

The Corollary of Dichotomy: Exploring *Violencia Intrafamiliar*

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Abstract

In this paper I examine intra-familial violence in Santa Clara La Laguna, Sololá, a K'iche' community in Guatemala's Western Highlands. The information presented here is informed by interviews conducted in summer 2015 in the Santa Clara La Laguna region. I investigate how different forms of violence are legitimized and naturalized within a modern Maya society, exploring the ways in which violence is embedded in interconnections of gender, class, and indigeneity. Lived experiences reflect a reality in which violence is a constitutive process reproducing gendered, racialized hierarchies. Foregrounding violence may aid women in delegitimizing and denaturalizing the violence in their lives.

Introduction

Guatemala is a beautiful place, filled with a vibrant culture and a long heritage of indigenous development. The country's current sociopolitical climate reflects a history plagued by poverty and violence. Wrought by colonial intervention, ongoing foreign political interference, and organized crime, Guatemala has attained the 47th position in the Global Peace Index's top 50 most dangerous countries of 2014, ranking above the Democratic Republic of the Congo at 53 and Bahrain at 51.²⁶ Guatemala has one of the highest rates of homicide in Latin America; in 2013 alone, 5,253 murders were reported by the Guatemalan National Police (Policia Nacional Civil, or PNC); INACIF (Instituto Nacional Ciencias Forenses de Guatemala, or National Institute of Forensic Sciences of Guatemala reported an astounding average of 16 murders per day in 2014.²⁷

To combat rampant violence, in 2008, the law against femicide and other forms of violence against women (*Ley contra el femicidio y otras*

formas de violencia contra la mujer) was passed, aiming to ensure women enjoyed basic rights such as, "life, liberty, dignity, protection, and equality."²⁸ The law was formulated by a "collaborative" multi-agency team comprised of a wide selection of judicial agencies and NGOs.²⁹ In 2011, the National Center for Judicial Analysis and Documentation (CENADOJ, or *Centro Nacional de Análisis y Documentación Judicial*) reported 20,398 complaints of acts of violence against women under the 2008 law; less than three percent of these cases presented to the court reached a judgment.³⁰

In spite of these high numbers, the statistics reported by government agencies are egregiously inaccurate. Crimes involving intra-familial violence are underreported, and many times, cases that are brought to the Public Ministry (MP, or Ministerio Público) or other agencies are never filed with the courts.³¹ The cases that are filed usually result in no reprimands for abusers, an outcome, that often stems from poor

²⁶ "Global Peace Index 2014." Institute for Economics and Peace. Accessed April 18, 2015. <http://economicsandpeace.org/research/iep-indices-data/global-peace-index>

²⁷ David Gagne. "Insight Crime 2014 Homicide Round-up." *InSight Crime*. Last modified January 12, 2015. Accessed March 11, 2015. <http://www.insightcrime.org/news-analysis/insight-crime-2014-homicide-round-up>

²⁸ "Protocol of the Law against Femicide and other Forms of Violence against Women." *El Centro Nacional de Análisis y Documentación Judicial*. Last modified 18 Apr 2015,

http://www.oj.gob.gt/es/queesoj/estructuraoj/unidadesadministrativas/centroanalisisdocumentacionjudicial/cds/CDs%20compilaciones/Normativa%20Femicidio/1_documentos/1-6.html

²⁹ "Protocol of the Law against Femicide and other Forms of Violence against Women."

³⁰ Karen Musalo and Blaine Bookey, "Crimes Without Punishment: An Update on Violence Against Women and Impunity in Guatemala." *Social Justice* 40.4 (2014): 106-117

³¹ Musalo and Bookey, "Crimes Without Punishment," 115

investigative methodology, inadequate evidence collection and preservation, a lack of effort to contact potential witnesses, and victim blaming. The current law allows perpetrators given a five year sentence to pay a fine ranging from five to 100 Quetzales per day (approximately U.S.\$0.60-U.S.\$13), providing them with a way to avoid incarceration.³²

The main objective of my study was to determine the cultural factors driving intra-familial violence in the municipality of Santa Clara La Laguna, Sololá, Guatemala. Rather than focusing on the methods by which victims escape situations of violence, I chose to focus on locally perceived root causes driving the problem; without a nuanced understanding of what is generating intra-familial violence in rural communities, how can we attempt to effectively reduce cases of violence? For the purpose of this study I am defining intra-familial violence simply as, “violent acts between either formal or informal familial relations.” The five most commonly reported forms of intra-familial violence are: 1) psychological abuse 2) physical abuse 3) verbal abuse 4) sexual abuse 5) financial withholding. While intra-familial violence is universally a pervasive issue, in Santa Clara La Laguna violence is perceived by local residents as being driven by socioeconomic factors entrenched in racial and gendered relations.

Site & Population

I conducted my study in Santa Clara La Laguna, a relatively small town located in the department of Sololá, Guatemala; henceforth referred to as ‘Santa Clara’. The municipality of Santa Clara is located on the southwestern side of Lake Atitlán, nestled up in the highlands above the lake. Santa Clara is neighbor to Santa María Visitación, a small Tz’utujil community known for its La Salle Institute (Instituto La Salle) and other exceptional schools for the region. Today, Santa

Clara consists of 9,000 people, 98% of whom are indigenous and 2% of whom identify as Ladino or Hispanized.³³ K’iche’ is the primary language of the town, the majority of indigenous persons living in Santa Clara identify as K’iche’ Maya. Santa Clara is surrounded by four wards (barrios), ten sectors (sectores) and four hamlets (caserío).

Unfortunately, due to Santa Clara’s position above the lake, the town is largely excluded from the tourism industry that thrives in the larger cities near the shore, such as Panajachel and San Pedro La Laguna. The only market access for many people in the community is the town’s market held every Tuesday and Saturday morning in the plaza in front of the municipality. Unlike Santa María to the west, Santa Clara has a large bustling market, vendors travel all the way from the coast to sell their goods every week. According to the 2006 census, only 33 percent of the population is formally employed, of that 33 percent, 98 percent are male and a meager 2 percent are female.³⁴ The majority of Santa Claritans work as agriculturalists, a grueling occupation that often does not generate sufficient income for the majority of the population. As a result, 90 percent of Santa Claritans live below the poverty line and 5 percent live in extreme poverty.³⁵ Thus, the opportunity to sell goods in the local market is essential for many community members, especially women.

In 2014, the Court of Femicide (Juzgado de Femicidio), a court especially designed to deal with cases of violence against women, including cases of intra-familial violence, opened in Sololá, the department’s capital. The year the court opened it received 704 complaints of violence against women, of those, 54 cases were filed with the Court of First Instances (Juzgado de Primera Instancia); not one of those cases found a favorable ruling for the victim’s families.³⁶ In 2015, Olga Umul, a representative of the local Human Rights Ombudsmen (Derechos Humanos), remarked that the,

³² Musalo and Bookey, “Crimes Without Punishment,” 115

³³ Secretaría de Planificación y Programación de la Presidencia. “Caracterización del Municipio de Santa Clara La Laguna”. Accessed March 3, 2016. [http://sistemas.segeplan.gob.gt/sideplanw/SDPPGDM\\$PRIN CIPAL.VISUALIZAR?pID=POBLACION_PDF_707](http://sistemas.segeplan.gob.gt/sideplanw/SDPPGDM$PRIN CIPAL.VISUALIZAR?pID=POBLACION_PDF_707)

³⁴ “Caracterización del Municipio de Santa Clara La Laguna.”

³⁵ “Caracterización del Municipio de Santa Clara La Laguna.”

³⁶ Angel Julajuj. “Rechazan violencia contra mujeres.” *PRENSA LIBRE*, May 30, 2015.

“Implementation of security measures or some kind of policy of the State is necessary to curb gender violence,” highlighting rising need to restructure both law and practice, as well as the shortage of federally funded defense programs for victims.³⁷

Methodology & Analysis

The analysis presented in this study focuses on data drawn from nine semi-structured interviews that were conducted between May and July of 2015, with adult community members of Santa Clara and neighboring communities (see Table 1). I chose to include both men and women in the sample to get a comparative perspective. Interviews were conducted using a structured interview guide that covered several topics including the current needs of women in the community, the challenges women face in the community, gender barriers and discrimination, perceived causes of intra-familial violence in members’ communities, challenges for victims generated by both society and the state, and factors perpetuating intra-familial violence in the community. Interviews ranged from 20 minutes to 1 hour in length; all the interviews were conducted in Spanish. I was able to hire a translator, a local female university student, who helped me conduct several interviews and network within the community. In addition, my host family was invaluable in connecting me with many of my informants, as well as assisting me in several interviews.

I identified potential interviewees through convenience sampling methods, which mainly consisted of connecting with people through other informants and approaching people on the street and in businesses open to the public. Some participants

had been victims of intra-familial violence while others had not. Due to the sensitivity of the topic, I initially spoke in hypotheticals terms and generalizations, but I was surprised to find that many of my informants were extremely open to discussing violence and their experiences with it. I encountered the greatest interpersonal barriers in talking with young men within the community. To circumvent this obstacle my host father accompanied me and moderated several interviews in which my interviewee was a young male. Each interviewee received, read, and signed a consent form approved by The Institutional Review Board at CSU, Stanislaus. Before each interview began I asked verbal permission from the informant to record our conversation, to which they all agreed. I did not provide any form of monetary compensation to informants.

Analysis drew from fieldnotes and transcribed interviews. After fieldwork was completed, I transcribed interviews into English with the help of a peer whose first language is Spanish. My fellow student verbally translated the dialogue from the recorded interview and I typed out his translation verbatim. After we had completed translating and transcribing the data, I coded the fieldnotes and interviews using a variety of coding techniques such as word frequency, generating related categories, and developing themes. I was able to identify several themes and meta-themes including: 1) naturalization and legitimization of violence within society 2) historical patterns of gendered, racialized exclusion 3) conflicting social obligations and social expectations of victims. All of the informants’ names used in this paper are pseudonyms to protect participant identity.

1.1 Informant Table

Name	Age	Residence	Place of Birth	Occupation	Education
Martín	34	Santa Clara La Laguna	San Juan La Laguna	Teacher; Store Manager	University
Fernando	25	Santa Clara La Laguna	Santa Clara La Laguna		

³⁷ Julajuj, “Rechazan violencia contra mujeres.”

Jasmine	23	Santa Clara La Laguna	Santa Clara La Laguna	Teacher	University
Juan	42	Santa Clara La Laguna	Santa Clara La Laguna	NGO Director	University
Maria	55	San Jorge La Laguna	San Jorge La Laguna	Housewife	Primary not Finished
Lorena	46	Santa Clara La Laguna	Santa Clara La Laguna	Housewife	Primary not Finished
Lila	45	Guatemala City	Santa María Visitación	Human Rights	University
Leslie	44	Guatemala City	Santa María Visitación	Human Rights	University
Evette	36	Santa Clara La Laguna	San Pedro La Laguna	Housewife	

Results

While my initial analysis identified meta-themes commonly associated with violence, such as poverty, gender discrimination, impunity, and institutionalized racism; it also identified a meta-theme I dubbed “the victim paradox”, which is a recurring phenomenon in which, as social actors, victims are expected to conform to integral gender roles, yet simultaneously are being asked by society to surpass the limitations and challenges that these roles often produce. Within this theme I recognized several subthemes that were most commonly perceived to be the

primary factors perpetuating intra-familial violence in Santa Clara and neighboring communities. The subthemes include financial dependence, public stigma, private shame, internalization of violence, and low self-esteem/inadequate emotional preparation. Using Christina Alcalde’s term, I call these factors ‘impediments to empowerment’, factors which prevent victims from leaving violent situations at home.³⁸ The most profound impediment perceived to be driving the continuation of intra-familial violence is financial dependence, a topic entrenched in historical exclusion.

Financial Dependence

*“It is for the fear. A woman abandoned with kids cannot support them at home; there are no sources of income with her specialty. And the first question is to ask, for example, if a man is taken to prison and the wife is left at home with the kids, the first thing she will think about is, **“How will I sustain my kids since my husband in jail cannot sustain money?”** What they do is stay quiet. They say, **“I don’t have money so I better stay quiet. If they take him to jail I won’t have money, I don’t have a job, I don’t have anything.”** that’s why they stay in those situations... There are no institutions to promote the work of women so they can produce, export, and gain money. If having this opportunity to generate employment in the community where women could work and export their production, they could better their economy, they wouldn’t be scared to send their husbands to jail because they would know that they have money to support their family.”-Juan*

It was described to me that female victims’ financial dependence is largely the result of an

aggressively maintained exclusion from modes of formal employment. The most commonly

³⁸ Christina Alcalde, “Institutional Resources [Un]Available: The Effects of Police Attitudes and Actions on Battered Women in Peru,” in *Anthropology on the Front Lines of*

Gender-Based Violence, ed. Jennifer R. Weis et al. (Vanderbilt University Press, 2011), 92.

reported necessity for women in the community was increased access to education and employment. Women residing in Santa Clara have limited opportunity for employment and these limited opportunities are often further constrained by the lack of a degree. Many women living in the community did not finish primary school and thus do not qualify or have the skillset required for higher paying positions. For these women there is very limited opportunity for local employment, and many people cannot afford the cost of commuting regularly to seek work in outside communities.

The majority of women in Santa Clara are housewives whose responsibilities lie within the home and in rearing children. The bulk of women currently employed in Santa Clara work as agriculturalists; other jobs that are open to

women include laundresses, bakers, maids, store managers, market vendors, and other low paying positions. Although many informants agree that there has been increased female participation in the community within the last thirty years, many young women are reportedly being denied access to sustainable employment and are often given secondary spaces within the community and workplace. Several female informants reported facing discrimination within their place of work on the basis of their gender. This exclusion has left many victims of intra-familial violence without recourse or the possibility of escape. It was reported that given the opportunity and means to leave their abusers most victims would chose to leave their partners. This exclusion is not considered a recent practice, but rather a product of historical discrimination.

Past Educational Exclusion

Also, not long ago in history inside the culture, a complete exclusion towards women was managed. Because the woman was not seen as a subject, as a person that has the same abilities and rights as men. There is the case of my mother who was raised and educated in that environment, that's why she didn't have any academic title. The brothers, so the men, were always sent to study; however, they [women] were told that they had to stay at home to develop household activities. So that's the surrounding of women, it is very limiting because there are no opportunities, and in current times when, since approximately thirty years maybe, a small opening, a small opportunity started being given to women so that we could go to school and we could professionalize; and that matters. Some went and were able to reach a secondary level; so they graduated like teachers, like counting dogs [accountants] which are the ones that are in charge of making accounts of companies, working the mercantile or commerce area. Those are the two careers that were given because of the possibilities, because they were not in many institutes. National institutes that would give secondary education there were not many in the area. In fact, here in Santa María there is none. One had to travel to Quetzaltenango, which is a community close by, or to Sololá, to the municipal centers like the cities; the cities where there would be an opportunity to study. And the opportunity to study was only in the national institutes. We know that in Guatemala there are not many institutes that are of the state, if we had the opportunity to pay we would access to the high schools. So the majority of the women here did not have the opportunity, and in fact, those are the women who are educating the youth of today, women that do not have a lot of academic knowledge to be able to.

In the past it was not uncommon for parents to refuse their daughters an education, in fact it was rather common. Parents' refusal was not a malign action, but rather it was a sound economic decision; in the recent past, women were not allowed access to modes of formal employment. Men and women were expected to conform to strict culturally sanctioned roles, in

which the woman's place was considered to be in the home. Women were expected to take care of household activities, the needs of family members, and most importantly, to keep the family together. Despite greater investment in sons, in the recent past, school was often not an option for many males either, as there were not many secondary schools in the area and the cost

of attendance precluded many families from providing their children with an education.

Several informants highlighted a shift in awareness and participation for women that coincided with the end of Guatemala's 36 year civil war. The department of Sololá was ravaged by the counter insurgency campaign; it was a time of daily atrocities carried out by the state (i.e. the army) against indigenous groups, especially violations against indigenous women. With the end of the violence came an increased awareness in women's rights and indigenous rights. The drafting and signing of the Peace Accords in 1996, changed the panorama of

women's rights greatly; slowly, women began to be given the opportunity of an education. Out of international concern, many foreign NGO and non-profit organizations, in addition to the United Nations and World Bank, funded community-based projects that built schools and provided education in regions of Sololá. Despite this effort, access to education was still severely limited for many, and for those who were able to complete a primary education, what then? There were not many secondary institutions in the department and the majority of parents did not have the means to send their children to nearby cities.

Current Access to Education

*In the rural area, there is no educational quality. The education we receive is really bad. So, that's a really important barrier for me that even made my daughters to the city before time because sometimes **they had two days of class and three days nothing. If they were lucky they had class two times a week, if not they went two weeks without receiving classes** and the reading level, for example, is really below national level; the theme of mathematics too. So there is a barrier of start that stops one from facing in a competitive relationship with other people at a national level that has had a better education.-Lila*

Although much has changed in terms of admittance since the signing of the Peace Accords, accessibility to quality higher education is severely limited for many members of the community. Within the last twenty years, nineteen educational establishments have opened within Santa Clara, two of which are private. In terms of public education, there are eight primary schools and eight secondary schools that serve the community.³⁹ As several informants highlighted, there is a disparity in the quality of education available in rural and urban parts of the country. Rural educational institutions receive far less funding than their urban counterparts, and the funding they do receive is often misappropriated by the Guatemalan government. As Lila mentioned, this imbalance generates a competitive relationship between Guatemalans that leaves rural dwellers markedly disadvantaged.

Santa Clara has one private university, *Universidad Pan Americana*, which is not economically accessible to many members of the community due to the high cost of attendance, in addition to added fees and the cost of educational materials. Those who attend the local university have two options, either pay tuition out of pocket, not an option available to most of the community, or pay through student loans administered through local banks such as Banrural. Loans pose the threat of overwhelming debt from which one cannot get out from under, not an ideal option for young members of the community. The lack of local employment opportunities further compounds the effects of accruing debt. Furthermore, suppose a community member wishes to pursue a degree not offered at the local university, the nearest option would be to attend *Universidad del Valle de Guatemala*, a private institution in Sololá, the

³⁹ Rosaura Chac Sac, María Chacom Chacom, Verónica Sac Salquil, and Flora Tuj Tó. Ciencia y Tecnológica de los Pobelos. Last modified Oct 6 2014, [\[santaclaralaguna.blogspot.ca/2014/10/santaclara-la-laguna-la-tierra-del.html\]\(http://santaclaralaguna.blogspot.ca/2014/10/santaclara-la-laguna-la-tierra-del.html\)](http://enrobach5a-</p></div><div data-bbox=)

department's capital. There are members of the community who are currently enrolled at this institution, but unlike many students in the U.S. who live in campus dorms, these students must live with a family in Sololá and pay rent to do so. Many members of the community could not afford to pay the tuition cost, let alone housing. Although the commute to Sololá is not all that far (22.4 miles) and transportation is readily available, many people could not afford the commute. According to the World Bank, in 2014, Guatemala's GNI totaled \$3,430 USD, this number is not representative of the department of Sololá where income per capita is much lower than the national average.⁴⁰ Using the GNI generated by the World Bank, we can see that the annual cost of transportation (U.S.\$3.10 daily, U.S.\$62.17 monthly) would constitute an astounding 16.3% of an individual's annual income; again, this is an under representative number.

In addition to the cost of attendance, several social factors were reported to me to explain why many young women in the community do not further their educations and why many drop out of school early. In many families women are still expected to conform to static gender roles that keep them within the home. When asked about the needs of women in the community one informant answered, "The necessity of women is to take care of their children, make food at home, clean the cloths of their kids and clean the cloths of their husbands, and clean the house," this sentiment is the epitome of the *Machista* perspective. *Machista* attitudes within families are considered to be one of the largest contributors to educational exclusion; these attitudes are reflected in the community through the low percentage of women engaged in formal employment.

Teen pregnancy is also a problem plaguing the community; many young women have been forced to drop out of school because of this. Several informants reported that teen pregnancy

is a barrier to education because, many times, a woman has to ask permission from either her father or the baby's father to continue to school and often the answer is no. During a focus group, I spoke to an informant who had found herself in this position, unfortunately, she had been refused the right to education. This informant described, as did many other women during my research, that the baby's father wanted her to stay at home to develop household activities and raise their child at home as the majority of women in the community do.

Another reported factor is the lack of value ascribed to education within the community. Several informants perceived that many parents within the community are illiterate and uneducated themselves, thus they lack the capacity to encourage and urge their children to complete their educations. I did, however, witness informants, who were themselves illiterate, express how very proud they were to be able to provide their children with the education that they never received. It was also reported that, out of economic necessity, parents will often force their daughters to quit school in order to work full time to contribute to the family income. Several informants even considered this to be a common act of intra-familial violence. This circumstance can be seen within the community as I encountered several young girls who had been working full time during my research.

Conclusion

Within Latin America, rates of violence against women in Guatemala are unparalleled. Despite efforts made by both the local and international communities, these problems continue to resonate within society. In focusing on women's experiences with financial dependence, it has not been my intention to suggest that financial dependence is solely to blame for the perpetuation of intra-familial violence or that all victims are financially dependent on their abusers. Intra-familial

⁴⁰ World Bank. 2014. World Development Indicators. Washington D.C.: The World Bank (producer and distributor). <http://data.worldbank.org/country/guatemala>

violence amongst marginalized communities is a multifactorial issue entrenched in patterns of exclusion and discrimination. Financial dependence persistently plays an integral role in the perpetuation of violence against women. Structural exclusion (i.e. exclusion from education and formal employment) combined with poverty ultimately prevents many victims of intra-familial violence from leaving abusive situations at home. Increased attention should be directed at implementing viable strategies to increase the integration of women into the economy, starting by placing increased value on education within rural communities through accessible outreach. Anti-poverty strategies need to be reformed, focusing on bringing women out of the home and into stable markets rather than attempting to integrate women into highly unstable artisanal niche markets.

There are currently no nearby shelters for victims of intra-familial violence; a victim would have to travel 42 miles to the departmental capital of Quetzaltenango to seek help.

Additionally, there are no programs within the community that aid in recovery and support for victims of intra-familial violence. There is a group of women who meet twice a month to promote the awareness of women's rights in Santa Clara; unfortunately, this small group does not yet have a large projection within the community. Many women cannot attend the public workshops held by the town's municipal office since there is no available child care in the community at present, and often times these workshops are held solely in K'iche', excluding Spanish speaking members. Government funding needs to be invested in developing community programs specifically designed to aid victims of intra-familial violence in escape and recovery, as well as prevention. Developing a nuanced understanding of the various factors driving intra-familial violence is essential to the movement to reduce incidents of abuse within rural indigenous communities, in addition to expanding consciousness within communities and amongst their members.

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