

# Demanding Justice and Security

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# Demanding Justice and Security

Indigenous Women and Legal  
Pluralities in Latin America

EDITED BY  
RACHEL SIEDER



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## Indigenous Autonomies and Gender Justice

### Women Dispute Security and Rights in Guerrero, Mexico

MARÍA TERESA SIERRA

This chapter documents the process whereby women in the Community Police of the state of Guerrero have discussed gender justice and created a space for their participation in one of the most emblematic indigenous institutions in contemporary Mexico. Based on a collaborative research project, the text explores the cultural significance of women's grievances and complaints when discussing their customs and claiming their rights. It also highlights the trajectory of a group of outstanding women leaders, revealing the challenges they face when confronting a deeply rooted patriarchal order within their communal institution. In contrast to liberal understandings of women's subordination that homogenize gender inequalities, my analysis highlights the contextual and culturally constructed nature of female oppression and underlines the need to understand it in order to promote women's rights. By decentering discourses on indigenous law (*justicia propia*) through a gender perspective, women's demands confront colonial and racist discourses that often disqualify experiences of indigenous autonomy for their presumed exclusion of women. At the same time this decentering also questions hegemonic male narratives about the Community Police in Guerrero, which have rendered women's participation invisible. It also confirms that, for indigenous women, gender rights are strongly intertwined with the collective rights of their peoples. Through their practices, women contribute to a liberating vision of communal justice and indigenous rights distinct from western feminist conceptions of agency and emancipation.

When they called me because of a crime committed by a young woman from Pueblo Hidalgo . . . the crime of infanticide . . . [the Community Police authorities] summoned a female representative from each organization . . . to a meeting. They wanted to hear the women's ideas. What

are we going to do with the woman who committed that kind of crime? What would you do? As women, how do you understand this case? Several of us participated. (Carmen Ramírez, justice promoter, San Luis Acatlán, Guerrero)

This is how Carmen Ramírez, a Me'phaa woman from Pueblo Hidalgo, municipality of San Luis Acatlán, Guerrero, narrated her involvement with the Regional Coordination of Communal Authorities (Coordinadora Regional de Autoridades Comunitarias—CRAC), when they decided to seek women's help with serious cases involving female detainees. This occurred shortly after the CRAC's decision to take on the task of administering justice and not just to provide security for the communities.<sup>1</sup> With direct and forceful words, Carmen recalled these events and recounted the reasons why women became involved in the institution from its inception. The need to respond to a complex issue related to the death of a newborn baby led to women's active participation in the *comunitaria's* justice and security institutions.<sup>2</sup>

Some of the crimes the CRAC authorities confronted were not easily assessed from an exclusively male standpoint; by inviting women to participate in the task of administering justice, they opened alternatives to ensure that crimes committed by women were judged taking into account the context that led them to commit the crime. It has been far from easy to earn a place in this hypermasculine institution, where gender ideologies naturalizing women's subordination prevail. Nonetheless, women have not hesitated to respond to authorities' request for support in justice-related tasks, thus revealing their strong identification with the autonomous justice and security system itself.

Why do women devote themselves to the *comunitaria* even if male dominance prevails? How were they able to open a space for women's participation in an institution that has traditionally excluded them from collective decision making? How do they conceptualize gender violence, and in what sense does the discourse of rights provide them with alternatives to confront subordination? To what extent do women's trajectories in the *comunitaria* reveal the tensions between gender rights and collectives' rights? And, finally, what kind of security and justice constructs do these women elaborate, and what are their connections to the cultural and political imaginaries of indigenous people's autonomy?

In this chapter, I place the agency of indigenous women at the center of my analysis. My examination of this emblematic, pluri-ethnic experience of indigenous autonomy in Mexico pays close attention to language and cultural styles, analyzing the forms and local meanings of gender violence and women's responses to this. In their practice women continuously dispute male-established notions of rights, justice, and security within the institution. Their appeals to communal justice have opened new venues to vent their grievances

without necessarily challenging the established gender order. It is impossible to understand the commitment of Me'phaa, Na'savi, and Mestizo women without taking into account the economic marginalization and social inequality that characterizes indigenous communities of Guerrero. At the same time, women's demands become legible only in the context of the collective dynamics and cultural traditions in which they are signified. Within these parameters women have been defining what "good treatment" means to them, which involves forms of life with greater dignity and less violence. Such notions challenge liberal views of gender justice (Molyneux and Razavi 2002) and demand an intersectional standpoint (Crenshaw 1991) to document the cumulative character of women's subordinations—gender, class, ethnicity—and to explore how women experience them. Speaking of indigenous women's rights therefore necessarily implies reconstructing the imaginaries they evoke in specific contexts.

Given the Community Police's uniqueness as an institution that exercises jurisdiction and de facto autonomy, indigenous women's efforts to open up spaces for gender rights endorse an emancipatory potential for the institution as a whole (Santos 2010). This involves an "ecology of knowledge"<sup>3</sup> that contributes to destabilizing patriarchal order and to challenging essentialist notions of indigenous law—the so-called *usos y costumbres*—seen as unchangeable traditions.

By examining this experience in dialogue with similar processes that have arisen in other parts of Mexico and Latin America (Lang and Kucia 2009; Sierra 2009; Sieder and McNeish 2012; FIMI 2006; Hernández and Canessa 2012; and the chapters in the present volume by Cervone and Cucurí, Lozano, and Arteaga), it is possible to identify the traits of specific forms of gender justice emerging in the context of indigenous people's autonomous processes. This chapter is based on the results of a collaborative research I developed with female justice promoters of the CRAC-PC in San Luis Acatlán, Guerrero, Mexico (2007–2011). It is structured as follows: I begin with a brief reflection on the collaborative work I did to support women's organization within the *comunitaria*. I then focus on two aspects that show different domains of women's agency regarding the promotion of women's rights: first, the engagement of these women, the justice promoters, in a Participatory Evaluation (*Diagnóstico*) to identify indigenous women's cultural constructions of grievance and their relation to gender violence, rights and access to justice. The aim of this evaluation was to establish the framework for a gender justice agenda within the CRAC. Second, I analyze the experiences of two justice promoters in order to highlight what it means for women to become an authority in this institution and the challenge they face throughout this process. Finally, I reflect on my personal experience in this collaborative work and its contribution to discussing indigenous women's rights and debates on community justice. Overall I aim to highlight the political and cultural significance of gender justice constructed within an emblematic experience of indigenous autonomy in Mexico.



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### Collaborative Research to Promote Gender Justice: Methodological Notes

In March 2007, three women and four men were elected by a regional assembly to participate in the administration of justice at the highest level of the *comunitaria*, the Regional Coordination of Community Authorities (CRAC) in San Luis Acatlán, at that time the organization's only Casa de Justicia or House of Justice. Carmen Ramírez Aburto, Teófila Rodríguez, and Catalina Rodríguez followed in the footsteps of Felicitas Martínez, the first female coordinator of the *comunitaria*, all of them Me'phaa women. It was in this context that the CRAC's coordinators, men and women, asked me to support women's organization within the institution.<sup>4</sup> The background to this proposal was the initiative of a group of women who in 2005 had created a commission to defend women's rights. The chance to support this process was an extraordinary opportunity for me, since it converged with my own research interests on gender justice in the *comunitaria*. We discussed the importance of developing a collaborative project that began by identifying the problems experienced by women in their communities and then went on to organize workshops about their rights. I wanted to avoid imposing an external gender agenda, but at the same time to take into account advances in national and international normative frameworks conceived to guarantee a life free of violence for women.<sup>5</sup> I agree with Macleod (2011: 174), who emphasizes the need to pay attention to the *manner* in which these topics are addressed in order to avoid partial views of the problems experienced by indigenous women. It was therefore essential to distance ourselves from the vertical workshop styles with which women's rights and topics related to gender violence in indigenous regions tend to be promoted, which usually impose a liberal gender agenda without taking into account the cultural and social contexts of women in the communities. We decided to move in two directions: first, to create a group of promoters who would be trained about gender rights and who would actively collaborate in the participatory evaluation;<sup>6</sup> and second, to promote women's organization in their communities and workshops to be conducted by the promoters themselves. Although men were not the main actors, several of them actively contributed to this process and, most importantly, the CRAC's authorities supported our efforts, which was essential for carrying out the workshops in the communities.

I have analyzed this process in other documents and in a video (Sierra 2013a), all of them resulting from the collaborative research project undertaken with the justice promoters.<sup>7</sup> This chapter is based on the information derived from this collaboration and highlights what this experience reveals about debates surrounding community justice and security from the viewpoint of indigenous women and their efforts to act on them.

## Discussing Customs, Rights, and Women's Access to Justice: A Participatory Evaluation

One of the main goals of the collaborative project was to discover, from the women's own standpoint, which grievances were most relevant, which paths they followed to address them, and the notions of rights and justice involved. The interest was to identify the cultural constructions of gender subordination that influence women's possibilities for accessing community justice. To this end, we conducted a participatory evaluation with a gender focus based on a model of popular education.<sup>8</sup>

The evaluation was a very productive way to reconstruct women's positions and outlooks on community life. Given the relevance of the methodology, I examine here some of the procedures and central issues addressed during the workshops, highlighting the dynamics that motivated women's interventions to talk about their problems. The active participation of the promoters was central to this endeavor.<sup>9</sup> The evaluation was carried out in two of the *comunitaria*'s founding communities: the Na'savi community of Buenavista, in the municipality of San Luis Acatlán, and the Me'phaa settlement of Santa Cruz del Rincón, in the municipality of Malinaltepec. Two workshops were organized in each community: one for the evaluation itself and another one to discuss the results.<sup>10</sup> A final workshop was carried out on March 10, 2009, at the CRAC headquarters in San Luis Acatlán specifically for the *comunitaria*'s authorities, that is, the regional coordinators and commanders, the councilors or past authorities, as well as community police officers.

The evaluation focused on three broad topics previously discussed with the promoters: customs, rights, and access to justice. These issues provided the basis for reconstructing understandings and practices that place women in a vulnerable condition, allowing us to identify grievances and to reflect on what having rights and access to justice meant for them. A detailed presentation of the results is beyond the scope of this chapter (see Corzo, Cruz, and Sierra 2009), but in order to exemplify the dynamics, I present the workshop held in one of the communities, the *ejido* of Buenavista.<sup>11</sup>

### Evaluation and Workshop at Ejido de Buenavista, San Luis Acatlán: Bad Customs

We arrived at the Buenavista community headquarters (*comisaría*) on January 31, 2009, to conduct the first workshop. We presented ourselves before the local authority (the *comisario*), who received us respectfully, confirmed his support, and showed us the space reserved for the activity: a large room on the ground floor of the *comisaría*, with columns on one side and a spectacular view of the mountains on the other side, open to the patio where the community's

assemblies take place. While we waited to be received, the *comisario* was hearing the complaint of a woman who accused her husband of taking the document that allowed her to receive her monthly payments from the government's antipoverty program, Oportunidades.<sup>12</sup> As is typical in this community, the conversation between the authority and the women took place in the Tu'un Savi (Mixteco) language. In fact this case reflected precisely the subject of the workshop, so we decided to invite the woman to the two-day meeting, to which she agreed.

Buenavista is a Na'savi community, head of one of the most organized *ejidos* in the Mountain region, with considerable participation in the Community Police. This community was also the birthplace of renowned leaders of indigenous organizations such as the Consejo Guerrerense 500 Años de Resistencia Indígena (Guerrero Council 500 Years of Indigenous Resistance) and the Community Police itself, which is indicative of a long-standing organizational tradition. The workshop was attended by twenty-two women from the community of Buenavista and from nearby communities belonging to the *ejido*. We were surprised by the presence of five men from different communities, three of them *comisarios* from Jicamaltepéc, Cerro Zapote, and Llano Silleta, members of the Buenavista *ejido*, who participated in the entire workshop, in contrast to the Buenavista *comisario*, who was not present. They had apparently turned up to accompany their wives and to find out which topics we would cover. We interpreted their presence as indicative of male caution, but it was also revealing of masculine control, which sought to keep watch over what women say. We initially feared that their presence would affect the workshop dynamics, and in a way it did create a bias in terms of the emphasis given to some points over others; however, I was surprised at the women's forcefulness and their determination not to be censored and to speak their mind. In the end, the men's participation enriched the discussions and allowed their viewpoints to be known regarding topics of great relevance to both women and men, although the women's standpoint prevailed. Most of the participants were not Spanish speakers, which meant that the promoters had to translate to Tu'un Savi and make efforts to generate trust in the dialogue. The workshop lasted two days, time enough to facilitate communication and the participation of both women and men. After discussing the general issues that make women's life difficult in the communities—problems related to health, education, lack of income, poor roads, and so on<sup>13</sup>—they identified three important topics to be examined in depth: (1) bad customs, (2) men do not allow women to participate, and (3) justice benefits men.

I examine here the topic of "bad customs" because it refers to women's principal concerns regarding their personal integrity within the family and the community. Three aspects of "bad customs" were underscored: (1) men think they can have many women, (2) bad customs such as witchcraft, and (3) gossip

between the families and among women. These points refer to very delicate issues for women and men, which led to a lengthy discussion.

Men think they can have many women. It is usual to find men with more than one family, sometimes in the same community, although officially married to only one woman. A number of the cases that reach the CRAC at the Casa de Justicia of San Luis Acatlán are related to this topic. Instead of accusations against husbands for infidelity, the main complaint has to do with men abandoning their families and refusing to provide for their children, often in conjunction with domestic mistreatment. The case of Martina—the woman whose complaint we had heard at the *comisario* office—illustrates the chain of vulnerabilities and forms of violence to which indigenous women are exposed; these are concomitant with male domination and the marginal conditions experienced by families in communities. Martina had five small children, one of them a newborn. She said her husband constantly mistreated her and threatened to kick her out of their home, which was her in-laws' house, while he spent time with another woman outside the community without providing for their children, thus forcing her to live in very difficult conditions. But what made her decide to present her complaint to the Buenavista *comisario* was the fact that her husband took the document entitling her to government support through the Oportunidades antipoverty program, thereby denying her the cash benefits for her five children.

In other words, it was economic necessity as an abandoned woman with five children to provide for that motivated Martina to present her complaint to the authorities and eventually to share it with us. During the workshop she explained her case in Tu'un Savi, which led the promoters to speak of her situation and the defenselessness experienced by women like her, who—according to Paula—“don't know how to defend themselves, don't know their rights.” In this case, Martina wanted her husband to pay alimony for her children and to return the Oportunidades identification document. She had already complained to the local *comisario* in the community of Río Iguapa, where she lives, and later to the *comisario* of Buenavista, the *ejido's* seat, but they had failed to solve her problem. It was interesting that the men present at the workshop were aware of her case and mentioned a large number of abuses committed by her husband that had gone unpunished, thus indirectly criticizing both communities' authorities for their inaction. Given their unresponsiveness to her plight, they suggested that she take her complaint to the CRAC's headquarters in San Luis Acatlán, an idea that was strongly supported by the women promoters. The next day, Martina finally took her case to the CRAC. While this did not bring about significant changes in her situation, it did at least put greater pressure on her husband to refrain from mistreating her. This explains women's insistence on arguing that for “men to have other women” is a “bad custom.” For Apolonia, a justice promoter, this also means “women don't know their

rights” and that authorities “don’t administer justice right and benefit men.” Although Martina did not actually know her rights, the fact that she presented her complaint to the authorities and dared to make her case public in the workshop revealed her courage in seeking a solution to her situation, which triggered the women’s support.

Another issue discussed was the bad custom of “bewitching” women who “meddle in other people’s affairs by supporting other women.” This tends to happen when women, such as the promoters themselves, accompany other women victims of violence to present a complaint and as a result are the object of gossip. “Bewitching” (*echar brujo*) is a deep-rooted practice in these communities that functions as a mechanism of internal control and dissuasion. This explains the promoters’ proposal that they be officially recognized by the community’s assembly in order to avoid being harassed. As an example, Apolonia recounted the time when a neighbor threw rocks at her house because she had accompanied his wife to the authorities. Paula also narrated the harassment she suffered after accompanying a neighbor who had been beaten: “they told us, who are you, you’re not authorities [to get involved] . . . they drove by in a pickup truck, shouting at Paty, Apolonia, and me: Those women are busybodies!” These recurring complaints reflect the fact that women who dare accompany other women victims of violence are highly vulnerable if they do not have the support of communal authorities.

Gossip was also a priority in discussions in both communities, identified as a “bad custom” that severely harms families because it usually aims at slandering women, creating mistrust and violence. The issue of gossip led to intense participation by both men and women to discuss what Enedina called *chismerío* (“tittle-tattle”) about women who go out to participate, as can be observed in the following interaction between Bonifacio and Apolonia:

- B: [Men] give them freedom . . . and the women don’t appreciate it because other men come and they start speaking nicely to them and then they go off somewhere [with them]. . . .
- A: I have to speak up here, part of what Bonifacio says is right and part is wrong. What he’s saying, well it depends on the woman if your husband gives you the freedom to go to meetings. . . . But it depends on you, one thing is freedom, another is licentiousness . . . it depends on you . . . you have to respect your husband if there’s good love and care, you have to respect him.

Here women’s “bad behavior” is identified as licentiousness, which makes people speak badly of them. This kind of gossip disqualifying women who leave the confines of their homes to participate in community affairs elicited a firm response from Apolonia, who is not only a midwife, but also since 2011 the coordinator of the Indigenous Women’s Home (CAMI)<sup>14</sup> in San Luis Acatlán and as

such has personally experienced this kind of gossip. The interaction also reveals Apolonia's discursive style, a direct and affirmative manner in which she expresses her refusal to be intimidated from stating her point of view and her refutation of Bonifacio's statement.

The elements identified as "bad customs" in the workshop are of great concern to women and reveal mechanisms of internal control that aim to demobilize them. They led to an intense discussion among the women, who were very interested in looking for alternatives. As a result, several of them suggested developing workshops on gossip and not only on women's rights. But they especially insisted on the need for public recognition of women who accompany other women, subsequently developing a proposal to have female justice promoters elected in every community who could support the local *comisario* when dealing with women's issues.

I will not examine here other problems analyzed during the workshop in Buenavista—women's participation and lack of access to justice; both confirmed the obstacles and gender exclusions faced by women in community assemblies and in their access to justice, because authorities tend to favor men when mediating disputes.<sup>15</sup> The problems discussed here underscore women's desire to stop being mistreated or slandered without questioning established gender roles. They reveal the central role played by women promoters, who despite the criticism dare to accompany their neighbors to the authorities, although they do demand recognition from the community's assembly to keep from being harassed. The men's participation in the workshops reflects male vigilance, but also a certain willingness to listen to women's complaints. As a Na'savi woman observed during the evaluation, "Men also want workshops, but it's not my fault there aren't any for them."<sup>16</sup>

One of the central aims of the workshops in both communities—Buenavista and Santa Cruz—was to discuss women's conceptions of rights.<sup>17</sup> Rather than definitions, we were interested in identifying their contextual meanings. It was surprising to observe how some women confused rights with what we perceived as duties, like one Na'savi woman from Buenavista who stated that her right was "to prepare the food for her children and her husband," while one of the men who were present said that "a woman's right is to go fetch her husband when he's drunk," a statement that was not too surprising for the women, although it did evoke some laughter. The need to work on the topic of women's rights became evident, emphasizing a holistic understanding in order to stress the fact that demanding rights does not imply neglecting duties, a distinction that the women promoters have deemed fundamental for their own workshops in communities.

For Rosa, a woman who participated in the workshop in Santa Cruz, the practice of rights is differentiated by gender: "We are afraid of participating, we have to have courage. We have to know our rights; nobody knows their rights

because of ignorance or fear. How far will things go, even if they see us beaten because we have no rights? Women aren't allowed to go out, they don't have the right to, men do." The need to differentiate women's rights and duties as part of their domestic unit from their needs in terms of personal integrity also became evident. At the Santa Cruz workshop women stressed the importance of supporting their husbands' commitments to communal activities, revealing notions of complementary between gender roles as members of a domestic unit; such is the case, for example, with feeding detainees undergoing reeducation (a task related to the *comunitaria* justice system), accompanying their husbands in the rituals and ceremonies that are part of their responsibilities as authorities, providing food during community assemblies, and so on. The issue of single or abandoned women and their difficulties in complying with community commitments such as financial contributions was also discussed. Many other problems related to violence, abandonment, alcoholism, and debts motivated heated discussions.

The methodology we used to analyze the problems was very productive to motivate women to participate and proved central to generating trust and interest, eliciting qualitative information that would have otherwise been very difficult to obtain. The model was based on a tree diagram that provided a metaphor for analyzing problems by identifying the causes (the tree's roots) and the consequences (the branches) related to them (see Corzo, Cruz, and Sierra 2009). A fundamental achievement of the workshops was the production of local knowledge in a dialogical manner framed in the women's own language and cultural styles.

In short, the workshops conducted in the two communities generated highly valuable materials from an emic perspective that uncovered women's feelings regarding fundamental problems that affect their integrity. They also revealed that meanings are contextual and embedded in cultural models that define gender roles, as is the case with the notions of duties and rights distributed by sex. This also points to the multiple subordinations experienced by women, which determine the way they live, the grievances they identify, and the solutions they seek. Those grievances and solutions cannot be viewed from an a priori standpoint of gender subordination without taking into account the worldviews and structural marginalization that characterize the lives of indigenous women, intersecting issues of gender, class, and ethnicity. Undoubtedly, these contexts aggravate the exclusions and obstacles women face to gain access to justice and confront gender violence, thus revealing the severe insufficiencies of community justice. Nevertheless, for the women and men present in the workshops, talking about their problems, analyzing them, and identifying some alternatives to facilitate access to justice have had a liberating effect that has to be underlined. There is still much work to be done to ensure that women's rights become central to the communitarian system and



that the progress made to integrate women into the regional body of justice and security is also reflected at community level. The experiences of women who have reached positions of authority at the CRAC in San Luis Acatlán illustrate the significance of this process and their stakes as justice promoters.

### **Rethinking Community Justice and Security from the Perspective of Indigenous Women**

Women's participation in the administration of justice within the *comunitaria* is especially important because of their attempt to influence an institution that confronts state power and implements a counterhegemonic model of security and justice (Sierra 2013b), while questioning deeply rooted patriarchal power. Although women's organization in the *comunitaria* is still weak, the very fact that they are occupying positions of authority reveals the dynamic nature of indigenous law, something that has deep implications for discussions about gender justice within autonomous indigenous jurisdictions. By examining the testimonies of some of the women appointed to positions of authority within the CRAC, I am interested in highlighting the gender tensions they face as these collective spaces open up to their participation. I base my analysis on the testimonies of two women leaders whose experiences in the *comunitaria* have left a mark on the institution: Felicitas Martínez and Carmen Ramírez. Despite the differences in their trajectories, they reveal their courage in confronting the various faces of gender subordination, their commitment to the *comunitaria*, and a critical view of locally instituted sex/gender models. Their participation as justice promoters has allowed them to amplify their role in the institution, which is also one of the achievements of the collaborative project. Likewise, the participatory evaluation served to spark a personal and critical reflection on women's rights.

#### ***Felicitas Martínez: Betting on a Different Justice for Women***

As emphasized above, women have participated in the *comunitaria* since its inception, as a women's commission working on various tasks: first in 1999, supporting the CRAC, and later in 2005, promoting women's organization.<sup>18</sup> However, it was not until February 2006 that they were finally included in the administration of justice and elected as CRAC coordinators in the Regional Assembly. According to Felicitas Martínez, the first woman appointed as coordinator of the Regional Security and Justice System,

Only in February 2006 was a woman finally administering justice. Before that there were women companions in the *comunitaria*, but they were invisible to justice. . . . Yes, there were very experienced women leaders assisting with security, but they did not administer justice, because after

all the Assembly has to authorize it, . . . if the assembly doesn't elect you, you're not in the decision making, because decisions are made by the justice board, . . . but it isn't easy, you don't have the full support of your male colleagues, it's a minority, it's an everyday struggle between the women and their male colleagues. [Women's participation] makes a big difference because there's more trust with the women, there are closer relations because women value you more. We are there to listen to both versions . . . to see who is in error, not only to support women.<sup>19</sup>

Felicitas emphasized women's daily struggle to address issues that concern them in a space dominated by men, such as the CRAC. Their participation entails new ways of administering justice, which implies earning the trust of the women involved in complaints or offenses so they feel free to state their grievances, without however losing sight of errors they may have committed. In her testimony, Felicitas emphasizes that rather than tipping the scales of justice in favor of women, this is about exercising justice in a way that considers the versions of men and women.

Felicitas Martínez is a thirty-six-year-old Me'phaa woman from the community of Potrerillo Cuapinole, San Luis Acatlán, and currently the single mother of a five-year-old girl. She was able to study law at the University of Guerrero in Chilpancingo due to enormous personal efforts, making her an exceptional case in the context of the women in the *comunitaria*. Through the Guerrero Coordination of Indigenous Women—a regional organization of indigenous women—she has long participated in organizational processes related to the defense of indigenous rights in Guerrero, and of indigenous women's rights in particular.<sup>20</sup> Above all, Felicitas stands out for her eloquence and self-confidence when speaking to any audience, both within and outside her region. She has significant experience in regional, national, and international indigenous women's organizations, which has considerably broadened her perspectives and has given her access to knowledge about women's rights. For that reason, her interest in participating in local processes rooted in her own region and to promote women's involvement is particularly noteworthy. In her position as regional coordinator at the headquarters for San Luis Acatlán, she had to devote her efforts to the justice-related tasks of the CRAC, which implied an almost complete commitment in terms of her availability and time. Felicitas is the only woman to have been appointed coordinator for three different periods (one year in 2006, a few months in late 2010, and five months in 2012), which reflects both her commitment and her local legitimacy.

But what type of justice do women exercise, and to what extent does it reveal gender sensitivities that contribute to more adequate justice for women? Felicitas's following testimony offers some glimpses:

We had the case [at the CRAC] of a Mixteca woman from Tlacoachistlahuaca, her husband always got home drunk, insulted her, beat her . . . ,

and the worst thing we saw was that she had a daughter that was hers, not her partner's, a two-year-old girl. I talked to her and she told me. The man admits that he did hit the girl, "I didn't hit her hard, I only slapped her in the face twice," the girl sat close to her mother and didn't look at him again. I told the woman, "the girl was fine with your mom, she gave her love and attention, why did you fetch her [to live with you] if you knew he wasn't going to love her as her father? Because fathers forgive everything, but he's not her father."<sup>21</sup>

This case highlights Felicitas's concern as a woman and mother in her attempt to understand not only the issue of the man's mistreatment of the woman, but also its effects on the child. Through these reflections, Felicitas reveals the everyday dramas experienced by women suffering domestic violence. These cases require the personal involvement of the coordinators, both men and women, in the face of difficult situations, which in this particular case implied trying to determine how to reeducate someone who is capable of hitting a two-year-old child.

Felicitas's experience as an authority figure implies an enormous emotional commitment that is not always easy to deal with. Both men and women in positions of authority are of course equally exposed to people's everyday dramas, but the ways they process them seem to be influenced by gender, in the sense that women tend to approach problems from a more holistic perspective (Arteaga 2013). This also explains the female coordinators' interest in caring for women detainees' health when they have been victims of violence, regardless of the crime committed. It is therefore common for the female coordinators to personally check on the women and, when necessary, take them to the health center to be cared for, as I was able to witness on several occasions. At the same time, the experience of administering justice and hearing people's testimonies, especially women's, strongly affects them. The emotional burden of having to listen to people's dramas and deliberate on them is not discussed within the spaces of community justice, but the women develop their own survival strategies.<sup>22</sup> In that respect, Felicitas says, "When I was in the CRAC I wanted to vent my feelings but I kept everything inside, I would go to the Internet but that didn't help unburden my mind."<sup>23</sup> In effect, for Felicitas, dealing with very complex situations every day is a great responsibility, and the impact is perhaps greater because many situations involve gender violence and are sometimes not very different from problems she herself has experienced.

The tendency to seek negotiated solutions has its limits in cases of rape, something that is very clear to Felicitas, but not so to the other coordinators (including some of the women): if the parties come to an agreement—usually the parents of the young couple involved—negotiated solutions that involve payment for the "damage" or the promise of marriage are often accepted.

Felicitas has been quite firm in questioning such arrangements in cases of rape, thus criticizing long-standing practices in community justice.

In spite of the personal costs for a woman participating in a male space such as the CRAC, because of the gossip involved and the implications for their spouses, the deep commitment of women like Felicitas to their position of authority is remarkable: "I am proud of my people for participating in the CRAC, but let me tell you it isn't easy being in this system as a woman. I would like to see more women participating. . . . [There have been] 16 years of the Community Police, there has been bloodshed, harassment, detentions . . . it hasn't been easy being an authority. My knowledge, what I've learned about justice, I owe it to the CRAC. . . . I still have a very big challenge, my dream of preparing new women leaders who are convinced of this project."<sup>24</sup> With these words, Felicitas synthesized the collective and personal dimensions that involve her in the *comunitaria* project, disputing her place as a woman, proud to be a member of the institution, and at the same time aware of what confronting the state has meant in political terms. She thus reveals the links that tie her to the collective process, stressing her personal growth in the administration of justice but above all her commitment to promote women's participation in the institution, which remains one of her main long-term projects.

### ***Carmen Ramírez Aburto: The Strength of Commitment***

Finally, I examine the testimony of Carmen Ramírez Aburto, perhaps the most emblematic woman in the *comunitaria*, whose presence has marked the institution since its inception. Although Carmen had little formal education—she completed only fourth grade of elementary school—she participated in different organizations such as the Rural Association of Collective Interest, but especially in the *comunitaria*, to which she devoted eight years of her life, sacrificing even her family, as she emphasized in several interviews and conversations. A Me'phaa woman born in Pueblo Hidalgo, Carmen has four daughters and one son and currently lives with her partner, after spending several years as a single mother. Not only was her participation in the *comunitaria* vital in the beginning when she was part of the women's commission to support the CRAC, conceiving ideas for reeducation; she has also participated in protection, detention, and security tasks without being assigned to a specific position to that end. Carmen's courage was tested on several occasions during operations to detain people together with community policemen.

I know what it means to be in an operation, . . . no commander is going to deceive me telling me how an operation is done. . . . We arrived there . . . we went to look for the individual who had killed [the person], he was under some trash, there were banana leaves covering him, there he was and we had to surround him from a distance, each of us with our

weapons, and he came out, I think if we hadn't been ready he would have shot Commander Luis. He got up, came out of the trash, grabbed his M1 and shot in the commander's direction, and I jumped on him from behind. . . . I've been in a tough operation!<sup>25</sup>

With courage and resolve, Carmen narrated her experience as part of the Community Police. She is in fact one of the few women who has participated in security tasks, which are usually performed exclusively by men, revealing both her audacity and her deep commitment to the institution. There are several accounts that demonstrate how she risked her own physical integrity, even successfully detaining a prisoner who had escaped. Even after the trauma she experienced when her two-year-old daughter died while she was performing her duties at the *comunitaria*, she continued participating. Carmen acknowledges that in those difficult moments she received considerable emotional and institutional support from her colleagues; because of that, she does not hesitate in praising the CRAC's solidarity and support, essential for her to overcome her pain. Later, Carmen was elected regional coordinator together with two other women—Catalina Rodríguez and Teófila García—in February 2007. I had the opportunity to share in and accompany the process of justice administration at the *comunitaria* during that period and especially to observe the women's work. Carmen in particular kept going to the Casa de Justicia every day and participating in the complex assignments they had to perform at the time, while simultaneously fulfilling her duties as a mother. She also paid close attention to kitchen and cleaning tasks at the CRAC's headquarters and made efforts to guarantee the security and health of women detainees during that period. She obtained monetary support from local market vendors to provide food for the community police and on several occasions even prepared it herself. In her role as coordinator, she participated in tours to follow up on the situation of detainees in reeducation to ensure that they were liberated when they completed their sentence and to address justice-related cases presented to the CRAC. I personally witnessed and accompanied all of this. For this reason, I was greatly surprised when, in a regional assembly in the community of Horcasitas, several CRAC authorities were dismissed, the women included. The accusations laid against them were never proven, and they had a severe effect on the women, more so than on the men. Similar cases of groundless accusations have occurred at various times within the CRAC without resulting in the authorities' dismissal. For the women this was a very tough blow, and it is yet another example of gender bias in the *comunitaria*, since women are more strictly controlled and punished than men. Beyond the fact of the injustice itself, I am interested in recording Carmen's testimony of what that experience meant for her:

Because of a mistake committed by the former coordinators, [the detainee] ended up with us, they didn't respect the agreement [between]

the Public Prosecutor's Office [and the *comunitaria*] and they took on the case, which was already there [at the Public Prosecutor's Office]. The family put pressure on us. They had a big problem with me. On July 7 [2007], [the Assembly] said "we want the women out." . . . Women's participation [in the justice board] was dismantled, I don't know what happened to the councilors. Why does that happen? Because we're women! The comisarios, the policemen have made many mistakes and no one says anything. Oh, but with the women it's different: out with the women! I was really hurt. . . . At that moment I told myself that I would never return to the CRAC: I lost a child, I abandoned my daughters, all of it to support the people, and all of this happened.<sup>26</sup>

In the end, Carmen was a victim of conflicts between different factions within the CRAC, which in her case meant disregarding her commitment to the institution. Because of that, when I accompanied the female justice promoters to present the work we had been developing to the recently appointed CRAC authorities in April 2010, they were all deeply hurt when the new regional coordinators requested to see their justice promoter IDs: "We want to know who appointed you as justice promoters. Where are your credentials?" More than an understandable caution as authorities, this was an unfriendly gesture (to say the least) directed against all of us, myself included, resorting to unnecessary formalities in order to disqualify the women's work and emphasize the new power relations within the CRAC. Although the new coordinators later attempted to attenuate this unfortunate action, it left a deep mark and points to the offenses faced by women when trying to legitimize their work in the institution.<sup>27</sup>

In spite of everything, Carmen is still a very important figure for the *comunitaria*. Her experience has been central for elaborating alternative proposals for women, especially in the field of reeducation and community security.<sup>28</sup> In this respect, she made the following assessment of the role of female justice promoters:

Maybe we weren't able to make that much progress [as promoters] because there was a lot of gossip, and the gossip sometimes makes us believe that we're weak. There were several things that damaged us [including] slander and gossip. But that doesn't mean we're going to give up, on the contrary, we have to make an effort . . . as justice promoters. That's why it's so important for there to be more women [at the CRAC board of justice]. . . . Because we have to fight for a space where women can take care of women's cases. Yes, we need more women to look after the female detainees.<sup>29</sup>

In spite of the difficulties female justice promoters have had in consolidating themselves as a group, Carmen is very clear about the reasons why women's

presence in the various tasks of the *comunitaria* is essential: "Our proposal is to have two female delegates from each community. Just like there are male policemen, there have to be female police officers, there have to be female commanders . . . because I have daughters, and I can't agree if a policeman disrespects a female detainee, as women it hurts us to see a female detainee abused. I think the proposal of appointing female delegates is important. . . . We have to go to the communities . . . there have to be female police officers, that's what's missing [in the CRAC]."30 Carmen keenly expressed the importance of women's participation at all levels of the communal justice and security system. Her critical outlook derives from her own experience and has been fundamental in generating changes within the CRAC. The deeply rooted imaginary of community police officers as exclusively male has been decentered by the experience of women like Carmen. It is through practice that women are redefining the roles and tasks of the communitarian system from a gender perspective, even though this intervention is not yet legitimized.

In short, committed female leaders in the *comunitaria* have developed an internal critique, exposing the gender inequities that exclude them and yet continuing to defend the communal project against threats from the state. The female promoters do not have a solid mandate that allows them to consistently promote women's participation. And yet they continue making headway even with frequent setbacks, significantly enriching the *comunitaria's* project. The gender identities they assert are therefore intimately related to the collective identities of their peoples, without which their struggle as women in the institution would be impossible.

### **Conclusions: Redefining Justice and Rights from the Perspective of Indigenous Women**

This chapter has analyzed the results of a collaborative research project whose main objective was to support indigenous women in their demands for gender rights within the Community Police of Guerrero. This project provided a privileged vantage point for understanding the problems women face when seeking justice, revealing the intimate texture and everyday drama of their lives, but also their commitments to an institution that has afforded them dignity. I agree with Charles Hale (2008)<sup>31</sup> about the highly productive role of collaborative research and its implications for anthropological knowledge because it permits a deeper understanding of fundamental issues relevant to the social actors involved. I have been following the communal justice and security system in Guerrero for many years (Sierra 2009, 2010, 2013a, 2013b, 2013c), but my work with the female justice promoters has undoubtedly been the most significant space to which I have had access; it has allowed me to perceive the complexities involved in the *comunitaria's* efforts to open venues for women's rights. But

particularly I have had the privilege of getting to know incredible women who shared with me not only their lives but also their decisions to support other women who do not know that “they have rights,” as Paula Silva stated. The idea of not having rights, together with the coupling of “rights and duties,” was in fact a subtext that emerged in the discussions we had with the promoters of justice, the women involved in the research.

Gaining access to indigenous women’s own notions of gender violence, rights, and justice constituted the main research challenge. In this respect the evaluation (*diagnóstico*) motivated women in the communities to participate in the workshops, sharing sensitive and complex issues that involved their personal lives. Instead of starting from abstract concepts regarding gender roles and legally established rights, we ensured that the women themselves named the problems that were relevant to them, taking into account their own contexts and worldviews. A wide range of issues was brought forward that revealed multiple subordinations: the marginalization and structural inequality of indigenous communities has a direct effect on the way women experience gender subordination. From an intersectional perspective gender violence cannot be understood in isolation from other social and cultural determinants that affect women’s lives. In the face of problems such as mistreatment, abandonment by men, bad customs such as gossip and slander, and the fact that men can have other women, our analysis tried to identify the meaning of those grievances for women, reconstruct the ways in which they affected their dignity, and put into relief the actions women proposed to confront them. For example, rather than discussing forms of domestic violence, they emphasized the importance of having the support of other women when taking their complaints to the authorities, hence the importance of obtaining formal recognition as female justice promoters from the local community assembly. This type of concrete action, where the personal dimension is linked to collective action, can have a greater impact on reducing gender violence than appealing to abstract rights that are unattainable in the context of indigenous communities.

A cultural gender policy defined from the perspective of indigenous women necessarily will have to link the material and cultural dimensions of life (Hernández 2010; Mejía 2010) when speaking of rights. Indigenous women’s expectations cannot be separated from social reproduction and access to resources that restrict them or the cultural models that define their worldviews. Notions of “good treatment” for women in the *comunitaria* include a critique of “bad customs”—gossip, violence, and abuse—and, most important, creating spaces for women’s participation, without necessarily challenging male hegemony. Women’s desires and aspirations develop in their cultural and social contexts. Mahmood’s (2008) misgivings about judging women’s expectations in the context of non-Western cultures are important references for the discussion of indigenous women’s grievances and demands.<sup>32</sup> It is a matter not just



of “vernacularizing” gender rights (Merry 2006) to translate them into local needs, but rather of identifying the conditions that hinder or make it possible to demand rights. If we are to contribute to reducing gender violence and promoting national and international laws for the protection of women against violence, we need to understand the significance of grievances in their local contexts before imposing external agendas that hinder the possibilities for social change. In the case of indigenous women in the *comunitaria*, this necessarily involves being part of a grassroots institution that has provided them with new horizons as indigenous peoples and the possibility to conceive their rights as women. This is what the justice promoters’ life experience and testimonies show.

The research discussed in this chapter has revealed a number of key analytical elements. First, indigenous women’s agency and their histories of participation in the CRAC point to the important role they have played throughout the history of the *comunitaria* and the ways in which they have enriched the justice and security model. In spite of the difficulties and obstacles they have encountered, women have been able to open spaces, albeit still marginal, in the CRAC’s security and justice system, questioning in practice the gender ideologies that subordinate them. Second, like indigenous women in other contexts, the women of the *comunitaria* continuously faced the dilemma of subordinating their rights as women to defend the collective rights of an institution that is under constant attack by the state. The very dynamics of the system highlight women’s role in addressing security and justice issues that men cannot resolve. In their role as members of the women’s committee, coordinators, commanders, or justice promoters, women have earned their place in the CRAC, which also explains why their gender identities as women are intimately related to their collective identities. Third, women’s participation in the *comunitaria* system has significantly enriched the indigenous justice model. Their mere presence does not guarantee access to justice with gender equity, but it has brought about important changes because of the fact that women are addressing other women’s demands. Women authorities have also introduced a different style of dispensing justice and conducting reeducation. Their practices set in motion a holistic model of justice centered on the woman’s body in both its physical and emotional dimensions. This also reveals the close relationship between justice, health, and violence as a necessary referent for discussing indigenous women’s rights, an issue that was recurrent during the workshops. Without reflecting on the subject, women in the CRAC have put in practice an idea of healing, as other indigenous women have done in different contexts (Sieder and Macleod 2009). Fourth, the improvements achieved through the women’s presence in the communitarian security and justice system, albeit limited, are especially relevant in the context of an emblematic institution for indigenous peoples of Mexico. Women’s participation as authorities points to the emancipatory potential of indigenous justice regarding the efforts to respect both human and women’s

rights. Fifth, advances at the level of regional justice need to be more consistent in order to guarantee women's participation at the local level including community justice. There is still much to be done at this level to ensure women's access to adequate justice, as the women themselves expressed during the workshops. In both spaces (regional and communal), deeply rooted patriarchal customs, which tend to favor men, prevail in the exercise of authority. One of the biggest challenges faced by the female justice promoters is consolidating their place in the CRAC's regional system while creating spaces for women's participation in local power structures.

New obstacles have arisen due to the increase in violence and threats to the *comunitaria's* territory from external factors, such as drug cartels, mining companies, and new forms of state control at the national and local levels. But the principal challenge is due to the internal conflicts that are fragmenting the system, as part of this cumulative process of violence and insecurity, which once again brings into relief the dilemma of women's place. It remains to be seen whether indigenous women's participation will be consolidated or diminished in the context of the new challenges faced by the indigenous peoples of Guerrero.

#### NOTES

1. The Community Police force was formally created on October 15, 1995, to combat the insecurity and violence that plagued the communities, while the state's inaction fostered impunity. Twenty-seven communities from three Na'savi, Me'phaa, and Mestizo municipalities from the Coastal-Mountain region of Guerrero joined forces to create security patrols. In February 1998, they decided to stop handing over detainees to the Public Prosecutor's Office, and to create their own institution for the administration of justice—the Regional Coordination of Communal Authorities (CRAC). Hence the Regional System of Community Security, Justice, and Reeducation was born (see Sierra 2013b).
2. The term *comunitaria* is used here to refer to the community security and justice system as a whole, in other words, both the Community Police (security forces) and the CRAC (administration of justice), known collectively by their Spanish acronym as "CRAC-PC."
3. For Santos, "ecology of knowledge" implies making visible and giving value to other knowledge unknown to hegemonic, Western knowledge; here I use the term to refer to the various forms of signifying rights and gender.
4. The project was called Indigenous Women and Access to Justice: The Women of the Community Police of Guerrero, sponsored at first by the Tides-Angélica Foundation (December 2008–December 2010) and later by the collective project that gave rise to this book.
5. See especially the General Law on Women's Access to a Life Free of Violence (2007). Available in English at [http://www.summit-americas.org/brief/docs/Law\\_on\\_access\\_to\\_a\\_life\\_free\\_violence.pdf](http://www.summit-americas.org/brief/docs/Law_on_access_to_a_life_free_violence.pdf).
6. In total, eight women participated as justice promoters, several of whom had considerable organizational experience, including Felicitas Martínez, Catalina García,

Carmen Ramírez, Apolonia Plácido, Inés Porfirio, Paula Silva Florentino, and Enedina Galindo. I would like to thank them all for their commitment to the project's development. Úrsula Hernández also participated as a research assistant. At the time of writing (mid-2015), in a context of crisis experienced by the communal institution due to different internal and external factors, the group of justice promoters has ceased to function as such.

7. Some of the project's intermediary products are an informational brochure (Hernández and Sierra 2009), a video on women's participation (Sierra 2013a), and a book in progress on the collaborative research project with the women (see also Sierra 2009).
8. I would like to thank Imelda Cruz and Janette Corzo, from Jk'optik Association in Chiapas, whose contributions were central to facilitate and systematize the evaluation and the workshops.
9. Part of these dynamics can be seen in the video that resulted from the collaborative effort (Sierra 2013a).
10. The initial workshops took place from January to May 2009; based on the results, we later conducted a second phase of the collaborative research, which continued to May 2011.
11. *El Ejido* is a rural property for public use and includes a forest, land, and waters recognized by the Mexican agrarian law. The *Ejido* is a legal entity and in the case of Guerrero includes several communities united by the agrarian structure of the *Ejido* (<https://es.wikipedia.org/wiki/Ejido>).
12. Oportunidades is a federal program to support low-income female heads of household, who receive a certain amount of money according to the number of children they have enrolled in school.
13. A central aspect of the evaluation was to identify the main problems faced in the communities, which led to a reflection on the structural conditions of life and the environment. This revealed extreme material scarcities and severe deficiencies in the fields of health, education, and work (see Corzo, Cruz, and Sierra 2009).
14. CAMI was established in San Luis Acatlán in 2011 as part of the federal program led by the Commission for the Development of Indigenous Peoples (CDI) and the Secretariat of Health.
15. The dynamics generated in these spaces were recorded in the video mentioned above (Sierra 2013a).
16. Intervention translated from Tu'un Savi by Paula Silva.
17. During the workshop at Santa Cruz del Rincón, four topics were discussed: the lack of adequate justice for women, mistreatment, obstacles to exercising their rights, and gossip (see Corzo, Cruz, and Sierra 2009).
18. In 2005, the women's board was established for the first time, in a Regional Assembly held in Pueblo Hidalgo, San Luis Acatlán.
19. Interview by the author, June 10, 2011.
20. Felicitas Martínez's life story is narrated in Espinosa, Dircio, and Sánchez (2008).
21. Interview by the author during a meeting of promoters, June 10, 2011.
22. Ana Cecilia Arteaga also underscores the holistic vision that characterizes women's styles of administering justice in the CRAC, in particular the role of emotions and the alternative strategies applied when addressing cases (Arteaga 2013).
23. Interview by the author, June 10, 2011.

24. Ibid.
25. Interview by the author, April 18, 2008.
26. Interview by the author, July 21, 2011.
27. In the end the justice promoters received formal approval to continue with their activities in the Regional Assembly held in Jolotichán, San Luis Acatlán (September 10, 2010).
28. Reeducation is the last phase of the process of justice administration in the *comunitaria*: through social labor, detainees are expected to make up for the harm they caused.
29. Interview by the author, July 21, 2011.
30. Women's roundtable at the sixteenth anniversary of CRAC in Paraje Montero, October 15, 2011.
31. See also Leyva, Burguete, and Speed 2008.
32. Mahmood's (2008) research on Muslim women reveals that their notions of grievance, dignity, and autonomy differ radically from the liberal views of gender equality proposed by Western feminists, whose categories of emancipation and agency are questioned for their colonial gaze.

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"*Demanding Justice and Security* offers a panoramic view of Latin American indigenous women's strategies for combating gendered violence and of creating constructive justice alternatives grounded in indigenous concepts of collective rights and autonomy. Beautifully written ethnography and crisp theory make this a particularly useful classroom book."

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*We Are the Face of Oaxaca: Testimony and Social Movements*

"*Demanding Justice and Security* constitutes a milestone in the study of indigenous women's organizing, understanding, and engaging legal pluralities in Latin America. Drawing on rich fieldwork from Bolivia, Mexico, Colombia, Ecuador, and Guatemala, the authors of this collaborative research-action experience have crafted an outstanding multi-sited ethnography of gender, violence, injustice, and insecurity in these countries. This remarkable volume allows for a unique opportunity to consider structural violence and its comparative effects on the gendered body politic."

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**A**cross Latin America, indigenous women are organizing to challenge racial, gender, and class discrimination through the courts. Collectively, by engaging with various forms of law, they are forging new definitions of what justice and security mean within their own contexts and struggles. They have challenged racism and the exclusion of indigenous people in national reforms, but also have challenged "bad customs" and gender ideologies that exclude women within their own communities.

The contributors to *Demanding Justice and Security* include both leading researchers and community activists. From Kichwa women in Ecuador lobbying for the inclusion of specific clauses in the national constitution that guarantee their rights to equality and protection within indigenous community law, to Me'phaa women from Guerrero, Mexico, battling to secure justice within the Inter-American Court of Human Rights for violations committed in the context of militarizing their home state, this book is a must-read for anyone who wants to understand the struggle of indigenous women in Latin America.

RACHEL SIEDER is a senior research professor at the Centre for Research and Advanced Study in Social Anthropology (CIESAS) in Mexico City. She is the coeditor of *Gender Justice and Legal Pluralities: Latin American and African Perspectives*.

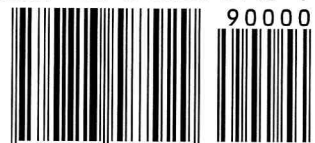
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