prosecutors and antagonistic relationships between these and women's NGOs take center stage in the Icó case. Our analysis of media and public reactions also uncovered some similarities. Across all three cases, the vast majority of digital commentary focused on criticism of the criminal justice system, with little to no attention paid to the causes and prevalence of VAWG. This analysis also highlighted important differences rooted in the victims' identities. Those who fit the trope of the innocent victim—because of age or class and ethnicity—were subjected to less victim-blaming and revictimization in the media and in digital commentary than were indigenous and lower-class women.

# 4. VAWG Reforms Confront Normalized VAWG and Distrust in Criminal Justice Institutions

Between 600 and 700 women are killed annually in Guatemala, a country with a population smaller than that of New York State (Grupo Guatemalteco de Mujeres 2020). While femicide—the gender-based killing of women—is the most extreme form of VAWG, many other forms of VAWG are prevalent, including psychological, economic, physical, and sexual violence. The most dangerous place for women and girls is the home, as most VAWG takes place in the context of intimate partner and familial relationships. Perpetrators of VAWG are influenced by misogynistic attitudes that promote control of women and girls and the use of violence to assert authority in the household and beyond (Menjívar 2011). While an active anti-VAWG movement has challenged these norms, acceptance of violence within intimate partner and familial relationships remains high. For example, a greater percentage of Guatemalans than any other population in the region report that they believe violence against women is justified in cases of suspected infidelity (58%) (Azpuru 2015).

<sup>3</sup> Less than half (44.5%) of Guatemalans are active on social media (Kemp 2020). The population of active social media users is younger, better educated, and more urban than the Guatemalan population at large. Women are overrepresented among active Facebook users.

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The Guatemalan state, through militarized violence, legal statutes, and inaction has exacerbated patriarchal norms and VAWG. During the armed conflict between authoritarian leaders and leftist guerrillas (1960–1996), government forces raped over 100,000 mostly indigenous women and girls (Comisión de Esclarecimiento Histórico 1999). Even in the "post-conflict" era, the Guatemalan government contributed to VAWG and impunity through sexist laws (Menjívar and Walsh 2016) and its failure to treat VAWG as violence. At a time when a woman was being killed every twelve hours, and Guatemala had the third highest femicide rate in the world, seventy percent of femicides went uninvestigated, and no arrests were made in 97 percent of cases (Prieto-Carrón et al. 2007, p. 31). Abusive men learned they could violate women and girls' rights without consequence and women learned they could not turn to the criminal justice system for help.

Responding to domestic and international pressure, the Guatemalan government approved reforms aimed at addressing VAWG and impunity such as the Law against Femicide and Other Forms of Violence against Women in 2008 (2008 VAW Law) and the Law against Sexual Violence, Exploitation, and Trafficking in Persons (2009 Sexual Violence Law). The 2008 VAW Law criminalized various forms of violence against women (psychological, economic, sexual, and physical violence) and established femicide as a crime with a higher mandatory minimum than that of homicide. It also mandated the creation of Femicide and Violence against Women Criminal Courts (specialized VAW courts) to increase access to justice for victims. The 2009 Sexual Violence law mandated reforms to prevent sexual violence, especially against women and minors, including the creation of a secretariat to coordinate efforts.

Guatemala's specialized VAW courts have been functioning for just over a decade, hearing cases dealing with crimes falling under these two laws—those that involve violence against women and sexual violence against women and minors. There are thirteen specialized courts in the country featuring victim-centered approaches and judges trained in gender analysis; they are paralleled by specialized VAWG prosecutors. They feature oral, adversarial criminal trials overseen by a judge or panel of three judges (the latter for femicide/attempted femicide) which issue verdicts (there are no juries).

Anti-violence advocates celebrated these reforms as important challenges to impunity for VAWG. In addition to guilty sentences for VAWG, there was some evidence of social change. Women's reports of VAWG skyrocketed, from 12,431 in 2008 to 45,958 in 2018 (INE 2017, 2019), a sign that more women were trusting state institutions to help them. Feminist understandings that attributed blame for VAWG to patriarchal state and social structures began appearing in media accounts, especially in the context of editorials and special reports (England 2018). News stories on the arrest, trial, and sentencing of individuals for VAWG kept the issue in the public eye.

Still, anti-VAWG advocates today complain of incomplete implementation and insufficient funding for specialized institutions. While the public has been more exposed to feminist understandings of VAWG in the media and stories of perpetrators being arrested or sentenced, these are easily lost in the "daily barrage of images and stories of the dead and battered bodies of women, attacked by unknown men with unknown motives or inexplicably violent husbands" (England 2018, pp. 17–18).

More broadly, institutions critical to addressing impunity have been inadequately reformed (Beck 2021), contributing to a sense among Guatemalans that the criminal justice system is broken. Police regularly demand and accept bribes (CNSAFJ 2007, p. 26, violate citizens' rights, and have links to organized crime. Public prosecutors are undertrained, underfunded, biased against marginalized groups, and often produce weak investigations. These realities explain why only 43% of Guatemalans report trusting the police and just 58% report trusting the Attorney General's Office (Azpuru et al. 2018).

In courts, accused parties take advantage of legal and illegal channels to avoid justice. Savvy defense teams stall the judicial process by filing complaints (*amparos*) that require Constitutional Court review before criminal trials can proceed. Illegal channels for evading justice are also available given Guatemala's "clandestine control judicial regime", which

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lacks autonomy from societal pressures such as "threats, bribery, and undue influence" (Bowen 2017, p. 49). This helps to explain why less than half (44%) of Guatemalans think that courts guarantee a fair trial (Azpuru et al. 2018). At the end of the criminal justice pipeline, Guatemalan prisons run at 300% capacity, do not provide rehabilitative services, and are known to be run by organized crime (Prison Insider 2017). This contributes to a sense among the public that the state is unable or unwilling to satisfactorily punish offenders, an underreporting of all types of crimes, and high rates of vigilante justice (Godoy 2006).

#### 5. State, Media, and Public Reactions to High-Profile Femicides

5.1. Activism, Legal Delays, and Corruption: Roberto Barreda's Murder of Cristina Siekavizza

The femicide and disappearance of Cristina Siekavizza—an upper-class, ladina woman that fit the trope of an innocent victim—attracted significant social mobilization, media and public attention, and vast resources for investigation and prosecution of her case. Yet, after more than a decade and ample evidence implicating her husband, not a single person has stood trial for her murder. This case demonstrates central weaknesses in the criminal justice system that undercut the impact of the 2008 VAW Law and related reforms for Cristina Siekavizza and her family—corruption and legal strategies that allowed the defense to delay justice indefinitely. Activists and Cristina's family positioned Cristina's experiences of domestic abuse and her femicide as evidence of the pervasiveness of VAWG. Media coverage occasionally reflected this message but also focused on the accused's high-profile connections, raising issues of corruption. Guatemalans' engagement on Facebook centered around Cristina's case as representative of a corrupt and classist criminal justice system rather than representative of VAWG, demonstrating a missed opportunity for public conversations about VAWG. What is more, impunity in this case only reinforced distrust of the criminal justice system.

Cristina Siekavizza was a 33-year-old, upper-class ladina woman living in a gated community just outside Guatemala City with her husband and two children. Her husband, Roberto Barreda, headed a construction company and was the son of former Supreme Court President, Beatriz Ofelia De León. Cristina's family recognized that she and Roberto had a strained relationship, noticing that Cristina was experiencing "isolation, economic limitations, lack of trust, and excessive control", as described by her sister in an editorial in the online newspaper *Nómada* (Siekavizza Molina 2015). On the evening of 6 July 2011, the couple's housekeeper, Petrona Olga Say Velasquez, heard them arguing and the sounds of Roberto hitting Cristina, later observing blood on Roberto's socks and Cristina on the floor of their bedroom. The next morning, she heard something being dragged down the stairs. Roberto claimed Cristina left for a walk at 6:45am and never returned.

On July 7 Cristina's brother reported her missing and the case was taken up by a public prosecutor's office focusing on organized crime, as the working hypothesis was that Cristina had been kidnapped, likely because of her class position. Police officers and public prosecutors interviewed Roberto, Olga Say Velasquez, Cristina's parents, and her neighbors. Olga Say Velasquez did not initially report what she had witnessed, fearing for her life after Roberto threatened her.

Early on, Cristina's family drew connections between Cristina's disappearance and perceptions of an ineffective and corrupt justice system. As Cristina's sister recalled in a *Nómada* editorial, "[t]he statistics of the disappeared, of cases of impunity and corruption in Guatemala, which we all know are high and constant, echoed in my head. I could not allow my sister to become . . . one more statistic reflecting impunity" (Siekavizza Molina 2015). Cristina's sister therefore called for the first of many public marches in Cristina's name on 24 July 2011 in Guatemala City. Anticipating a small crowd, she was surprised when more than five hundred people and the press arrived. At this time, Cristina's disappearance began to gain significant public and media attention. Once it became clear that this was a case of femicide, the family was supported by *Fundación Sobrevivientes* (Survivors' Foundation, FS), a legal aid and women's rights NGO. FS served as a complementary

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prosecutor representing Cristina's family and helped mobilize protests and media attention. Cristina's family and FS established a network called Voices for Cristina, which contributed to Cristina's case becoming "public knowledge" (Siekavizza Molina 2015).

Over the following decade, each significant development in the case prompted a new flurry of public speculation and media coverage, often featuring quotes from Cristina's family, FS, or Voices for Cristina. Voices for Cristina became active on social media, particularly on Facebook (https://www.facebook.com/vocesxcristina. Accessed on 10 April 2021) and Twitter (https://twitter.com/vocesxcristina. Accessed on 10 April 2021), where it shared information about Cristina's case, other VAWG cases, and women's rights generally, helping to draw connections between Cristina's experiences and those of other Guatemalan women and girls. News coverage, especially editorials, sometimes adopted this interpretation of Cristina's murder. For example, one *Prensa Libre* columnist wrote, "Guatemalan society has before them a case paradigmatic of the scale of intrafamilial violence and its consequences" (Shetemul 2013).

The public prosecutor's preliminary investigations of Cristina's house in August of 2011 uncovered traces of blood as well as evidence of recent repairs to tile floors. After being detained on suspicion of involvement in Cristina's disappearance, Petrona Olga Say Velasquez disclosed everything she had witnessed. Roberto thereafter became the main suspect and an arrest warrant was issued on 16 August 2011. By that time, Roberto and his children had disappeared. Intercepted telephone calls between Roberto and his mother suggested that powerful state actors had helped him flee the country undetected, demonstrating how a system characterized by corruption and influence peddling can undermine criminal justice reforms.

On 2 February 2012, Attorney General Claudia Paz y Paz created a special office dedicated to Cristina's case within the Public Prosecutor's Office for Crimes against Life and Integrity of Persons. Numerous excavations were undertaken to search for Cristina's remains and significant resources were dedicated to locating Roberto and investigating the case. Few cases of femicide in Guatemala received such attention and resources from the state, yet the case remained in impunity with the main suspect missing for years. During the decade since her murder, media coverage and popular discussions have fixated on Cristina's body, which is missing to this day.

Lay and expert observers saw the Siekavizza case as emblematic of socio-economic inequalities in Guatemala. As *elPeriódico* columnist Irma Alicia Velásquez Velásquez Nimatuj (2020) wrote, "if [the Siekavizzas] could not succeed with all the human, technical, and economic resources that they put to the service of their daughter, what hope is there for girls and women of modest means who live in a patriarchal hell?" The digital commentary surrounding the case reflected similar preoccupations with the class status of the victim. In several comment threads, heated arguments broke out over the extraordinary amount of media attention and investigative resources dedicated to the Siekavizza case. "If only they treated all cases as being equally important", wrote one commentator. "So much scandal for one single case when there are thousands of cases that deserve attention" (Facebook comment thread in response to *Prensa Libre* post, Juez Ordena Prisión Preventiva Para Roberto Barreda 2013).

Comments such as these were met with ad hominem attacks accusing critics of harboring "social resentment"—a trope commonly used in Guatemala to disqualify critiques of inequality. "The case is not about social influence and money", argued one. "It is about violence against women, murder and the kidnapping of minors. And to the bunch of resentful ones, it would be better that you abstain from making absurd comments" (Ibid). *Prensa Libre* columnist Carolina Vázquez Araya (2013) joined the fray, writing in an editorial "the resentment manifest in the repeated critiques about the amount of attention this case receives [while] thousands of other cases remain in total impunity and media darkness" is evidence that Guatemalan society lacks "emotional intelligence."

Arrest warrants were issued for those who helped Roberto cover up his crime including Roberto's mother, Judge Beatriz Ofelia De León, who was charged with threatening

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Olga Say Velasquez and released on bail awaiting trial. In the face of ongoing threats against key witnesses and FS' director, the case against Roberto and his accomplices was transferred from Guatemala's specialized VAWG courts to its High-Risk Courts, which provide extra protection for cases with heightened security risks.

News articles, editorials and digital commentaries depicted Roberto's escape, and Judge Beatriz Ofelia De León's involvement as evidence of corruption and a broken justice system. A 2013 *Prensa Libre* editorial framed the case as one in which the entire justice system was on trial, stating, "the country's legal system shares the bench of the accused", both "in court and in public opinion" (Prensa Libre 2013, p. 226). For columnist Irma Alicia Velásquez Nimatuj, Judge De León's involvement reflected patriarchy's deep roots. "The Siekavizza case is paradigmatic", she wrote in *elPeriódico*, "because it shows how patriarchy is reproduced by women who, although they have been trained to administer justice, the roots of patriarchy run so deep that female magistrates themselves end up reinforcing that oppression" (Velásquez Nimatuj 2020). A handful of commenters echoed this view online. "Let us remember that this is a daily occurrence for women whether they are educated or not, whether they have college degrees or are illiterate. It is the misogynist culture that we mothers, regrettably, teach in our homes" (Facebook comment thread in response to *Prensa Libre* post, Cristina Siekavizza Sufría Malos Tratos 2011).

After two years, anonymous tips helped locate Roberto and his children in Mexico on 8 November 2013. These tips were submitted to FS and Voices for Cristina, rather than the public prosecutor's office, reflecting the higher trust placed in these organizations than in state agencies. Roberto was extradited and charged with femicide, obstruction of justice, and mistreatment of minors (for absconding with his children). Responding to news reports of Roberto's arrest, online commenters predicted that, given his wealth and connections, he would find a way to escape justice. "Watch", warned one. "First they will claim he is sick and send him from prison to a hospital. Then from there to house arrest. From there, his new adventure. Next time he disappears they will have to look for him in Egypt!" (Facebook comment thread in response to *Prensa Libre* post, Aterriza La Avioneta Que Trae Desde México a Roberto Barreda, Sospechoso de La Muerte de Su Esposa Cristina Siekavizza En 2011 2013).

On 20 February 2014, public prosecutors presented their accusation against Roberto. The pre-trial hearing was set for 13 March 2014, but was delayed twice because of legal actions on the part of both the defense and prosecution. Finally, in August 2016—almost three years after Roberto was arrested—pre-trial hearings began. The public prosecutor presented more than 90 pieces of evidence and declarations from more than 75 witnesses. Roberto's team attempted a series of legal tactics to stall including his lawyer failing to appear, his lawyer calling for the judge's recusal on three different grounds, and Roberto firing his defense attorney to force a recess. On 30 August 2016, Judge Miguel Ángel Gálvez ruled there was enough evidence to proceed to a criminal trial.

In March 2017, just as the trial was set to begin, Roberto's defense team submitted an *amparo* to the Constitutional Court claiming Roberto's rights had been violated when the prosecutors modified their accusation in pre-trial hearings. The Constitutional Court ruled in Roberto's favor, mandating the pre-trial hearings be restarted from the beginning, further delaying the criminal trial. In the face of even more legal delay tactics, these new pre-trial hearings were not reopened until more than two years later, on 3 April 2019. Once again, the judge ruled there was enough evidence to go to trial.

The criminal trial was set to begin on 13 May 2019, but again Roberto's legal team undertook several *amparos* which had to be resolved before the trial, delaying its start. Further delays were introduced by the onset of the coronavirus pandemic in 2020. On 6 August 2020, seven months before the criminal trial was supposed to start for the femicide of his wife, Roberto Barreda died of COVID-19 while in pre-trial detention.

Rumors spread about Roberto's death. Several online commenters remarked that this was a common tactic for wealthy and well-connected criminals, comparing Roberto with others who had similarly escaped justice. Several noted that Roberto was following

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in the footsteps of "Montt, Arzu and Villavicencio", three powerful politicians who died while being charged or investigated for crimes. One commenter, reflecting the view of the criminal justice system as corrupt, described a "massive pilgrimage of the living dead" from Guatemala to international financial paradises (Facebook comment thread in response to *Prensa Libre* post, (Hospital San Juan de Dios Confirmó Que Roberto Barreda Falleció Por Complicaciones Asociadas al Coronavirus 2020)). "That's why this news is so unbelievable", another replied. "We all know in Guatemala when people are being investigated by the justice system they die without paying their debt" (Facebook comment thread in response to *La Hora* post, Roberto Barreda, Vinculado En El Caso Siekavizza Falleció Este Jueves Por COVID-19 En El Hospital General San Juan de Dios 2020).

Roberto's mother was offered a deal in which criminal charges against her would not be pursued in exchange for admitting to threatening Olga Say Velasquez and paying Olga US\$130. In the end, despite significant resources, social mobilization, investigations, and legal proceedings unfolding over more than a decade, not a single person stood trial in connection to the femicide of Cristina Siekavizza. As a report from the International Jurists Commission highlights, Cristina's case "illustrates how structures of power linked to the justice system can impede a case from being resolved, even when adequate institutional mechanisms exist" (Comisión Internacional de Juristas 2016, p. 94).

While the tireless efforts of Cristina's family, FS, and the women's movement were not enough to yield a guilty verdict, they did create public awareness of the case and connected Cristina's case to broader patterns of VAWG. For some, Cristina came to stand in for other Guatemalan women who were victims of VAWG but who were not the subject of media attention. Journalists, for example, opened feature length pieces about VAWG with tallies of how many women had been murdered or gone missing since Cristina's disappearance. Titles such as "Siekavizza: the Woman Who Unmasked Machista Violence in Guatemala" positioned Cristina as a martyr who, through death, transformed Guatemalan society by opening its eyes to the reality of VAWG.

The failure to try anyone connected with Cristina's death, alongside the lenient plea deal offered to Judge Ofelia De León, reflected influence peddling and corruption in the media and public's view. A columnist from *La Hora*, for example, mused, "For the rest of eternity, #WhereIsCristina will be a painful hashtag that should remind us what it means to have a justice system controlled by mafias" (Marroquín 2020). Digital commentary more commonly depicted Cristina's case as symbolic of a broken justice system than as symbolic of VAWG. Indeed, only 0.3% of Facebook comments we analyzed connected Cristina's case to broader patterns of gender inequality or VAWG. This is compared to 35% of Facebook comments that connected the impunity for Cristina's murder to broader weaknesses in the criminal justice system, chief among them corruption (17% of comments).

Newspaper articles and digital commentary alike focused on Cristina's missing body as evidence of a state uninterested in protecting women and incapable of delivering justice, demonstrating how impunity in Cristina's case reinforced distrust of the criminal justice institutions. One online commenter reflected, "How sad that some lives are treated as worthless! So much time awaiting the trial and they never obligated Cristina's husband to admit what he did with her body" (Facebook comment thread in response to *Prensa Libre* post, El MP Informó Que Llevan a Cabo La Diligencia En Cementerio de San Miguel Chicaj 2021). *Prensa Libre* columnist Carolina Escobar Escobar Sarti (2021) mused,

In the field of forensic evidence, it is known that bodies always tell the truth, even when speech is not credible or possible. A body speaks and allows information to be obtained. [...] [W]hy else would Cristina Siekavizza's body continue to be missing? If we wanted to leave subjectivity behind and rely only on evidence, in an instant we could find out how the State of Guatemala treats its girls, adolescents and women. All we need to do is look at their bodies, those perfect informants of a reality many do not want to see.

In sum, despite a robust state response, and significant social mobilization, media, and public attention, Cristina Siekavizza's murder remains in impunity. Widespread corruption

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that affected all aspects of government, alongside legal opportunities that allowed the defense to delay the start of Roberto Barreda's criminal trial undercut the impacts of VAWG laws for Cristina and her family. There were many actors—activists, Cristina's family, and journalists—who used Cristina's case as a launching pad for broader conversations about VAWG in Guatemala. However, among the public engaging online, Cristina Siekavizza's case prompted more reflections about the corrupt and classist nature of the criminal justice system than gender inequality and misogynistic violence. This not only reflected a missed opportunity to problematize social norms it also served to reinforce distrust of the state.

# 5.2. Judges, Prosecutors, and Innocent Victims: Edgar Haroldo Barrios Cifuentes' Murder of Gia Karlotta

Edgar Barrios Cifuentes' femicide of his daughter, Gia Karlotta, initially captured regional attention in the city of Quetzaltenango. When the case was appealed to a Guatemala City court and the legal aid NGO, Fundación Sobrevivientes (FS) became involved, it gained broader coverage. The case illuminates weaknesses that did not appear in the Cristina Siekavizza case but that commonly undermine VAWG cases—namely authorities who do not take reports of non-lethal VAWG seriously, weak investigations, prosecutorial missteps, and judges accused of bias. In terms of its societal influence, activists and journalists connected Gia's case with patterns of child abuse and sexual abuse of minors but generally stopped short of connecting it with VAWG. Reflecting disgust in the nature of the crimes against a victim deemed innocent because of her age, and distrust in the criminal justice system, digital commentary primarily focused on a desire for Edgar to be subjected to various forms of extrajudicial violence.

Gia Karlotta Barnardette Barrios Pinott lived alone with her father, Edgar Haroldo Barrios Cifuentes, in Quetzaltenango. When Gia was ten, her mother fled Edgar's psychological and physical abuse, reluctantly leaving behind her children because she could not financially support them. Thereafter, Edgar repeatedly subjected his children to sexual, physical, and psychological abuse. Eventually, Gia's two older brothers moved out, leaving Gia alone with her father. On 12 June 2011, when Gia was just thirteen, Edgar murdered her and staged the crime scene to make it appear that Gia had hung herself.

The police and an agent from the public prosecutor's office arrived, but rather than secure the scene and call for a forensic doctor to investigate further, the prosecutor allowed Edgar to call a private doctor to certify his daughter's death. When the first doctor refused to certify Gia's death as resulting from natural causes, Edgar was allowed to call yet another doctor. Not until four hours after authorities arrived was the crime scene cordoned off. During those four hours, family members and others entered and contaminated the scene. Failing to perform a search of the crime scene on the day of Gia's death, investigators returned to take photographs (four days later) and collect physical evidence (one month later) after Edgar and his son had already cleaned up. Among the physical evidence collected was multiple diaries hidden by Gia. An autopsy revealed that the cause of death was asphyxiation. It also found recent physical injuries and damage to the liver and pancreas, evidence of previous sexual abuse.

The initial coverage of the case largely followed a police blotter style of providing the basic facts and developments of the case and only inconsistently connected Gia's murder to gender-based violence. The first article reporting Edgar's arrest in the regional newspaper *el Quetzalteco* superficially connected the case with VAWG by including a textbox insert defining femicide and describing the relevant sentencing range. Yet, the next mention of the case in the same newspaper was when it was featured in a list of "similar cases" alongside a story of a woman accused of killing her partner, suggesting that the case was emblematic of intrafamilial, rather than gender-based violence. Later coverage in *El Quetzalteco* mentioned the case as an example of general violence, as in a 31 December 2011 article entitled "Violence costs dozens of lives" which listed violent crimes from the previous year including those against "children, women, bus and taxi drivers" (Racancoj 2011).

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Gia's case was first heard in Quetzaltenango's specialized VAW courts by a three-judge panel. In the course of investigating and trying the case, it was discovered that Edgar subjected Gia, Gia's two older brothers, and Gia's older half-sister to repeated psychological, physical and sexual abuse. The prosecutor's case made mention of this abuse, but failed to include the relevant charges of sexual assault, rape, or child abuse, instead only charging Edgar with femicide.

At the trial's end, on 6 February 2012, the judges issued their unanimous verdict: not guilty. The verdict summarized the accusations and their judicial reasoning. It stated that the public prosecutor "left many doubts" because of their failure to properly investigate and prosecute the case. In terms of investigation, the court did not give probative value to the crime scene photographs and physical evidence collected by the investigators since they were collected after the crime scene had been contaminated. The court established that the investigating agent made critical errors in allowing multiple private doctors and others to enter the crime scene given the suspicious nature of Gia's death. The court critiqued the public prosecutor for allowing for uncertainty about the events related to Gia's death. Notably, the prosecutor failed to identify the accused's motives and the possible murder weapon. The court noted the expert report based on the autopsy established that Gia's death was caused by asphyxiation but did not clearly establish if this was through violent strangulation or suicide. In sum, it found that the public prosecutor failed to establish the basic legal elements of a crime.

Notably, the court used the verdict to officially send information about probable criminal acts to the public prosecutor, which would require subsequent investigatory and legal processes. First, based on Gia's brother's declarations, the court identified Edgar as possibly committing several crimes including aggravated indecent assault, aggravated rape, and child abuse. Second, the court called for an investigation into officials associated with the National Forensics Institute and the public prosecutor's office who they deemed to be in possible breach of duty for their bungling of the case, singling out eight officials. The developments leading to this verdict demonstrated that even though Quetzaltenango had specialized institutions to address VAWG, critical weaknesses in the criminal justice system—notably in the public prosecutor's office—undercut the impact of legislative and institutional reforms for individual victims.

For the presiding judge on the case, Judge Werner Sac, the Gia Karlotta case was emblematic of public prosecutors' weak investigations and prosecutions. In an interview, one of this paper's authors asked Judge Sac how the quality of investigations had changed since specialized courts and public prosecutors were created. Judge Sac replied that he had not seen improvements, explaining that there were times when he encouraged victims to be present at the issuing of verdicts "so they can realize if there was not justice in their case, it was because the public prosecutor . . . carried out an inadequate investigation." Unprompted, he presented the Gia Karlotta case as an example. He detailed how the public prosecutor suggested Edgar call a second private doctor to certify Gia's death as natural when the first doctor refused to do so and how investigators failed to cordon off the crime scene. "But what is most infuriating is that they sent the deceased's body to the morgue [rather than the forensics office] and just took photographs of the one room, I believe they did not even go into any other part of the [house] . . . and left. This was the procedure! (incredulous) . . . [I]n the verdict we lodged a complaint against the public prosecutors and [forensic] technical officials" (Sac interview with author 2016).

The judges' accusations against forensic experts and public prosecutors were reported by the regional newspaper, *el Quetzalteco*. One article listed many pointed questions that the judges had leveled at prosecutors including "Why didn't the [prosecution] include in its accusation the crime of aggravated rape if it had the evidence of it?" (Gómez 2012a). Another highlighted that the forensic report produced by the National Institute for Forensic Science did not meet the basic standard of evidence and those who completed the autopsy failed to collect the evidence necessary to demonstrate sexual violence (Gómez 2012b). Yet, thereafter, discussions of the weaknesses in the investigation and prosecution of the case

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were largely overwhelmed by activist and media discourses blaming the judges for the not guilty verdict.

The not guilty verdict in such a horrific case garnered the attention of anti-violence activists who came to see reflected in the case widespread impunity for VAWG facilitated by uncommitted and corrupt judges. FS called the Quetzaltenango court's not guilty verdict "an abomination of justice" (Fundación Sobrevivientes 2011, p. 26) and blamed the specialized judges who heard the case. In a 15 September 2015 Facebook post, the NGO argued that the judges looked for "trivial and spurious excuses in the prosecutor's charges" to avoid holding the accused criminally responsible (Fundación Sobrevivientes 2015). The following month, the NGO held a press conference to issue a report they developed identifying corruption among judges as one of the leading causes of impunity for VAWG, especially in areas outside the capital city. A subsequent *Prensa Libre* article cited FS, stating that corruption among judges is one of the main reasons "cases of violence against women get filed away or that the accused are released on bail" (Sánchez 2015). The article highlighted Gia Karlotta's case as illustrative of the problem of "influence peddling" among judges.

Soon after the not guilty verdict, public prosecutors appealed the case and brought new charges against Edgar for aggravated rape and aggravated indecent assault, resulting in his arrest on these charges. A few days later, a Quetzaltenango appeals court ordered the femicide case re-tried, citing errors in the original proceeding including the fact that the judges had failed to observe the principle of "logic of sufficient reason", because there had been enough evidence of femicide in the autopsy and testimonial evidence for the court to evaluate the charge (Arévalo and Alejandro 2017, p. 128). FS served as a complementary prosecutor on the sexual violence charges, which were eventually merged with the femicide retrial.

With the retrial scheduled to take place in a Guatemala City specialized court, national television station, Noti7, broadcast an eleven-minute video report and subsequently posted it on their website and Facebook page. The video opened with an actor reading excerpts from Gia's diaries over a close-up of a hand writing in a notebook. A narrator recounted the history of violence Gia and her siblings suffered while actors reenacted scenes suggestive of sexual abuse. Interspersed were images of black and white photographs found in the case file and evidence collected from the crime scene. "Without a doubt", the narrator lamented, "the sexual abuses she suffered almost daily over thirteen years left scars on her body and soul."

The video report went viral, receiving over five hundred comments and one thousand shares on Facebook. In nearly half of the comments, Noti7 viewers deliberated what extrajudicial punishment would fit the crime, demonstrating a lack of confidence in the legal system's capacity to exact justice. The two most common suggestions for Edgar's punishment were death and torture. Among the comments recommending torture several added that execution would be too lenient. Nearly all recommendations of torture focused on rape, genital mutilation, or both. Of those commenters who mentioned a desire to see Edgar spend the rest of his life behind bars, the majority expressed fantasies of inmates raping and torturing him. "I am reading many bloodthirsty comments made against this depraved, disgraceful man", wrote one, "and I share them because the death penalty is too fast and easy of an escape for this scum. It should be an eye for an eye so that he suffers the same way the girl suffered and that's how it should be with every criminal or rapist. Let their punishment be the same thing they did. May god forgive me" (Facebook comment thread in response to *Noti7* post, Edgar Haroldo Barrios Cifuentes, El Diablo 2013).

Media coverage surrounding the re-trial often connected Gia's case to other cases of sexual violence against minors in Guatemala, symbolically positioning Gia as a stand-in for children generally rather than of girls/women. An article in *La Hora* cited the director of FS stating that sexual abuse by family members against minors is "more common than one might think" and that "of ten cases of sexual violence [against minors], three take place within the family" (García 2013). The Noti7 video described above concluded with the

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reporter explaining "[i]t was necessary to make a rough report like this to awake parents' consciousness because in the past few months there have been innumerable cases of rape and abuse against minors. The challenge for parents is to ensure that cases like that of Gia Karlotta do not happen again . . . we should be attentive as the danger might even be in our own home."

Media coverage to a lesser extent focused on what Gia Karlotta's case revealed about the nature of the criminal justice system. An article in *La Hora* quoted Gia's maternal grandmother testifying that "on various occasions they tried to place a report against the accused for abuse against [Gia's mother] 'yet [the authorities] told them that they could not do anything for her unless she arrived with blood on her body" (García 2013). Gia's mother's experience demonstrated how police and other state agents on the ground facilitated impunity. This same article included statistics revealing high rates of impunity in cases of sexual assault and sexual violence.

The retrial unfolded in a specialized VAWG court in Guatemala City starting on June 29, 2013. This court gave probative value to evidence previously disregarded. The court also took into account Gia's siblings' declarations revealing the various forms of abuse they had endured and Gia's grandmother's testimony that Gia's mother had been abused by Edgar, establishing a pattern of misogyny. Given weaknesses in the public prosecutor's office, FS' work was critical to establishing more precise times, dates, and other elements in the criminal charges and to introducing such evidence as a "psychological autopsy." The latter relied on interviews with people close to Gia as well as Gia's diaries to establish the psychological effects of the abuse she experienced (Vargas n.d.). The diaries included drawings with sexual connotations and Gia's journaling in which she wrote "I used to think my father was good but no, he is the devil."

On 18 October 2013, the three-judge panel issued its ruling. The court stated that they had to consider not only the accused's right to a presumption of innocence, but also the special rights established to protect minors and women, who were especially vulnerable in Guatemala's patriarchal context (Comisión Internacional de Juristas 2016, p. 88). The court concluded that Gia was killed by her father and that this murder was rooted in misogyny, as evidenced by the sexual violence committed against her, the familial relationship between the accused and the victim, and the accused's pattern of using violence to maintain his children's total submission. The court found Edgar guilty of femicide, aggravated rape and sexual assault against Gia and her siblings and sentenced him to 190 years, six months, and ten days in prison. For reparations, the court ordered Edgar to pay each of Gia's three siblings the equivalent of \$44,870 and cover their therapy costs, although such financial reparations are rarely paid. The court denied Gia's mother reparations because she had not cared for Gia, failing to acknowledge Gia's mother as a victim of VAWG herself. Mirroring her treatment by the court, a few Facebook commenters blamed Gia's mother for the violence Gia suffered and called for her to be tried and punished alongside Edgar (4% of comments).

Activists and journalists recognized the outcome as a triumph and used it as evidence that the earlier acquittal represented a miscarriage of justice. The public response online, however, was predominantly critical, reflecting a view of incarceration as ineffective punishment. "190 years in prison is such stupidity", one commenter wrote. "Why not simply apply the death penalty? Why provide food and shelter? I don't understand the laws in Guatemala." "When will they begin to take these crimes seriously?!" asked another. "Nothing is achieved with these absurd sentences" (Facebook comment thread in response to *Prensa Libre* post, Tribunal Condena a Edgar Barrios Cifuentes 'El Diablo' a 190 Años de Prisión 2013).

This case illuminated weaknesses in the criminal justice system that undercut VAWG reforms' impact for victims that were not seen in the Cristina Siekavizza case. Only some of these weaknesses captured significant attention. While many news articles identified weaknesses with the original judges, few focused on the public prosecutor's many investigatory and prosecutorial missteps. Digital commentators questioned the ability of the

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prison system to mete out adequate punishments but failed to critique the authorities who failed to help Gia's mother, facilitating the cycles of abuse that followed. Whereas activists and journalists drew connections between the femicide of Cristina Siekavizza and broader patterns of VAWG, in the case of Gia Karlotta, they more often used Gia's experiences of violence to draw attention to the vulnerability of children. By nicknaming Edgar "the Devil", media accounts positioned him as an aberration rather than a reflection of societal norms. Similarly, digital commentators discussed Edgar as an exceptionally evil man and focused a good deal on how he should be punished. This represented a missed opportunity to reflect on the causes of VAWG. Despite the eventual guilty verdict, criticisms of the judges, prosecutors, and Edgar's sentence only further solidified public distrust in the criminal justice system, as exemplified by commenters' desire for extrajudicial punishments.

### 5.3. A Viral Video, Media Sensationalism, and Uncommitted Specialized Officials: Mario Tut's Murder of Alejandra Icó

Mario Tut's murder of his romantic partner Alejandra Icó Chub in 2018 quickly captured public attention after a graphic video of Alejandra's dying moments went viral on social media. The criminal justice processes that followed illuminated weaknesses that undermined the effect of VAWG reforms for individual victims. Although the case was handled by public prosecutors specializing in cases of VAWG and heard in a specialized VAWG court, public officials in both institutions appeared to be uncommitted to the goals of specialized justice and were antagonistic to the women's legal aid NGO associated with the case. The case thus reflects the ways that public officials can undercut the effects of VAWG reforms on the ground. Unlike Cristina Siekavizza and Gia Karlotta, Alejandra Icó did not so easily fit the trope of an "innocent victim" given that she was a poor, indigenous woman who was attacked after being suspected of infidelity. She was thus subjected to more revictimization and victim blaming in media accounts and digital commentary, even though activists and some journalists attempted to position Alejandra's death as exemplary of intimate partner violence. Yet, digital commentary indicates that the public was distracted from possible reflections on social norms fueling intimate partner violence by discussions of the ethics of sharing the viral video and of the weaknesses in the criminal justice system illuminated by the case. Thus, not only were societal norms underexamined, but distrust in the criminal justice system was strengthened by the case.

Alejandra Icó Chub was a 32-year-old Maya-Q'eqchi woman living with her three children in a small rural community in Chisec, Alta Verapaz in Northern Guatemala. She had a romantic relationship with Mario Tut Ical, a man who was married to another woman, Odilia Tiul. Rather than seeing each other as rivals, the two women had forged a friendship with each other as a survival strategy in the face of extreme poverty and Mario's abuse. The two women "supported each other, helped each other, and advised each other" (Barrios interview with author 2019). Mario controlled the women's access to money, restricted their movements, and regularly subjected the two women to physical, psychological, and sexual abuse. In 2017, Odilia Tiul reported Mario for abuse, yet no investigations or arrests were made. This was a critical failure on the part of local authorities and stood in direct violation of the 2008 VAW Law, which required public prosecutors to investigate and prosecute complaints of VAWG even if the victim recanted or withdrew.

On 29 October 2018, Alejandra returned home to find Mario waiting for her with questions about her whereabouts. Alejandra responded that she had been visiting her sister. Not believing her, Mario held her down and pulled up her clothing. When he found she was not wearing underwear he became violent, slashing Alejandra's face with a machete then cutting off her hands. Alejandra's neighbors heard her screams for help, but out of fear they waited until Mario had fled the scene before entering the home. They found Alejandra bleeding to death and clearly in immense pain. They called the police, fire department, and the press, but help was slow to arrive because the community in which Alejandra lived was forty-five minutes from the municipal center. Her neighbors reported that they helplessly witnessed her anguish for over a half an hour before she finally succumbed to her injuries.

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One of the neighbors filmed Alejandra's last agonizing moments on their phone, showing in graphic detail her face cut open and her severed hands nearby on the bed.

The neighbor must have shared the video because by the next day it had spread, without censoring, through social media, capturing the public, the media, and activists' attention. When Prensa Libre posted a link to an article entitled "Man who dismembered his wife is sent to jail", the publication received over six hundred comments. Rather than launching a discussion of VAWG, digital commentary focused more on the video itself and the appropriate punishment for Alejandra's killer. More than one-third of the comments to the article were replies to a single comment warning others to "take care with the video of the dismembered woman" and recommending against sharing it or showing it to children (Facebook comment thread in response to Prensa Libre post, Remiten a La Cárcel de Cobán al Hombre Que Desmembró a Su Esposa 2018). Approximately one-quarter of comments were requests that someone send them the video, while a handful of others offered to send the video to those who wanted it. Meanwhile, just under half the replies agreed with the sentiment of the original comment, remarking on how traumatizing the video was and critiquing its circulation. "How morbid that all these people want to watch the video of someone suffering." Another commenter weighed in, "The reason we need videos is for proof because the laws in this country are complete sh\*t. It would not surprise me if they let him free for lack of proof. It isn't bad that they recorded the video. What is bad is that, afterward, they circulated the video and uploaded it to the internet. It is a terrible video but hopefully it will serve to re-activate the death penalty" (Ibid).

Media began referring to Mario as "the butcher" and television programs such as those on TN23 and Noti7 described Mario as 'blinded by jealousy' or 'possessed by anger,' implicitly excusing him of the horrendous act and ignoring the cycles of violence predating the femicide. Soon though, backlash regarding the coverage was evident on traditional and digital media and the media coverage itself became part of the story. After viewing the video, one journalist wrote in an editorial for the online news outlet *Nómada*, "I was able to realize that the face of femicide that I had in my head, after lectures and theorizing about systems of oppression against women, was a caricature, that it is much more grotesque than I was capable of imagining" (Ixchíu 2018). The journalist critiqued news coverage and social media commentary that blamed Alejandra, arguing that they contributed to the normalization of violence in Guatemalan society.

Violence against women is a spectacle, a product that is sold as breaking news, nourishing the morbidity of a necro-society that has normalized the cruelest acts like torture and extrajudicial executions. On social media networks you read accusations against Alejandra: 'it is because she was unfaithful to her man' ... so go commentaries, based on religious fundamentalism and the normalization of violence against women. It is because of this and a patriarchal, machista system that 62 women die every month, victims of misogyny in Guatemala (Ibid).

In an attempt to locate Mario, authorities circulated his picture to community councils across the country and activists and citizens spread his picture through social media. In tweets and Facebook posts, Mario Tut Ical's face appeared framed by the words "#TutIcalFemicida [Tut Ical "Femicider"], he mutilated and killed his wife" and "Guatemala Gender Alert, we demand justice for femicide." On the morning of 31 October 2018, a Guatemalan in Ixcán, Quiché saw Mario traveling toward the nearby Mexican border. Community members captured him and brought him back to their rural community, tying his hands behind his back and standing guard until police arrived. While waiting for authorities, community members expressed a desire to mete out their own form of justice, reportedly planning to burn or beat Mario, reflecting doubts that the criminal justice system would adequately punish him. During his capture, Mario admitted his actions but cast the blame on Alejandra. He was quoted as saying,

[s]he had, my woman, left the house saying that she was going to visit her sister, so I followed her and saw that she got into a truck. I was in the brush watching.

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When she returned I asked her where she had been and what made me mad was that she lied to me saying that she had been with her sister, and I knew it wasn't true. I got on top of her, I had her lying on the bed, I looked her over and she did not have underwear on, so I got furious, and the Devil got into me (*se me metió el Diablo*) and that was when I slashed her with a machete. I was furious, if she had had her underwear on, I would not have done it, but she lied to me and I was there with the Devil inside, and that is why I acted the way I did.

Local and national news outlets published Mario's statement in which he blamed Alejandra, in the process reproducing the common apologist trope of men committing "crimes of passion" (Vega 2019). The same victim-blaming discourse circulated online among a minority of Facebook commentators (6% of comments). One commenter wrote, "It is better that we don't judge [Mario] because men have pride and dignity just as much as women and no one would like to be cheated on" (Facebook comment thread in response to *Prensa Libre* post, Remiten a La Cárcel de Cobán al Hombre Que Desmembró a Su Esposa 2018). Another replied, "In many cases there are women who get together with men without shame. [...] Irresponsible women. Piece of shit women" (Ibid). A third added, "She was repaid for her betrayal the same as Judas" (Ibid).

The charges against Mario were set to be presented on 9 November 2018 in Cobán's specialized VAW courts. Representatives from Mujeres Transformando el Mundo (MTM), a women's legal and psychological aid NGO serving as a complementary prosecutor, arrived to attend the hearing. However, the hearing never took place. Instead, the judge assigned to oversee the pre-trial hearings, Catalina Cortez, excused herself from the case, citing an 'enmity' between her and MTM. The same day, the judge found another case against Mario connected to his wife's 2017 complaint against him without merit. News of the dismissal sparked a wave of criticism online. "See now?" one commenter wrote. "What confidence can one have in the authorities? If this judge, being a woman, exonerated this idiot, what can we hope for from judges who are men?" (Facebook comment thread in response to *Prensa Libre* Post, (Sindicado de haber descuartizado a su esposa se libra de un proceso de violencia contra la mujer 2018)).

The judge and MTM did indeed have a contentious history. MTM had previously publicly critiqued Judge Cortez performance in the specialized court—highlighting that she had dismissed a majority of the cases coming before her. This, according to Barrios, contributed to the judge's animosity toward them. Barrios explained, "every time that [MTM] is involved in a case, she excuses herself." Barrios highlighted that this had tangible effects for victims, "[t]his delays the process; she had tried to kick us out. She has done everything. And so cases drag out a ton. But we cannot stop offering accompaniment in these cases, because that would be what she wants" (Barrios interview with author 2019).

Barrios explained to media outlets that the next step would be for an appeals court to rule on Judge Cortez' withdrawal. She also took to social media to condemn the judge whom she claimed in a tweet "on repeated occasions has ruled that cases against those accused of violence against women and sexual violence were without merit (the majority of accused have now fled)." She also tweeted MTM had already lodged complaints against Judge Cortez with the Judicial Branch's Supervising Body and the Regional Appeals Court and despite their view that she did not belong in specialized courts, she had not been removed (Arreaga 2018). Two weeks later, the Sixth Court of Appeals in Cobán ruled that Judge Cortez' withdrawal from the case was improper.

Soon after the appeals court ruling, on 28 November 2018, the public prosecutor filed their accusation against Mario with the Cobán specialized court for the femicide of Alejandra Icó and presented preliminary evidence against him. Judge Cortez gave the public prosecutor, as is standard, three months to finish its investigations, ordering Mario to remain in pre-trial detention in the meantime. At the end of January 2019, the case again grabbed headlines, this time because of a video that circulated on social media that showed Mario in prison, inebriated and dancing while inmates whistled and applauded, calling him "the butcher". The video demonstrated weaknesses in the prison system which

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allowed prisoners to access alcohol and cell phones, leading many to argue prison was not a sufficient punishment for Mario. "This is why no one fears the law", wrote one online commenter. "Prisoners do whatever they feel like and dance with glee ... What a disgusting excuse for justice!!" "What should worry us is not the party itself", another agreed, "but the penitentiary system that allowed it to take place" (Facebook comment thread in response to *Prensa Libre* post, Presidios Investiga Supuesta Fiesta de Cumpleaños de Hombre Que Desmembró a Su Esposa 2019).

In early February 2019, Judge Cortez again introduced legal challenges to the case. She tried to withdraw from the case a second time and to prevent MTM from being recognized as the complementary prosecutor based on a technicality in MTM's paperwork. Neither attempt was successful but they served to delay the legal process.

MTM thought that even though it was developed by a public prosecutor specializing in VAWG cases, the lone charge against Mario of femicide failed to reflect the full spectrum of gender-based violence that Alejandra had experienced in the context of her murder and previously. MTM therefore requested the public prosecutor authorize additional expert analyses to strengthen the case, which the legal aid NGO thereafter oversaw. The sociological report found that Mario had subjected Alejandra to multiple forms of violence including physical violence as shown through repeated beatings, strangulations, and threats with a knife; psychological violence as shown through attempts to humiliate and threaten Alejandra and her family with death; economic violence as shown through his prohibiting Alejandra to work outside the home; and sexual violence including subjecting his wife and Alejandra to a 'perverse ritual of humiliation and sexual violence,' through checking their underwear and genitalia regularly as a means of surveilling and controlling them (Celada 2021). The report pointed to violence done to Alejandra's hands in the context of femicide as a way to render her defenseless and the violence done to her face as a way to render her silent and destroy the parts of her that most represented her unique identity.

The anthropological expert report focused on the case through the lens of terror and violence in the lives of Q'eqchi women. The report stated '[w]omen's bodies and lives are watched over by men and controlled through distinct mechanisms. In the emotional-subjective sphere, blame, shame, and sin rule the customs associated with the body, sexuality, and health . . . in the physical sphere, physical violence is systematically used as a corrective or preventative punishment, before any departure from the ideal woman, which confuses submission with respect." The anthropologist noted that in her interviews the people in Alejandra's community considered Mario "an animal", "a sinner that has no fear or shame", demonstrating the community's view of Mario as exceptional rather than representative of broader structures of misogyny.

MTM also commissioned a psychological expert report to establish that Mario was not influenced by an emotional episode that absolved him of his responsibility. Finally, the organization oversaw the development of a medical-legal report establishing Alejandra had experienced violence beyond that needed to cause her death. Based on these reports, MTM requested a hearing to adjust the charges to include sexual and domestic slavery and torture alongside the femicide charge. The request had to be ruled on by the judge because the public prosecutor did not support the inclusion of the additional charges, even though he was supposed to be sensitive to how multiple forms of VAWG overlap. Judge Cortez initially refused to call a hearing to address the matter, but was forced to do so by an appeals court. After a year of waiting, she ruled against the addition of these charges.

As they did with the Cristina Siekavizza case, journalists writing for online and daily news outlets began tallying the number of cases of violence against women since the date of Alejandra's murder, connecting Alejandra's death with broader patterns of misogynistic violence. A higher percentage of news articles (15%) connected Alejandra's death with patterns of gender-based violence than did digital comments (less than 2%), suggesting that activists' efforts were more effective among journalists than among the public at large.

News coverage and digital commentary also connected Alejandra's case to a broken justice system (23% of news articles, 20% of digital commentary), largely in response to the

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back and forth between MTM and Judge Cortez. Some digital comments (12%) focused on the appropriate punishment for Mario, with approximately one-third of these comments endorsing extrajudicial lynching of Mario, reflecting a sense that the criminal justice system would not adequately punish him. Some commenters suggested Mario and Judge Cortez should be punished together. One wrote, "This inept judge should be lynched, and the murderer should be slowly burned to death" (Facebook comment thread in response to *Prensa Libre* post, Sindicado de Haber Descuartizado a Su Esposa Se Libra de Un Proceso de Violencia Contra La Mujer 2018).

When an appeals court upheld Judge Cortez' ruling against the addition of charges beyond femicide, MTM presented an *amparo* on the matter to the Supreme Court in January 2020. As of writing, the Supreme Court has not ruled on the complaint so the case is at a standstill (Celada 2021). MTM fought to have the various forms of gender-based violence that Alejandra experienced recognized, but in so doing also contributed to delays of the criminal trial. While MTM awaited the Supreme Court's decision, they reminded the public of Alejandra's name, often drawing connections between her experience and that of many other women. On 3 June 2020, for example, MTM tweeted "in the first 5 months of 2020, 22,265 women reported being victims of violence. Today we met to say #NiUnaMenos [#NotOneWomanLess], remembering Alejandra Icó, who was brutally killed by her partner in 2018".

In sum, the legal processes that followed the brutal femicide of Alejandra Icó demonstrated the ways that uncommitted or openly antagonistic public officials undermined the effects of VAWG reforms for individual victims and their families—from authorities that ignored earlier accusations of VAWG against Mario, to public prosecutors not cooperating with legal aid NGOs, to judges who appear driven by antagonism against NGOs rather than by their mandates to deliver justice to women and girls. In terms of societal impact, activists mobilized to force the legal system, journalists, and the public to recognize the ways that Alejandra's daily experiences of violence and her horrific death were both rooted in broader patterns of misogyny. Some journalists echoed these understandings, often quoting activists themselves, whereas others reproduced problematic tropes normalizing and sensationalizing VAWG. Journalists also depicted the developments in the legal case against Mario as characteristic of a weak justice system, often focusing on problems with the judge assigned to the case. This perspective, much more so than activists' gender-based analysis, was echoed in digital commentary, which focused on disgust with the judge and the courts, and the appropriate punishment for Mario, alongside morbid curiosity around the graphic video. As in the other two cases analyzed here, digital commentary positioned the case as illustrating problems with the criminal justice system more so than problems with prevailing social norms—representing a missed opportunity to connect gender inequality and misogynistic violence.

# 6. Discussion: Individual, Societal, and Institutional Impacts of VAWG Laws and High-Profile Femicide Cases

What do state, media, and public reactions to these three high-profile femicides reveal about the impacts of legislative reform on individual victims' access to justice, societal norms and understandings, and public trust in the criminal justice system? The violent deaths of Cristina Siekavizza, Gia Karlotta, and Alejandra Icó, and the subsequent legal processes, media coverage, and public reflections illuminate women and girls' precarious place in Guatemalan society and highlight uneven institutional responses and conflicting social norms in the wake of VAWG's criminalization.

### 6.1. Weaknesses in the Criminal Justice System That Undermine Reforms' Impacts for Individual Victims

The passage of VAWG laws and creation of specialized institutions should be seen as important advances. Yet, the above analysis of the criminal justice responses to the femicides of Cristina Siekavizza, Gia Karlotta, and Alejandra Icó demonstrate that even with specialized laws and institutions, women and girls who experience VAWG struggle

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to find reliable sources of support when attempting to report violence. Indeed, in two of the three cases analyzed here, women had previously attempted to report abusers to no avail. Gia Karlotta's mother attempted to lodge a complaint against Edgar Barrios Cifuentes but was ignored by local authorities. She therefore saw fleeing as her only option for survival, and without any source of social or financial support, she was forced to leave her children behind. Odilia Tiul, Mario Tut's wife, also lodged a complaint of VAWG against her husband. In violation of the 2008 VAW Law, authorities failed to investigate the complaint further. In both cases, violence could have been avoided and lives could have been saved if local authorities had taken women's reports seriously.

These three cases also demonstrate that even when legal cases are pursued, institutional weaknesses across the criminal justice system serve to delay or thwart justice for individual victims and their families. The Cristina Siekavizza case demonstrates that even when significant public resources are allocated to investigation and prosecution, justice can be undermined by corruption and the availability of legal, but questionable outlets for defense teams to introduce delays. Roberto Barreda's defense was able to delay his trail so many times that he avoided ever being tried for his wife's murder. The Gia Karlotta case demonstrates how unprofessional and uncommitted investigators and prosecutors, and judges who are seen to be biased in favor of perpetrators, can dramatically impact the likelihood of a guilty verdict and people's trust in the courts. Indeed, without the involvement of FS, it is unlikely the case would have been successfully appealed, demonstrating the impact of weaknesses in the public prosecutor's office for victims. In the Alejandra Icó case, we witness how uncommitted or even antagonistic judges and prosecutors in specialized institutions can undermine those institutions' mandates to increase women and girls' access to justice. The fact that these weaknesses are apparent in cases that involved extreme bodily harm, physical evidence, NGO support, media and public attention, and—in the Siekavizza case—significant public resources, suggests that average victims of gender-based violence are even less likely to have access to efficient and effective support from the criminal justice system. In sum, an analysis of these three high-profile cases demonstrate that the hope that the 2008 VAW Law would provide justice for individual victims was not fully realized.

### 6.2. VAWG Reforms and High-Profile Cases' Mixed Impacts on Media and Societal Norms

Our analysis additionally illuminates a mixed picture regarding the effects of VAWG reforms on public understandings of VAWG, as can be seen in the various ways in which femicides and criminal cases were assigned meaning in the media and in digital commentary. In both the courtroom and the public arena, activists associated with FS and MTM framed Cristina, Gia, and Alejandra's experiences of violence and deaths as emblematic of patriarchal social norms and misogynistic violence. Through their work as complementary prosecutors, their mobilization in the streets and on social media, and their engagement with journalists, activists positioned Cristina, Gia and Alejandra as standing in for women and girls who face multiple, overlapping forms of violence and a criminal justice system ill-equipped to meet their needs. They therefore promoted a view of VAWG as structural rather than interpersonal, and blamed social norms and the state for widespread VAWG and impunity. In this view, Roberto, Edgar, and Mario were not aberrant, evil men but rather products of a misogynistic society that normalizes the use of violence to dominate and control women and girls.

These understandings were partially taken up by journalists. In the past, news reports relied almost exclusively on official sources (e.g., police, public prosecutors, forensic experts), resulting in police-blotter style, "just-the-facts" articles or sensationalist reports, obstructing connections between individual crimes and broader structures of violence. These types of reports also appeared in our sample of newspaper articles. Sensationalized

There are many judges and public prosecutors in specialized institutions that are committed to their mandates. The actions of the judge and public prosecutor in the Icó case are not necessarily representative of those of all specialized officials.

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coverage was especially apparent in the Gia Karlotta and Alejandra Icó cases, in which perpetrators were given the nicknames "the Devil" and "the Butcher", implicitly positioning them as atypical monsters.

Our analysis shows, though, that some changes in media coverage can be seen subsequent to the 2008 VAW Law. Notably, in our sample, journalists cited a broader range of experts than they had previously. 19% of the articles we analyzed on the Cristina Siekavizza's case, 30% of the articles on Gia Karlotta's case, and 27% of the articles on the Alejandra Icó's case cited an NGO source (compared to 26%, 32%, and 12% of articles citing the public prosecutor, respectively). Those articles that cited NGO sources were more likely to include contextualizing information that connected individual crimes to broader patterns of violence (also seen in England 2018). Between 10% and 15% of news reports we analyzed on the three cases depicted the murders as instances of gender-based violence. They accomplished this by providing statistics, descriptions of similar cases, and details linking acts of extreme violence to cycles of abuse, and by naming both VAWG and its normalization as problems needing public attention and action. This represents progress in the ways the Guatemalan press reports on cases of VAWG.

Yet, feminist understandings of each case presented by activists and some journalists were almost entirely ignored by digital commenters, who rarely connected high-profile femicides to broader trends of gender-based violence. Across the three cases studied, between 0% and 1.4% of comments drew these connections. Instead, as discussed below, digital commentary largely focused on critiques of the criminal justice system in the face of delays and disappointments that arose in each case, as well as the appropriate punishment for the perpetrators. In this sense, institutional weaknesses not only undermined access to justice for individual victims, they also potentially diverted public reflection from the problem of VAWG to the problem of a corrupt or inefficient criminal justice system.

News coverage and digital commentary also laid bare entrenched prejudices shaping attitudes towards victims, culprits, and crimes. Victims' identities appeared to influence the degree to which victims' suffering garnered public sympathy. Alejandra Icó, the poor, indigenous woman from a rural area fit the stereotype of a VAWG victim in Guatemala and suffered the most revictimization through cycles of media violence. Her suffering and death was commodified on social media and in sensationalist news headlines. Several journalists romanticized Alejandra's death and erased the history of abuse she suffered, presenting her femicide as a "crime of passion." Meanwhile, the man who murdered her, Mario Tut, enjoyed privileged treatment when news outlets published his apologist statement in full, without contextualizing the harmful misogynist tropes it reproduced. 31% of news reports on the Alejandra Icó case cited the accused as a source of information, compared with only 7% and 2% for the Siekavizza and Karlotta cases, respectively.

Victim-blaming comments were also more common in response to stories of the Alejandra Icó case, constituting 6% of digital commentary, compared to less than one percent of the commentary on the Cristina Siekavizza case. While none of the digital comments in response to stories related to the Gia Karlotta case blamed Gia for her abuse and death, 4% called for Gia's mother to be punished "for abandoning her family", (Facebook comment thread in response to *Noti7* post, Edgar Haroldo Barrios Cifuentes, El Diablo 2013), blaming her for Edgar's violence even though she had fled for her life from the same. The lack of victim-blaming comments for Gia Karlotta and Cristina Siekavizza is likely related to the fact that they easily fit the trope of the "innocent victim"—Gia because of her young age, and Cristina because of her identity as an upper-class, ladina woman. In contrast, the victim-blaming of Gia's mother and Alejandra Icó demonstrate the double bind of women's survival strategies in contexts of abuse. Those who flee violent relationships are accused of abandonment and those who stay in violent relationships are blamed for the abuse they suffer.

In sum, media coverage and digital commentary about these high-profile femicides reveal some signs that VAWG is being seen as a matter of public concern and that some journalists are beginning to connect acts of VAWG to social and institutional structures.

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Yet, troubling trends continue, including the tendency to divide victims into innocent and blame-worthy victims, to view perpetrators as aberrant monsters, and to promote sensationalized accounts of gender-based violence. What is more, weaknesses in the criminal justice system became central elements in each case—not only undermining the progress of individual cases, but also drawing media and public attention toward critiques of criminal justice officials and institutions and away from reflections on the causes of VAWG.

### 6.3. High-Profile Femicides and Trust in Institutions

As noted above, high-profile cases brought to light weaknesses in the criminal justice response to gender-based violence in Guatemala, principal among them: corruption and classism in the criminal justice system; officials that are unresponsive to reports of non-lethal VAWG; weak investigations and prosecutions; inordinate legal delays; and in some cases, uncommitted specialized officials. Some of these weaknesses were broadly recognized, while others were contested or overlooked in news accounts and digital commentary. Journalists covering the legal processes associated with the Siekavizza case connected it with corruption in the criminal justice system (13% of news articles). Those covering the Gia Karlotta and Alejandra Icó case more often highlighted ineptitude and breaches of duty among officials in the criminal justice system (16% and 23% of news articles, respectively). Only a few focused on state actors' failure to interrupt the cycles of violence preceding femicide, even when women attempted to file reports against those who would go on to commit femicide.

The media focus on weaknesses in the criminal justice system was echoed in digital commentary, likely because this focus fit everyday Guatemalans' preexisting perceptions. Online critiques were especially centered on a general sense of corruption (in the Cristina Siekavizza case) or the shortcomings of judges (in the Gia Karlotta and Alejandra Icó cases). The public's distrust in the criminal justice system was also apparent in digital commentary that concentrated on how perpetrators should be punished. To a far greater extent than with the other two cases, the digital commentary surrounding the Gia Karlotta case expressed an intense "will to punish" (Fassin 2018), likely because the victim's age meant she best fit the innocent victim trope. 53% of the digital commentary surrounding the Gia Karlotta case focused on how the culprit should be punished, while similar comments accounted for only 4% and 12% of the commentary surrounding the Cristina Siekavizza and Alejandra Icó cases, respectively. Common suggestions for the death penalty, torture, or extrajudicial lynching all reflected a sense among Guatemalans that the criminal justice system was incapable or unwilling to adequately hold criminals to account. Others focused on divine justice (14% of comments on the Cristina Siekavizza case, 4% of comments on the Gia Karlotta case, 1% of comments on the Alejandra Icó case), hoping for God to punish those the Guatemalan state did not. These patterns in digital commentary suggest that in the context of a weak criminal justice system and widespread public distrust in state institutions, cases of VAWG came to be seen as evidence of impunity more often than of patriarchy. Thus, weak criminal justice responses to these high-profile cases of femicide had negative impacts for individual victims, for society at large, and for trust in public institutions—reducing the likelihood that Guatemalans would report crimes in the future.

#### 7. Conclusions

The state, media, and public reactions to the femicides of Cristina Siekavizza, Gia Karlotta and Alejandra Icó illuminate the complicated reality that Guatemalan women and girls face. It is a reality characterized by specialized laws and institutions to address VAWG, an active women's movement, and shifting social norms that are beginning to challenge the normalization of VAWG. Yet, it is also characterized by patriarchal social structures and institutions, and a deeply flawed criminal justice system that facilitates impunity. These problematic social and institutional realities undercut the ability of legislative reforms alone to offer individual Guatemalan women and girls a meaningful sense of justice

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and security, challenge social norms, and generate trust in state institutions. Despite institutional changes recognizing women's rights, and even as their bodies are used to catalyze political momentum, too often it seems women and girl's experiences of violence only matter—if at all—when it is too late. As one commenter wrote, "[i]n Guatemala they tell us to report [VAWG], but what is the use if they don't pay us any attention and wait until we are dead before they act?" (Facebook comment thread in response to *Prensa Libre* post, (Sindicado de Haber Descuartizado a Su Esposa Se Libra de Un Proceso de Violencia Contra La Mujer 2018)).

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#### Appendix A

Table A1. Newspaper Coding.

Code Group	Description	Codes	
Kind of Text	What type of journalistic text is it?	News, Feature, Opinion	
Opinion Argument	What arguments do columnists and editorial boards advance in opinion pieces?	Problematize Violence Against Women, Reject Gender-Based Violence Frame, Problematize Violence Against Children, Strong Critique of State Response, Subtle Critique of State Response, Defense of State Response	
Photographs	What images do journalists use?	Culprit, Victim, Victim's Family, Courtroom, Investigators, NGO Representatives	
Problematization	What problems do journalists highlight through reporting?	Gender-based Violence, Violence Against Children, Generalized Violence, Corrupt Justice System, Breach of Legal Duty	
Protagonist	Who do journalists place in the subject position of sentences?	Judges, Ministerio Público Investigators and Prosecutors, Culprit, Victim, Victim's Family, NGO Representatives, Police, Politicians	
Source	Who do journalists cite as a source of information?	Judges, Ministerio Público Investigators and Prosecutors, Culprit, Victim, Victim's Family, NGO Representatives, Police, Politicians	
Violence, Context	What information beyond the details of the individual case do journalists provide?	History of Abuse, Legal Definitions, Similar Cases, Statistics, Timelines	
Violence, Naming	What phrases do journalists use to describe differect acts of violence?	Murder, Femicide, Against Women, Against Children, Sexual, Physical, Psychological, Domestic, Intrafamiliar, Gender-based, Mediatic	

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Table A2. Social Media Coding.

Code	Description	Example	
Access to Legal System	Testimony of personal experiences accessing legal system for cases of VAWG.	"I filed a report [] Women and men, trust in justice. IT EXISTS. But not if we do not [] follow the processes, even if they are tedious, which they are."	
Apologist +	Justification of gender-based violence.	"There are crimes that are committed because of a provocation. The poor guy."	
Apologist -	Critique of apologist commentary.	"There is no justification for such an abhorrent act. Justice!"	
Broken System	General critique of the Guatemalan legal system.	"Justice in this country is shit. That's why we are the way we are."	
Castration	Punishment recommendation.	"You have to castrate these animals right away."	
Corruption	Critique of corrupt legal system.	"Guatemala: the country of eternal corruption."	
Death Penalty	Punishment recommendation.	"They should just give him the lethal injection because what he did can not be named."	
Divine	Assurance that divine justice is absolute.	"There is no escaping divine justice, even with corrupt laws and dirty money."	
Double Standard +	Critique that race and class influenced resources devoted to Siekavizza case.	"Too bad all cases aren't treated the same. Such a scandal for just one case when there are thousands of cases the deserve attention."	
Double Standard -	Denial that race and class influenced "This isn't about having money. Cristina's family esources devoted to Siekavizza case. "All you resentful people shouldn't give you		
Education	Recommendation that education can help combat VAWG.	"We need campaigns to teach men that women ARE NOT OBJECTS THAT THEY CAN POSSESS."	
Gender Frame +	Assertation that violence was gender-based.	"This was an act of misogyny."	
Gender Frame -	Denial that violence was gender-based.	"There is no such thing as gender-based violence. There is just violence. None of this separating it according to gender."	
Human Rights -	Critique of human rights discourse as pro-crime and anti-justice.	"All that is missing is for the Human Rights Ombudsman to defend this scum[] they specialize in defending criminals."	
Judge +	Defense of judges.	"The judge acted here according to the letter of the law []"	
Judge -	Critique of judges.	"If they refuse to do their jobs and pass judgments, they should be fired for being inept and soulless. How enraging!"	
Law	General invocation of the law.	"May the full weight of the law fall down upon him."	
Legal Clarification	Explanation of a legal principle or procedure.	"House arrest is defined as 'the deprivation of the freedom of movement [] in the person's own home' and no. You can not leave the house."	
Legal Doubt	Question about a legal principle or procedure.	"What exactly is house arrest? Can you leave the house or not? Would someone be kind enough to clarify?"	
Lynch	Punishment recommendation.	"Better to just let him free. It will be easier to kill him outside of prison than inside."	
NGO +	Praise for the efforts of NGO workers.	"They captured [him] thanks to the perseverance of the family, friends, and Fundación Sobrevivientes."	
NGO -	Critique of NGO workers as lazy, corrupt, and inept.	"I would like to see Fundación Sobrevivientes help with this case. Oh, that's right, they only do it for the money."	
Prison +	Punishment recommendation.	"May he rot in prison and may God never forgive him."	
Prison -	Critique of incarceration as insufficient punishment.	"Now we just need them to approve the death penalty so we don't waste more money keeping these rats alive in prison."	
Racist	Anti-indigenous and anti-black stereotypes.	"As a woman, I would never be interested in a brutish Indian like that."	

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Code	Description	Example	
Sensationalism	Critique of sensationalist news reporting.	"Run by a yellow-journalist. Causing disinformation. What happened to <i>Prensa Libre</i> ?"	
Skepticism	Suggestion that Roberto Barreda faked his own death.	"That is a lie! Most likely his mother sent him out of the country. So sad there is not justice in Guatemala."	
Torture	Punishment recommendation.	"I would say torture him. For a month burn him finger by finger, leg by leg, [] then let them rape him in prison so he knows how it feels[]"	
Video Critique	Critiques of the video of Alejandra Icó and its dissemination.	"The video should be censored already, above all out of respect for the deceased."	
Video Offer	Offer to send the video of Alejandro Icó.	"To those who requested the video, check your messages. I sent it to you."	
Video Request	Request to be sent the video of Alejandra Icó.	"Can someone pass me the video please?"	
Witnesses	Critique of bystander inaction.	"It is a social obligation to investigate if we see something suspicious. The teachers, neighbors, and family members are also to blame."	

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